

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)



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1071

H.P. 774

House of Representatives, March 28, 1995

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide the Governor with a Line-item Veto.**

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WHITCOMB of Waldo.
Cosponsored by Senator HANLEY of Oxford and
Representatives: JOYNER of Hollis, KERR of Old Orchard Beach, Senator: HATHAWAY of
York.

2 "Do you favor amending the Constitution of Maine to give the
Governor a line-item veto over expenditures of state funds,
4 providing that vetoed items may be passed over the
Governor's veto by a 2/3 majority of all of the elected
members of the Senate and the House of Representatives?"

6
8 The legal voters of each city, town and plantation shall
vote by ballot on this question and designate their choice by a
10 cross or check mark placed within the corresponding square below
the word "Yes" or "No." The ballots must be received, sorted,
12 counted and declared in open ward, town and plantation meetings
and returns made to the Secretary of State in the same manner as
14 votes for members of the Legislature. The Governor shall review
the returns and, if it appears that a majority of the legal votes
16 are cast in favor of the amendment, the Governor shall proclaim
that fact without delay and the amendment becomes part of the
Constitution on the date of the proclamation; and be it further

18
20 **Secretary of State shall prepare ballots. Resolved:** That the
Secretary of State shall prepare and furnish to each city, town
22 and plantation all ballots, returns and copies of this resolution
necessary to carry out the purpose of this referendum.

24
26 **STATEMENT OF FACT**

28 This resolution proposes an amendment to the Constitution of
Maine to give the Governor a line-item veto over items in an
30 appropriation or allocation section of a bill. The Governor
would be authorized to replace the item that has been vetoed with
32 an amount that does not increase the appropriation or decrease
the deallocation. The Governor would not be authorized to
34 disapprove, omit or modify any language allocated to the statutes
or appearing in an unallocated section of law. This bill also
36 prevents the Governor from proposing an increase in spending
elsewhere in an appropriation or allocation section of a bill.
38 It specifies that the Governor must exercise the line-item veto
within one day after receiving for signature the enacted
40 legislation. Finally, it allows a line-item veto to be
overridden by a 2/3 majority vote of all the elected members of
42 the Senate and the House of Representatives.