

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

---

---

ONE HUNDRED AND NINTH LEGISLATURE

---

---

Legislative Document

No. 1386

S. P. 457

In Senate, March 23, 1979

Referred to the Committee on State Government. Sent down for concurrence and ordered printed.

Presented by Senator Silverman of Washington.

MAY M. ROSS, Secretary of the Senate

---

---

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

---

**RESOLUTION, Proposing an Amendment to the Constitution of Maine to Permit the Governor to Veto or Reduce Appropriations in Bills and to Permit the Legislature to Override that Veto or Reduction.**

---

**Constitutional amendment. RESOLVED:** Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed:

Constitution, Art. IV, Pt. 3, § 2, sub-§ 1 is enacted to read:

1. **Bills containing appropriations.** If any bill or resolve presented to the Governor contains one or more appropriations of moneys, he may object to or reduce one or more of those appropriations while approving other portions of the bill. If he does so, he shall, at the time of signing the bill or resolve, append to it a statement listing each appropriation to which he objects or which he has reduced and stating the reason for his objection or reduction. He shall then send a copy of his statement to the House in which the bill or resolve originated. Then each appropriation listed shall in accordance with the statement, either not take effect or take effect as reduced, except as provided in this subsection.

The House in which the bill or resolve originated shall enter the statement on its journals and shall then reconsider as one unit all appropriations listed in it. If, after reconsideration, two-thirds of that House agree to pass all appropriations in the statement as originally enacted, that House shall send the statement to the

other House, which shall enter the statement on its journals and shall then reconsider as one unit all appropriations listed in it. If, after reconsideration, two-thirds of that House agree to pass all appropriations listed as originally enacted, those appropriations shall so take effect. In every case of reconsideration under this subsection, the votes of each House shall be taken by the yeas and nays and the names of persons voting for and against the passage of all appropriations as originally enacted shall be entered on the journals of that House.

If the Governor, having signed a bill or resolve to which he has appended a statement, does not send that statement to the House in which the bill or resolve originated within ten days, Sundays excepted, after his signing, the appropriations listed in the statement shall take effect as originally enacted, unless the Legislature by their adjournment prevent the statement's receipt, in which case the appropriations listed shall take effect as originally enacted, unless the statement is sent within three days after the meeting of the same Legislature which enacted the bill or resolve to which the statement is appended. If there is no next meeting of that Legislature, each appropriation listed shall, in accordance with the statement, either not take effect or take effect as reduced.

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the city aldermen, town selectmen and plantation assessors of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a special statewide election on the Tuesday following the first Monday of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

“Shall the Constitution of Maine be amended to permit the Governor to veto or reduce appropriations in bills and to permit the Legislature to override that veto or reduction?”

The legal voters of each city, town and plantation shall vote by ballot on this question, and shall designate their choice by a cross or check mark placed within the corresponding square below the word “Yes” or “No.” The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if it appears that a majority of the legal votes are in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment shall become part of the Constitution on the date of the proclamation.

**Secretary of State shall prepare ballots. Resolved:** That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purpose of this referendum.

STATEMENT OF FACT

This bill allows the Governor to control legislatively mandated spending by giving him the opportunity to veto or reduce line item expenditures.

The bill is a solution to pork barrel legislation that can cause runaway government spending by the Legislature.

It is a procedure which is used in many of our states.

This bill still allows the Legislature to override the Governor's veto of budget requests.