

Opinion No. 57-56

March 21, 1957

BY: OPINION OF FRED M. STANDLEY, Attorney General Paul L. Billhymer, Assistant Attorney General

TO: Mrs. Natalie Smith Buck, Secretary of State, Santa Fe, New Mexico

QUESTIONS

QUESTIONS

What is the deadline, date and hour for gubernatorial approval of bills enacted by the Twenty-Third Legislature?

ANSWER

Until midnight, March 29 1957.

OPINION

ANALYSIS

The answer to this question is found in Article IV, Section 22 of the Constitution - the part which gives the answer reads as follows:

". . . Every bill presented to the governor during the last three days of the session shall be approved by him within twenty days after the adjournment and shall be by him immediately deposited with the secretary of state. Unless so approved and signed by him such bill shall not become a law. . . ."

We assume that your question has reference to the bills covered by the above section of the Constitution. It is to be noted that the governor must approve the bill before it can become law. The governor has twenty days after adjournment within which to act. The method of computation of this time is as follows:

(a) The day of adjournment does not count -- that is March 9, 1957, does not count. The first day of the period would be March 10, 1957.

(b) The twentieth day would count -- that is March 29, 1957, would count. (See the rule announced in *Garcia vs. J. C. Penny Company*, 52 N.M. 410, 200 P. 2d 372).

The governor would have until midnight of March 29, 1957, within which to approve the bills presented to him within the last three days of the Legislature. All bills not so approved shall not become law.