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Formal Opinion #2008-1

June 20, 2008

Hon. Deborah L. Markowitz
Secretary of State
Redstone Building
26 Terrace Street
Montpelier, VT 05601-1101

Re: H. 267

Dear Secretary Markowitz:

This is in response to your request for advice on the official duties of the Secretary of State relative to the preparation and publication of acts of the General Assembly. In particular, you ask whether your office should accept H. 267, an act relating to industrial hemp, and prepare it for publication. It is the opinion of the Attorney General that you should do so.

The Secretary of State does not have a role in the enactment of legislation, but has several duties relating to the custody and printing of laws after they have been enacted. These duties are described in three statutes which provide as follows:

After an act or resolution has been passed by both houses of the general assembly, signed by the presiding officers of both houses and by the governor, it shall be delivered to the custody of the secretary of state. The secretary shall cause the act or resolution to be reproduced in form suitable to be submitted to the printer designated in 29 V.S.A. § 1115. Before submission to the printer the secretary shall correct obvious typographical errors and assign a public law number to each act or resolution.

3 V.S.A. § 104.

 VERMONT