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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 3402

March 4, 2010

Authored by Mullery and Kahn

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

1.1 A bill for an act
1.2 proposing an amendment to Minnesota Constitution, article IV, section 23;
1.3 eliminating authority of the governor to item veto appropriations for certain
1.4 capital purposes; requiring prompt sale and issuance of bonds for these purposes.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

1.7 An amendment to the Minnesota Constitution is proposed to the people. If the
1.8 amendment is adopted, article IV, section 23, will read:

1.9 Sec. 23. Every bill passed in conformity to the rules of each house and the joint rules
1.10 of the two houses shall be presented to the governor. If he approves a bill, he shall
1.11 sign it, deposit it in the office of the secretary of state and notify the house in which
1.12 it originated of that fact. If he vetoes a bill, he shall return it with his objections to the
1.13 house in which it originated. His objections shall be entered in the journal. If, after
1.14 reconsideration, two-thirds of that house agree to pass the bill, it shall be sent, together
1.15 with the governor's objections, to the other house, which shall likewise reconsider it. If
1.16 approved by two-thirds of that house it becomes a law and shall be deposited in the office
1.17 of the secretary of state. In such cases the votes of both houses shall be determined by
1.18 yeas and nays, and the names of the persons voting for or against the bill shall be entered
1.19 in the journal of each house. Any bill not returned by the governor within three days
1.20 (Sundays excepted) after it is presented to him becomes a law as if he had signed it,
1.21 unless the legislature by adjournment within that time prevents its return. Any bill passed
1.22 during the last three days of a session may be presented to the governor during the three
1.23 days following the day of final adjournment and becomes law if the governor signs and
1.24 deposits it in the office of the secretary of state within 14 days after the adjournment of the

2.1 legislature. Any bill passed during the last three days of the session which is not signed
2.2 and deposited within 14 days after adjournment does not become a law.

2.3 If a bill presented to the governor contains several items of appropriation of money,
2.4 he may veto one or more of the items while approving the bill. At the time he signs the
2.5 bill the governor shall append to it a statement of the items he vetoes and the vetoed
2.6 items shall not take effect. If the legislature is in session, he shall transmit to the house in
2.7 which the bill originated a copy of the statement, and the items vetoed shall be separately
2.8 reconsidered. If on reconsideration any item is approved by two-thirds of the members
2.9 elected to each house, it is a part of the law notwithstanding the objections of the governor.

2.10 The governor may not veto an item of appropriation while approving a bill if the
2.11 item of appropriation is for a purpose specified in article XI, section 5, paragraph (a). If
2.12 a law is enacted appropriating money for a purpose specified in article XI, section 5,
2.13 paragraph (a), the responsible executive branch official must sell and issue the bonds
2.14 necessary to provide funding for the purpose specified in law as soon as practical, unless
2.15 the speaker of the house of representatives and the leader of the majority caucus in the
2.16 senate authorize a delay in sale and issuance of the bonds. The legislature may provide by
2.17 law conditions under which the speaker of the house of representatives and the majority
2.18 leader of the senate may authorize such a delay.

2.19 **Sec. 2. SUBMISSION TO VOTERS.**

2.20 The proposed amendment must be submitted to the people at the 2010 general
2.21 election. The question submitted must be:

2.22 "Shall the Minnesota Constitution be amended to eliminate the authority of the
2.23 governor to item veto appropriations for public improvements of a capital nature and
2.24 to require the executive branch to sell bonds to finance these improvements as soon as
2.25 practical unless legislative leaders authorize a delay?

2.26 Yes
2.27 No