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SECRETARY OF STATE

State of New Mexico

Susana Martinez
Governor

April 8, 2015

HOUSE EXECUTIVE MESSAGE NO. 16

The Honorable Don L. Tripp, Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, NM 87501

Honorable Speaker Tripp and Members of the House:

Pursuant to the Constitution of the State of New Mexico, Article IV, Section 22, I hereby VETO and return HOUSE BILL 428, as amended, enacted by the Fifty-Second Legislature, First Session, 2015.

House Bill 428 would allow for a significant increase in county official salaries in Los Alamos County and potentially Bernalillo County—up to \$95,000 per year. Maximum county salaries are set in statute by the county classification. This bill completely disregards the existing statutory structure and adds a special carve-out for incorporated and urban counties. By definition, Los Alamos County is the only incorporated county, and while Bernalillo County is currently not an urban county, it is the only county in the state eligible to become one.

The caps on county salaries were already raised in 2013 as a result of legislation that I signed into law. In fact, the caps on salaries for county officers across the state were increased by 15% with the exception of Los Alamos, the only Class H County. Officer salaries in Los Alamos went from just \$1.00 to between \$4,302 and \$13,777 depending on the position. This was a significant increase for all county officers in New Mexico, especially in Los Alamos.

Signing this bill could result in an increase of more than 25% in the salary caps for the Bernalillo County treasurer, assessor, and sheriff, and an increase of over 180% in the current statutory cap on salaries for commissioners and probate judges. For Los Alamos, where salary caps are set between \$4,302 and \$13,777, the increase is unreasonable. Therefore, I cannot sign House Bill 428.

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Respectfully yours,



Susana Martinez
Governor

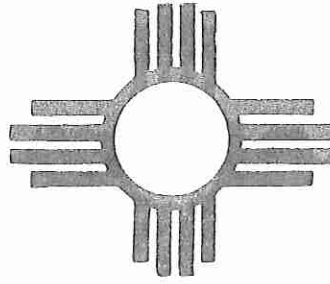
RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: 4:00 a.m. (p.m.)
Date: 4/8, 2015

By 
Secretary of State

Time: _____ a.m. p.m.
Date: _____, 2015

By _____
Chief Clerk of the Senate



The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER _____

HOUSE BILL 428, as amended

Introduced by

REPRESENTATIVE STEPHANIE GARCIA RICHARD
AND SENATOR DANIEL A. IVEY-SOTO



VETOED

1 AN ACT
2 RELATING TO COUNTIES; PERMITTING CERTAIN COUNTIES TO SET
3 ANNUAL SALARIES FOR ELECTED AND APPOINTED OFFICERS.
4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

6 SECTION 1. A new section of Chapter 4, Article 44 NMSA
7 1978 is enacted to read:

8 "OFFICIALS--SALARIES.--

9 A. Notwithstanding the salaries provided for in
10 Chapter 4, Article 44 NMSA 1978, an incorporated or urban
11 county that has adopted a charter may by ordinance set the
12 annual salary for some or all of its elected and appointed
13 officers pursuant to this section, but no salary shall be set
14 to exceed ninety-five thousand dollars (\$95,000) per year.

15 B. The charter of an urban or incorporated county
16 may provide for the officers of the county to be elected;
17 provided that in each urban or incorporated county, there
18 shall be, at a minimum, the following elected officers:

19 (1) a county commission or county council,
20 with no fewer than five members;

21 (2) a county clerk;

22 (3) a county sheriff; and

23 (4) a county assessor."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2015. _____

S/ DON TRIPP
DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES

S/ DENISE RAMONAS
DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES

S/ JOHN A. SANCHEZ
JOHN A. SANCHEZ, PRESIDENT
SENATE

S/ LENORE M. NARANJO
LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this _____ day of _____, 2015

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO