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Mr. Const. Art 4 Part 3rd Sec 2
Bond Issues; Veto
Referendums; Veto

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July 15, 1977

Honorable May M. Ross
Secretary of the Senate
Senate Chambers
State House
Augusta, Maine 04333

Dear Mrs. Ross:

We are responding to your letter of July 12, 1977, in which you asked two questions concerning the constitutional procedure to be used with legislation which is subject to referendum. Your questions are whether bills which have been passed by both Houses of the Legislature should be presented to the Governor for his approval or should be presented directly to the Secretary of State to be placed on a referendum ballot, when those measures are: (1) bond issue legislation passed under the provisions of Article IX, Section 14 of the Constitution of Maine; and (2) any other measure which contains a referendum clause. The answer is that the legislative measures in both cases should be presented to the Governor for his approval pursuant to Article IV, Part Third, Section 2 of the Constitution of Maine.

Your questions require consideration of Constitutional provisions which read, in pertinent part:

"Every bill or resolution, having the force of law, to which the concurrence of both Houses may be necessary, except on a question of adjournment, which shall have passed both Houses, shall be presented to the Governor . . ." Article IV, Part 3, Section 2.

"The Legislature shall not create any debt or debts . . . which shall singly, or in aggregate . . . exceed two million dollars, except . . . that whenever two-thirds of both Houses shall deem it necessary, by proper enactment ratified

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