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HOUSE JOINT RESOLUTION NO. 216

Offered January 24, 2000

Proposing amendments to Section 6 of Article IV and Section 6 of Article V of the Constitution of Virginia, relating to the time the Governor has to act on bills.

Patrons—McDonnell and Griffith

Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article IV and Section 6 of Article V of the Constitution of Virginia as follows:

ARTICLE IV
LEGISLATURE

Section 6. Legislative sessions.

The General Assembly shall meet once each year on the second Wednesday in January. Except as herein provided for reconvened sessions, no regular session of the General Assembly convened in an even-numbered year shall continue longer than sixty days; no regular session of the General Assembly convened in an odd-numbered year shall continue longer than thirty days; but with the concurrence of two-thirds of the members elected to each house, any regular session may be extended for a period not exceeding thirty days. Neither house shall, without the consent of the other, adjourn to another place, nor for more than three days.

The Governor may convene a special session of the General Assembly when, in his opinion, the interest of the Commonwealth may require and shall convene a special session upon the application of two-thirds of the members elected to each house.

The General Assembly shall reconvene on the *eighth Wednesday after adjournment of each regular session and the sixth Wednesday after adjournment of each regular or special session* for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills which may have been returned by the Governor with his objections. No other business shall be considered at a reconvened session. Such reconvened session shall not continue longer than three days unless the session be extended, for a period not exceeding seven additional days, upon the vote of the majority of the members elected to each house.

ARTICLE V
EXECUTIVE

Section 6. Presentation of bills; powers of Governor; vetoes and amendments.

(a) Every bill which passes the Senate and House of Delegates, before it becomes law, shall be presented to the Governor.

(b) During a regular or special session, the Governor shall have seven days in which to act on the bill after it is presented to him and to exercise one of the three options set out below. If the Governor does not act on the bill, it shall become law without his signature.

(i) The Governor may sign the bill if he approves it, and the bill shall become law.

(ii) The Governor may veto the bill if he objects to it by returning the bill with his objections to the house in which the bill originated. The house shall enter the objections in its journal and reconsider the bill. The house may override the veto by a two-thirds vote of the members present, which two-thirds shall include a majority of the members elected to that house. If the house of origin overrides the Governor's veto, it shall send the bill and Governor's objections to the other house where the bill shall be reconsidered. The second house may override the Governor's veto by a two-thirds vote of the members present, which two-thirds shall include a majority of the members elected to that house. If both houses override the Governor's veto, the bill shall become law without his signature. If either house fails to override the Governor's veto, the veto shall stand and the bill shall not become law.

(iii) The Governor may recommend one or more specific and severable amendments to a bill by returning it with his recommendation to the house in which it originated. The house shall enter the Governor's recommendation in its journal and reconsider the bill. If both houses agree to the Governor's entire recommendation, the bill, as amended, shall become law. Each house may agree to the Governor's amendments by a majority vote of the members present. If both houses agree to the bill in the form originally sent to the Governor by a two-thirds vote of all members present in each house, which

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59 two-thirds shall include a majority of the members elected to that house, the original bill shall become
60 law. If the Governor sends down specific and severable amendments then each house may determine, in
61 accordance with its own procedures, whether to act on the Governor's amendments en bloc or
62 individually, or any combination thereof. If the house of origin agrees to one or more of the Governor's
63 amendments, it shall send the bill and the entire recommendation to the other house. The second house
64 may also agree to one or more of the Governor's amendments. If either house fails to agree to the
65 Governor's entire recommendation or fails to agree to at least one of the Governor's amendments agreed
66 to by the other house, the bill, as originally presented to the Governor, shall be returned to the
67 Governor. If both houses agree to one or more amendments but not to the entire recommendation of the
68 Governor, the bill shall be reenrolled with the Governor's amendments agreed to by both houses and
69 shall be returned to the Governor. If the Governor fails to send down specific and severable amendments
70 as determined by the majority vote of the members present in either house, then the bill shall be before
71 that house, in the form originally sent to the Governor and may be acted upon in accordance with
72 Article IV, Section 11 of this Constitution and returned to the Governor. The Governor shall either sign
73 or veto a bill returned as provided in this subsection or, if there are fewer than seven days remaining in
74 the session, as provided in subsection (c).

75 (c) When there are fewer than seven days remaining in the regular or special session from the date a
76 bill is presented to the Governor and the General Assembly adjourns to a reconvened session, the
77 Governor shall have ~~thirty~~ *forty-five* days from the date of adjournment of the regular or *thirty days*
78 *from the date of adjournment of the* special session in which to act on the bills presented to him and to
79 exercise one of the three options set out below. If the Governor does not act on any bill, it shall become
80 law without his signature.

81 (i) The Governor may sign the bill if he approves it, and the bill shall become law.

82 (ii) The Governor may veto the bill if he objects to it by returning the bill with his objections to the
83 house in which the bill originated. The same procedures for overriding his veto are applicable as stated
84 in subsection (b) for bills vetoed during the session.

85 (iii) The Governor may recommend one or more specific and severable amendments to a bill by
86 returning it with his recommendation to the house in which it originated. The same procedures for
87 considering his recommendation are applicable as stated in subsection (b)(iii) for bills returned with his
88 recommendation. The Governor shall either sign or veto a bill returned to him from a reconvened
89 session. If the Governor vetoes the bill, the veto shall stand and the bill shall not become law. If the
90 Governor does not act on the bill within ~~thirty~~ *fifteen* days after the adjournment of the reconvened
91 session, the bill shall become law without his signature.

92 (d) The Governor shall have the power to veto any particular item or items of an appropriation bill,
93 but the veto shall not affect the item or items to which he does not object. The item or items objected
94 to shall not take effect except in the manner provided in this section for a bill vetoed by the Governor.

95 (e) In all cases set forth above, the names of the members voting for and against the bill, the
96 amendment or amendments to the bill, or the item or items of an appropriation bill shall be entered on
97 the journal of each house.