

2019 -- H 5308

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LC000919
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

J O I N T R E S O L U T I O N

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE GOVERNOR'S LINE-ITEM VETO

Introduced By: Representatives Nardone, Place, Roberts, Price, and Quattrocchi

Date Introduced: February 06, 2019

Referred To: House Finance

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 for their approval in accordance with the provisions of Article
4 XIV of the Constitution, and that it takes place of Article IX, Section 14, which is hereby
5 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
8 effective without action by governor. -- Every bill, resolution, or vote (except such as relate to
9 adjournment, the organization or conduct of either or both houses of the general assembly, and
10 resolutions proposing amendment to the Constitution) which shall have passed both houses of the
11 general assembly shall be presented to the governor. If the governor approve it the governor shall
12 sign it, and thereupon it shall become operative, but if the governor does not approve it the
13 governor shall return it, accompanied by the governor's objections in writing to the house in
14 which it originated, which shall enter the governor's objections in full upon its journal and
15 proceed to reconsider it. If, after such reconsideration, three-fifths of the members present and
16 voting in that house shall vote to pass the measure, it shall be sent with the objections, to the other
17 house, by which it shall likewise be reconsidered, and if approved by three-fifths of the members
18 present and voting in that house, it shall become operative in the same manner as if the governor
19 had approved it, but in such cases the votes of both houses shall be determined by ayes and nays

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

7 If any bill presented to the governor shall address appropriation of money, the governor
8 may:

9 (a) Approve the bill in like manner as the passage of other bills set forth in this section;

10 (b) Reduce any sum or sums of money appropriated in the bill while approving other
11 portions of the bill, in which case the portions of the bill so approved by the governor shall
12 become law, and any revised sum or sums of money as reduced by the governor shall also
13 become law unless the general assembly shall repass the original sum or sums with the approval
14 of two-thirds of the members in the House of Representatives, over the governor's veto, provided
15 that each sum of money so reduced by the governor shall be separately and individually
16 reconsidered by the general assembly; or

17 (c) Disapprove one or more items or parts of items of the bill (other than sum or sums of
18 money described in the immediately preceding paragraph (b) of this section), in which case any
19 portions of the bill so approved by the governor shall become law, and any item or part of an item
20 so disapproved by the governor shall not become law unless the general assembly shall repass the
21 original version of the item or part of an item with the approval of two-thirds of the members
22 present and voting in the House of Representatives, provided:

23 (1) That each item or part of an item so disapproved by the governor shall be separately
24 and individually reconsidered by the general assembly;

25 (2) Further, that in approving the bill in part, the governor may not create:

26 (i) A new word by rejecting individual letters in the words; or

27 (ii) A new sentence by combining parts of two (2) or more sentences; and

28 (3) Further, that to the extent an item or part of an item disapproved by the governor
29 constitutes a condition, including, but not limited to, directing or restricting the use, of an
30 appropriated fund, the sum corresponding to the specific item of appropriated fund to which the
31 disapproved condition applies shall not be reduced but remain as part of the general appropriated
32 funds.

33 RESOLVED, That this amendment shall take, in the Constitution of the state, the place of
34 Section 14 of Article IX; and be it further

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

5 RESOLVED, That the Secretary of State shall cause the said proposition amendment to
6 be published as a part of this resolution in the newspapers of the state prior to the date of the said
7 meetings of the said electors; and the said proposition shall be inserted in the warrants or notices
8 to be issued previous to said meetings of the electors for the purpose of warning the town, ward,
9 or district meetings, and said proposition shall be read by the town, ward, or district meetings to
10 be held as aforesaid; and be it further

11 RESOLVED, That the town, ward, and district meetings to be held as aforesaid shall be
12 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
13 district meetings shall be conducted in the same manner as now provided by law for the town,
14 ward, and district meetings for the elections of general officers of the state.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This proposed amendment to the Constitution would provide the governor with a line-
- 2 item veto on the budget and other bills involving the appropriations of money, that can be
- 3 overridden by a two-thirds vote by the House of Representatives.

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