

GOVERNOR :
BILL : The Governor must return Bill presented to
him where Legislature finally adjourns within ten
days after such presentation.

June 11, 1937



Honorable J. D. James
Secretary to Governor
Lloyd C. Stark
Jefferson City, Missouri

Dear Mr. James:

Your oral request for an opinion, as we understand it, is as follows:

"Is it necessary that the Governor return bills presented to him by the General Assembly within ten (10) days, where the General Assembly finally adjourns before the expiration of said ten (10) days."

Section 12 of Article V of the Constitution of Missouri is decisive of this question, and reads as follows:

"The Governor shall consider all bills and joint resolutions, which, having been passed by both houses of the General Assembly, shall be presented to him, he shall, within ten days after the same shall have been presented to him, return to the house in which they respectively originated, all such bills and joint resolutions, with his approval indorsed thereon, or accompanied by his objections: Provided, That if

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the General Assembly shall finally adjourn within ten days after such presentation, the Governor may, within thirty days thereafter, return such bills and resolutions to the office of the Secretary of State, with his approval or reasons for disapproval."

It is a fundamental principle of constitutional construction, so well known as to require no citation of authority, that where a constitutional provision is plain and unambiguous there is no room for construction.

The above section clearly provides that if the General Assembly finally adjourns within ten days after a bill has been presented to the Governor that the Governor may, within thirty days thereafter, return such bill to the office of the Secretary of State with his approval or reasons for disapproval.

It is, therefore, the opinion of this Department that where the General Assembly finally adjourns within ten days after a bill or bills have been presented to the Governor, that the Governor has thirty days after final adjournment to return said bill or bills to the office of Secretary of State with his approval or reasons for disapproval.

Respectfully yours,

J. E. TAYLOR
(Acting) Attorney General

JET:LC