

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1005

H.P. 731

House of Representatives, March 28, 1995

**RESOLUTION, Proposing an Amendment to the Constitution of Maine
to Provide Line-item Veto Power on Budget Legislation to the Governor.**

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TUTTLE of Sanford.

2 "Do you favor amending the Constitution of Maine to give the
4 Governor a line-item veto over expenditures of state funds
6 in an appropriation or allocation section of an enacted
8 bill, the primary purpose of which is to make unified,
10 supplemental or emergency appropriations or allocations for
the expenditure of State Government and providing that such
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?"

12 The legal voters of each city, town and plantation shall
14 vote by ballot on this question and designate their choice by a
16 cross or check mark placed within the corresponding square below
18 the word "Yes" or "No." The ballots must be received, sorted,
20 counted and declared in open ward, town and plantation meetings
22 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 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

24 **Secretary of State shall prepare ballots. Resolved:** That the
26 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.

28
30 **STATEMENT OF FACT**

32 This resolution proposes an amendment to the Constitution of
34 Maine to give the Governor a line-item veto over appropriations
and allocations, but only in enacted legislation that is
36 primarily a budget bill; the Governor would have 10 days to
exercise this veto power. The resolution prohibits the Governor,
38 when disapproving an item under the Constitution of Maine,
Article IV, Part Third, Section 2-A, from proposing an increase
40 in spending elsewhere in the bill. Under the terms of the
proposed amendment, a veto of an appropriation or allocation may
42 be overridden by a 2/3 majority vote of all the elected members
of the Senate and the House of Representatives.