

SENATE JOINT RESOLUTION NO. 6

(By Senator Sypolt)

[Introduced January 13, 2011; referred to the Committee on the
Judiciary; and then to the Committee on Finance.]

Proposing an amendment to the Constitution of the State of West Virginia, amending section fourteen, article VII thereof, relating to creating a veto session of the Legislature to consider bills vetoed by the Governor; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in

1 the year 2012, which proposed amendment is that section fourteen,
2 article VII thereof, be amended to read as follows:

3 **ARTICLE VII. EXECUTIVE DEPARTMENT.**

4 **§14. Governor's approval or disapproval of bills passed by**
5 **the Legislature.**

6 Subject to the provisions of section fifteen of this article,
7 every bill passed by the Legislature shall, before it becomes a
8 law, be presented to the Governor. If he or she approves, he or
9 she shall sign it, and thereupon it shall become a law; but if not,
10 he or she shall return it, with his or her objections, to the house
11 in which it originated, which house shall enter the objections at
12 large upon its journal, and may proceed to reconsider the returned
13 bill. Notwithstanding the provisions of section fifty-one, article
14 VI of this Constitution, any such bill may be reconsidered even if
15 the Legislature is at the time in extended session for the sole
16 purpose of considering the budget bill, as specified in ~~said~~
17 section fifty-one. If, after any such reconsideration, a majority
18 of the members elected to that house agree to pass the bill, it
19 shall be sent, together with the objections of the Governor to the
20 other house, by which it may likewise be reconsidered, and if
21 approved by a majority of the members elected to that house, it
22 shall become a law, notwithstanding the objections of the Governor.
23 If upon any such reconsideration the bill is amended and reenacted,
24 then it shall be again sent to the Governor and he or she shall act
25 upon it as if it were before him or her for the first time. In all

1 cases, the vote of each house shall be determined by yeas and nays
2 to be entered on the journal.

3 Any bill which shall not be returned by the Governor within
4 five days, Sundays excepted, after it shall have been presented to
5 him or her shall be a law, in the same manner as if he or she had
6 signed it, unless the Legislature shall, by adjournment sine die,
7 prevent its return, in which case it shall be filed with his or her
8 objections in the office of the Secretary of State within fifteen
9 days, Sundays excepted, after such adjournment, or become a law.
10 Upon approval of this amendment, there shall be a veto session of
11 the Legislature of no less than one day nor more than three days,
12 to commence no later than forty-five days after the end of the
13 regular session of the Legislature, in which the Legislature may
14 meet to reconsider or override the veto of any bill by the
15 Governor. The Legislature may provide by general law the manner of
16 procedure for a veto session.

17 *Resolved further,* That in accordance with the provisions of
18 article eleven, chapter three of the Code of West Virginia, 1931,
19 as amended, such proposed amendment is hereby numbered "Amendment
20 No. 1" and designated as the "Veto Session Amendment" and the
21 purpose of the proposed amendment is summarized as follows: "To
22 amend section fourteen, article VII of the State Constitution so as
23 to provide for a veto session of the Legislature in which to
24 consider bills vetoed by the Governor."

NOTE: The purpose of this resolution is to propose an amendment to section fourteen, article VII of the West Virginia Constitution, relating to creating a veto session of the Legislature to consider bills vetoed by the Governor.

Strike-throughs indicate language that would be stricken from the present Constitution, and underscoring indicates new language that would be added.