

# MAINE STATE LEGISLATURE

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Legislature's Limits on Length of Session  
Legislature's Capacity to Transact General Business at  
End of Session

3 M.R.S.A. 2

JOSEPH E. BRENNAN  
ATTORNEY GENERAL



RICHARD S. COHEN  
JOHN M. R. PATERSON  
DONALD G. ALEXANDER  
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

July 15, 1977

May Ross  
Secretary of the Senate  
State House  
Augusta, Maine

Dear Mrs. Ross:

This responds to your opinion request of July 14, 1977, by which you pose the question as to whether, in light of the provisions of P.L. 1975, c. 750, 3 M.R.S.A. § 2, and the Joint Order of July 11, 1977, the Legislature which reconvenes on July 25, 1977, will be able to conduct any business other than sustaining or overriding gubernatorial vetoes.

The House Order of July 11, 1977, provides as follows:

"Ordered, Senate concurring, that when the House of Representatives and Senate adjourn, they both adjourn to nine-thirty in the morning on Monday, July 25th; at which time the House of Representatives and Senate shall meet for one legislative day for the purpose of considering possible objections of the Governor to any Bill or Resolve presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2."

The terms of the Order basically track the provisions of 3 M.R.S.A. § 2 relating to the activity which the Legislature may undertake, without an extension of the legislative session, on the additional day for consideration of gubernatorial vetoes.

Under the terms of that Order and 3 M.R.S.A. § 2, we do not believe that the Legislature, meeting on July 25, 1977, as part of the first regular session, could conduct any business other than sustaining or overriding gubernatorial vetoes.

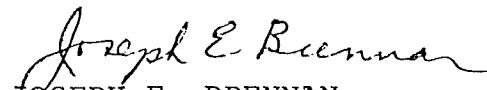
However, in providing this advice, I would also note that there are options available to the Legislature should either a majority or 2/3 of the members of the Legislature deem it appropriate to conduct other legislative business on the 25th of July. -

First, the Legislature may, on call of the President of the Senate and Speaker of the House and after a poll of the members of the Legislature, call itself into special session in accordance with the terms of Article IV, Part Third, Section 1, of the Maine Constitution. Such call requires approval of a majority of the members of the Legislature of each political party.

Second, it may be possible, pursuant to the provisions of 3 M.R.S.A. § 2, second paragraph, to provide an additional day or days within the limits of the provision for the conduct of regular legislative business. That date could be July 25. This extension of the time for conducting legislative business would have to be approved by a 2/3 vote of the members present and voting on July 25 and would have the effect of extending the date for adjournment beyond the 100-day limit which has already been reached. As the first regular session of the 108th Legislature has not adjourned sine die, we believe it would be possible to conduct business relating to an extension of the adjournment date, although the 100-day limit for substantive legislation has already been reached. If the Legislature chose to employ either of these alternatives, it could conduct regular legislative business, including amendment of 3 M.R.S.A. § 2, during the additional period.

We hope this information is helpful.

Very truly yours,

  
JOSEPH E. BRENNAN  
Attorney General

JEB/ec

cc: Hon. Joseph Sewall  
Hon. John L. Martin  
Hon. Jerrold Speers  
Hon. David G. Huber  
Hon. Gerard P. Conley  
Hon. Peter W. Danton  
Hon. James E. Tierney  
Hon. Rodney S. Quinn  
Hon. Linwood E. Palmer, Jr.  
Hon. William J. Garsoe



The Senate of Maine  
Augusta

July 14, 1977

The Honorable Joseph E. Brennan  
Attorney General  
State House  
Augusta, Maine 04333

Dear Mr. Brennan:

I quote in part from Chapter 750 which was enacted by the 107th Maine Legislature:

"... The times for adjournment of the first and 2nd regular sessions may also be extended for one additional legislative day for the purpose of considering possible objections of the Governor to any bill or resolution presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2."

I am enclosing a copy of the adjournment order which was unanimously passed by both branches of the 108th Maine Legislature on July 11, 1977.

When the Legislature convenes on July 25, 1977, will it be able to conduct any business,

The Honorable Joseph E. Brennan  
July 14, 1977  
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other than sustaining or overriding the vetoes of  
the Governor?

Thank you for your attention to this matter.

Sincerely,

*May*  
May M. Ross  
Secretary of the Senate

STATE OF MAINE

In House

Ordered, Senate concurring, that when the House of Representatives and Senate adjourn, they both adjourn to nine-thirty in the morning on Monday, July 25th; at which time the House of Representatives and Senate shall meet for one legislative day for the purpose of considering possible objections of the Governor to any Bill or Resolve presented to him by the Legislature under the Constitution, Article IV, Part Third, Section 2.

UNDER SUSPENSION OF RULES  
HOUSE OF REPRESENTATIVES  
READ AND PASSED

IN SENATE CHAMBER

JUL 11 1977  
SENT UP FOR CONCURRENCE

JUL 11 1977

*Edwin Ross*

READ AND PASSED  
IN CONCURRENCE

ORDERED SENT FORTHWITH CLERK

MAY M. ROSS, Secretary

HP1840

(Tierney)

Name:

Town: Lisbon Falls