LC001105

2017 -- S 0828

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE -- REFERENDUM ON LINE ITEM VETO

Introduced By: Senators Algiere, and Kettle

Date Introduced: April 27, 2017

Referred To: Senate Rules, Government Ethics and Oversight

1 RESOLVED, That a majority of the members elected to each house of the general 2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to 3 the qualified electors of the state in accordance with the provisions of Article XIV of the 4 Constitution, for their approval, and that it take the place of Article IX, Section 14, which is 5 hereby amended to read as follows:

6

ARTICLE IX – OF THE EXECUTIVE POWER

7 Section 14. Veto power of governor -- Veto overrides by general assembly -- Acts effective without action by governor -- Budget line item veto. - Every bill, resolution, or vote 8 9 (except such as relate to adjournment, the organization or conduct of either or both houses of the 10 general assembly, and resolutions proposing amendment to the Constitution) which shall have 11 passed both houses of the general assembly shall be presented to the governor. If the governor 12 approve it the governor shall sign it, and thereupon it shall become operative, but if the governor 13 does not approve it the governor shall return it, accompanied by the governor's objections in 14 writing to the house in which it originated, which shall enter the governor's objections in full 15 upon its journal and proceed to reconsider it. If, after such reconsideration, three-fifths of the members present and voting in that house shall vote to pass the measure, it shall be sent with the 16 17 objections, to the other house, by which it shall likewise by reconsidered, and if approved by 18 three-fifths of the members present and voting in that house, it shall become operative in the same 19 manner as if the governor had approved it, but in such cases the votes of both houses shall be

determined by ayes and nays and the names of the members voting for and against the measure shall be entered upon the journal of each house, respectively. If the measure shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to the governor the same shall become operative unless the general assembly, by adjournment, prevents its return, in which case it shall become operative unless transmitted by the governor nor to the secretary of state, with the governor's disapproval in writing within ten days after such adjournment.

8 The governor may reduce or veto any item of appropriation in a bill presented to the 9 governor. Portions of the bill not reduced or vetoed shall become law. An item vetoed or reduced 10 shall be returned to the house in which it originated and may be restored to its original amount 11 and become law in the same manner as a veto override. If a reduced item is not so restored, it

12 <u>shall become law in the reduced amount.</u>

13 RESOLVED, That this amendment shall take, in the Constitution of the state, the place of 14 Section 14 of Article IX of the Constitution;

15 It is further

16 RESOLVED, That the said proposition of amendment shall be submitted to the electors 17 for their approval or rejection at the next statewide general election. The voting places in the 18 several cities and towns shall be kept open during the hours required by law for voting therein for 19 general officers of the state; and be it further

- RESOLVED, That the secretary of state shall cause the said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said proposition shall be read by the town, ward, or district meetings to be held as aforesaid; it further
- RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the election of general officers of the state.

LC001105

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE -- REFERENDUM ON LINE ITEM VETO

This joint resolution would submit to the electors a constitutional amendment granting

2 the governor the power to utilize a line item veto for appropriations.

LC001105

1