

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1369

H.P. 947

House of Representatives, April 1, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MAHANY of Easton.

Cosponsored by Representative STEVENS of Bangor, Senator CONLEY of Cumberland and Representative GRAHAM of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide for the Override of a Governor's Veto by a Three-Fifths Vote.**

2 **Constitutional amendment. RESOLVED:** Two thirds of each
branch of the Legislature concurring, that the following
amendment to the Constitution of Maine be proposed:

4 **Constitution, Art. IV, Part Third, Section 2, as amended by CR**
6 **1987, c. 4, is further amended to read:**

8 **Section 2. Bills to be signed by the Governor; proceedings,**
in case the Governor disapproves; allowing the Governor 10 days
10 **to act on legislation.** Every bill or resolution, having the
force of law, to which the concurrence of both Houses may be
12 necessary, except on a question of adjournment, which shall have
passed both Houses, shall be presented to the Governor, and if
14 the Governor approves, the Governor shall sign it; if not, the
Governor shall return it with objections to the House, in which
16 it shall have originated, which shall enter the objections at
large on its journals, and proceed to reconsider it. If after
18 such reconsideration, ~~2/3~~ 3/5 of that House shall agree to pass
it, it shall be sent together with the objections, to the other
20 House, by which it shall be reconsidered, and, if approved by ~~2/3~~
3/5 of that House, it shall have the same effect, as if it had
22 been signed by the Governor; but in all such cases, the votes of
both Houses shall be taken by yeas and nays, and the names of the
24 persons, voting for and against the bill or resolution, shall be
entered on the journals of both Houses respectively. If the bill
26 or resolution shall not be returned by the Governor within 10
days (Sundays excepted) after it shall have been presented to the
28 Governor, it shall have the same force and effect as if the
Governor had signed it unless the Legislature by their
30 adjournment prevent its return, in which case it shall have such
force and effect, unless returned within 3 days after the next
32 meeting of the same Legislature which enacted the bill or
resolution; if there is no such next meeting of the Legislature
34 which enacted the bill or resolution, the bill or resolution
shall not be a law.

36 ; and be it further

38 **Constitutional referendum procedure; form of question; effective**
40 **date. Resolved:** That the city aldermen, town selectmen and
plantation assessors of this State shall notify the inhabitants
42 of their respective cities, towns and plantations to meet, in the
manner prescribed by law for holding a statewide election, at a
44 statewide election, on the Tuesday following the first Monday of
November following the passage of this resolution, to vote upon
46 the ratification of the amendment proposed in this resolution by
voting upon the following question:

48 "Shall the Constitution of Maine be amended as proposed by a
50 resolution of the Legislature to provide for the override of
a Governor's veto by 3/5 of votes cast in the House of
52 Representatives and the Senate?"

2 The legal voters of each city, town and plantation shall
4 vote by ballot on this question, and shall designate their choice
6 by a cross or check mark placed within the corresponding square
8 below the word "Yes" or "No." The ballots shall be received,
10 sorted, counted and declared in open ward, town and plantation
12 meetings and returns made to the Secretary of State in the same
14 manner as votes for members of the Legislature. The Governor
 shall review the returns and, if it appears that a majority of
 the legal voters are in favor of the amendment, the Governor
 shall proclaim that fact without delay and the amendment shall
 become part of the Constitution on the date of the proclamation;
 and be it further

16 **Secretary of State shall prepare ballots. Resolved:** That the
18 Secretary of State shall prepare and furnish to each city, town
 and plantation all ballots, returns and copies of this resolution
 necessary to carry out the purposes of this referendum.

20

STATEMENT OF FACT

22

24 This resolution provides for the override of a Governor's
 veto by 3/5 of votes cast in both Houses of the Legislature.