

# MAINE STATE LEGISLATURE

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L.D. 1369

(Filing No. H-598)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 947, L.D. 1369,  
"RESOLUTION, Proposing an Amendment to the Constitution of Maine  
to Provide for the Override of a Governor's Veto by a  
Three-Fifths Vote"

Amend the resolution by striking out all of the title and  
substituting the following:

'RESOLUTION, Proposing an Amendment to the Constitution of Maine  
in Regard to the Override of a Governor's Veto'

Further amend the resolution by striking out all of Section  
2 (page 1, lines 8 to 35 in L.D.) and inserting in its place the  
following:

'Section 2. Bills to be signed by the Governor;  
proceedings, in case the Governor disapproves; allowing the  
Governor 10 days to act on legislation. 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, and if the Governor approves, the  
Governor shall sign it; if not, the Governor shall return it with  
objections to the House, in which it shall have originated, which  
shall enter the objections at large on its journals, and proceed  
to reconsider it. If In the case of a veto by the Governor, who  
has received 50% or more of all the votes cast in the most recent  
gubernatorial election, if, after such reconsideration, 2/3 of  
that House shall agree to pass it, it shall be sent together with  
the objections, to the other House, by which it shall be  
reconsidered, and, if approved by 2/3 of that House, it shall  
have the same effect, as if it had been signed by the Governor;  
but-in-. In the case of a veto by the Governor, who has received  
less than 50% of all the votes cast in the most recent  
gubernatorial election, if, after such reconsideration, a  
majority of the members of that House shall agree to pass it, it

2 must be sent together with the objections to the other House by  
3 which it must be reconsidered and, if approved by a majority of  
4 the members of that House, it has the same effect as if it had  
5 been signed by the Governor. In all such cases, the votes of  
6 both Houses shall be taken by yeas and nays, and the names of the  
7 persons, voting for and against the bill or resolution, shall be  
8 entered on the journals of both Houses respectively. If the bill  
9 or resolution shall not be returned by the Governor within 10  
10 days (Sundays excepted) after it shall have been presented to the  
11 Governor, it shall have the same force and effect as if the  
12 Governor had signed it unless the Legislature by their  
13 adjournment prevent its return, in which case it shall have such  
14 force and effect, unless returned within 3 days after the next  
15 meeting of the same Legislature which enacted the bill or  
16 resolution; if there is no such next meeting of the Legislature  
17 which enacted the bill or resolution, the bill or resolution  
18 shall not be a law.'

19 Further amend the resolution in the referendum by striking  
20 out all of the question (page 1, lines 49 to 52 in L.D.) and  
21 inserting in its place the following:

22 ' "Shall the Constitution of Maine be amended as proposed by  
23 a resolution of the Legislature to provide that when the  
24 Governor has received less than 50% of the votes cast in the  
25 most recent gubernatorial election, an override of a  
26 Governor's veto is by a majority of the votes cast in the  
27 Senate and the House of Representatives?" '

28 Further amend the resolution in the 6th line from the end  
29 (page 2, line 12 in L.D.) by striking out the following: "the  
30 date of the proclamation" and inserting in its place the  
31 following: 'January 3, 1995'

32 Further amend the resolution by inserting before the  
33 statement of fact the following:

#### 34 **FISCAL NOTE**

35 The estimated cost of sending this resolution out to  
36 referendum will vary according to the total number of referenda.  
37 The estimated cost to the Secretary of State if one to 6  
38 referenda are enacted is \$95,000. Each additional referendum  
39 costs an additional \$6,500.'

#### 40 **STATEMENT OF FACT**

41 The original resolution states that when the Governor vetoes  
42 a bill a 3/5 vote by both Houses of the Legislature will override  
43 that veto. The amendment changes the requirement to override a  
44

COMMITTEE AMENDMENT "A" to H.P. 947, L.D. 1369

2 Governor's veto to a majority vote in both Houses if that  
Governor received less than 50% of the vote in the last  
4 gubernatorial election. The amendment changes the title and the  
referendum question to reflect the change from a 3/5 vote to a  
6 majority vote. It also adds an effective date of January 3, 1995  
if the referendum question is approved.

Reported by the Minority of the Committee on State and Local Government  
Reproduced and distributed under the direction of the Clerk of the  
House

(6/10/91)

(Filing No. H-598)

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