

# STATE OF MAINE

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**In House**\_\_\_\_\_

**WHEREAS**, it appears to the House of Representatives of the 127th Legislature that the following is an important question of law and that this is a solemn occasion; and

**WHEREAS**, the Constitution of Maine, Article VI, Section 3 provides for the Justices of the Supreme Judicial Court to render their opinion on such a question; and

**WHEREAS**, on June 30, 2015, the Legislature, in accordance with past practices and historical precedent, passed a Joint Order, S.P. 556, providing that "when the House and Senate adjourn they do so until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business, or consider possible objections of the Governor"; and

**WHEREAS**, pursuant to the Joint Order, the Legislature is currently meeting to conduct its final business of the First Regular Session before adjourning sine die; and

**WHEREAS**, the Legislature, when it passed the Joint Order, anticipated that, in accordance with past practices and historical precedent, bills that had been presented to the Governor would be returned within 10 days (Sundays excepted) pursuant to the Constitution of Maine, Article IV, Part Third, Section 2 so that the Legislature could consider the possible objections of the Governor to any or all of the bills before adjourning sine die; and

**WHEREAS**, numerous bills, including emergency bills, enacted or finally passed by the Legislature, were presented to the Governor on June 30, 2015 and not returned by the Governor within 10 days (Sundays excepted) after they were presented to the Governor; and

**WHEREAS**, pursuant to the Constitution of Maine, Article IV, Part Third, Section 2, those bills were chaptered as law; however, the Governor has stated that the Legislature's action pursuant to the Joint Order, S.P. 556, was or became an adjournment that prevented his return of those bills under the Constitution of Maine, Article IV, Part Third, Section 2; and

**WHEREAS**, the Governor returned the original bill folders for 65 of those laws on July 16, 2015 with his objections to the Legislature; now, therefore, be it

**ORDERED**, that, in accordance with the Constitution of Maine, Article VI, Section 3, the House of Representatives respectfully requests the Justices of the Supreme Judicial Court to give the House of Representatives their opinion on the following question of law:

Question: Are the bills that were enacted by the Legislature and presented to the Governor and not returned by the Governor within 10 days (Sundays excepted) after they were presented to the Governor still subject to action by the Governor, or are those bills now law pursuant to the Constitution of Maine, Article IV, Part Third, Section 2?

**SPONSORED BY:** \_\_\_\_\_

**(Representative FREDETTE)**

**TOWN: Newport**

