

2017 top stories: Ten vetoes overturned

Written by By Matthew Reichbach NM Political Report
Friday, 29 December 2017 05:57



Gov. Susana Martinez saw ten bills she vetoed instead become law this year. Not because of any legislative action, but instead because a court ruled she failed to follow the state constitution when vetoing the bills.

During the legislative session, Martinez vetoed many bills, but Democrats in the Legislature felt ten were improperly vetoed. The [Legislature voted to sue Martinez over those ten](#), saying she failed to explain why she vetoed the bills, violating the state constitution.

A judge agreed.

“It’s telling how some in the legislature love running to the courts when they know they don’t have the support to override a veto,” Martinez spokesman Joseph Cueto said in an emailed statement at the time.

Democratic legislators, meanwhile, celebrated the ruling.

“This case was about computer science opportunities for school kids, economic development in agriculture, and defending the state’s constitution,” Speaker of the House Brian Egolf, D-Santa Fe, said in a statement at the time. “Today’s ruling is a victory for our youth, our farmers, our communities and our constitution.”

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Two identical bills would allow the research into the use of industrial hemp, while another would allow students to use a computer science class as one math credit for graduation requirements.

The bills passed with wide, bipartisan votes before Martinez's improper vetoes.

The ten bills were split into two different camps. For three, she vetoed them within the three-day period allowed for legislation passed during the session but failed to provide any reason why. For five others, she vetoed them on the day she received them, again without explanation. She later issued what the Legislature called "a blanket statement concerning all ten bills without a specific objection on any bills."

In October, Martinez's office [filed to appeal the decision over the ten vetoes to the state Court of Appeals](#). That appeal remains pending.

The Legislature had also legally challenged Martinez's veto of the state budget. The courts said that they should exhaust all possible legislative remedies before a lawsuit, and the the two sides were able to come to a deal during a special legislative session later in the year.

Martinez's attorney is frequent high-dollar contract attorney Paul Kennedy, a former state Supreme Court justice.

Here are the ten bills that were vetoed, but became law because of the lawsuit:

[HB 126](#) , Financial Assistance For Medical Students

[HB 144](#) , Industrial Hemp Research Rules

[SB 6](#) , Industrial Hemp Research Rules

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[SB 24](#) , Local Gov't Broadband Infrastructure

[SB 64](#) , Public School Capital Outlay Time Periods

[SB 67](#) , Notification Of TIDD To County Treasurers

[SB 134](#) , Computer Science For School Graduation

[SB 184](#) , Horse Racing Licenses, Health & Testing

[SB 222](#) , “Local Public Body” Exemption

[SB 356](#) , Notification Of Public Improvement Districts

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