

# Governor's budget vetoes trigger legislative skirmish

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In this file photo, the podium inside the rotunda sits unused during an unusual legislative session, held amid strict public health regulations. (Eddie Moore/Albuquerque Journal)

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**SANTA FE** – A panel of New Mexico's top-ranking legislators clashed Monday over when to take up debate on a series of partial budget vetoes issued by Gov. Michelle Lujan Grisham.

Republican lawmakers pushed to add the vetoes to either the agenda of Monday's meeting of the Legislative Council or to its next meeting, expected in June.

But the council adjourned on a party-line vote – Democrats in the majority – without setting a time for the veto discussion.

At issue is whether legislative leaders intend to challenge a series of vetoes by Lujan Grisham, who stripped from the state budget a legislative plan to allocate \$1.1 billion in federal stimulus funding and made changes to other appropriations language.

Republican and Democratic lawmakers alike have questioned the legality of the vetoes.

The governor's administration, in turn, contends the vetoes were legal and necessary to avoid legislative intrusion into executive functions.

In her veto message, Lujan Grisham said she rejected unconstitutional budget language that sought "impermissibly to create substantive law" and should have been proposed instead in separate legislation.

Lawmakers have not decided whether to challenge the budget changes, or even when to debate the issue.

The topic surfaced in Monday's meeting of the Legislative Council, a panel of legislative leaders from both parties and chambers. Democrats hold majorities in the House and Senate, and Lujan Grisham is a Democrat.

House Speaker Brian Egolf, a Santa Fe Democrat who presided over the meeting, said it wasn't appropriate to take up the vetoes Monday because they weren't on the agenda.

He said he would talk with Democratic and Republican legislative leaders about whether to add the vetoes to the council's next meeting agenda.

House Minority Whip Rod Montoya, R-Farmington, pushed to either discuss the vetoes Monday or schedule the debate for the next meeting, with the Legislature's attorneys present.

"I'm not sure why we wouldn't have a discussion over such an important issue," he said.

Egolf said Montoya's motion to schedule the vetoes for discussion wasn't proper because it wasn't on Monday's agenda.

"It's a matter of transparency and openness that we act on items on the agenda and nothing more," Egolf said.

Whether the Legislative Council will take up the vetoes isn't clear.

Even without council action, the dispute could end up in court. Individual lawmakers are free to file a lawsuit challenging the governor's budget changes.

Analysis by staff members of the Legislative Finance Committee – a bicameral group of lawmakers who craft initial budget recommendations – flagged a number of vetoes as potentially problematic.

Some of the vetoes centered on legislative plans for about \$1.1 billion in federal stimulus funding. Lawmakers, for example, had designated about \$600 million in federal money to help shore up a fund for unemployment insurance and earmarked other money for a scholarship program and highway repairs.

Lawmakers are examining vetoes on other topics, too.

The governor, for example, rejected budget language that would have limited her spending authority in some areas.

As an example, LFC analysts said, Lujan Grisham removed a requirement that certain money be used for correctional officer pay raises, a change that will allow the money to be used more broadly. She also took out language that sought to make \$1 million in funding contingent on submission of a cybersecurity plan, a move that will allow the executive branch to spend the money even if it doesn't submit the plan.