

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH30335-LBx-231B (5/7)

Short Title: Line-Item Veto.

(Public)

Sponsors: Representative Gibson.

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GRANT
3 THE GOVERNOR A LINE-ITEM VETO OF APPROPRIATIONS, TAX, AND
4 BOND ITEMS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 22 of Article II of the North Carolina Constitution is
7 amended by adding new subsections to read:

8 "(9) Vetoes of items in tax and bond bills. If a bill contains any item or items
9 enacted to raise money on the credit of the State, to pledge the faith of the State directly
10 or indirectly for the payment of any debt, to impose, amend, or repeal any tax upon the
11 people of the State, or to allow the counties, cities, or towns to do so, and the Governor
12 does not return the entire bill with objections, the Governor may disapprove any item or
13 items of such bill embracing distinct items, and the part or the parts of the bill approved
14 shall be the law, and the item or items disapproved shall be void, unless reconsidered
15 and passed according to the rules and limitations prescribed in this section for the
16 passage of bills notwithstanding the objections of the Governor. The return of such
17 objections shall be in accordance with the rules set out by this section for the return of
18 entire bills. The Governor shall in writing state specifically the item or items
19 disapproved, setting the same out in full in the message, together with the reasons for
20 such objection. The enrolled bill shall not be returned with the Governor's objection. If
21 more than one item is objected to in a bill, the General Assembly may reconsider the
22 items separately or together.

23 As used in this subsection, "item" refers to a separable provision raising money on
24 the credit of the State, pledging the faith of the State directly or indirectly for the
25 payment of any debt, imposing, amending, or repealing a tax, or allowing the counties,
26 cities, or towns to do so.

1 (10) Vetoes or amendatory reductions or increases of items in appropriations bills.
2 If a bill contains any item or items of appropriations and the Governor does not return
3 the entire bill with objections, the Governor may disapprove any item or items of any
4 appropriation bill embracing distinct items, and the part or the parts of the bill approved
5 shall be the law, and the item or items disapproved shall be void, unless reconsidered
6 and passed according to the rules and limitations prescribed in this section for the
7 passage of bills notwithstanding the objections of the Governor. The return of such
8 objections shall be in accordance with the rules set out by this section for the return of
9 entire bills. The Governor shall in writing state specifically the item or items
10 disapproved, setting the same out in full in the message, together with the reasons for
11 such objection. The enrolled bill shall not be returned with the Governor's objection. If
12 more than one item is objected to in a bill, the General Assembly may reconsider the
13 items separately or together.

14 If a bill contains any item or items of appropriations and the Governor does not
15 return the entire bill or the item with objections, the Governor may submit an
16 amendment to reduce or increase any item or items of any appropriation bill embracing
17 distinct items, and the part or the parts of the bill approved shall be the law, and the item
18 or items reduced or increased shall be void, unless the amendment is concurred in by a
19 majority vote of all the members of each house according to the rules and limitations
20 prescribed in this section for the passage of bills notwithstanding the objections of the
21 Governor, other than the vote necessary. The return of such amendment shall be in
22 accordance with the rules set out by this section for the return of entire bills. The
23 Governor shall in writing state specifically the item or items reduced or increased,
24 setting the same out in full in the message, together with the reasons for such reduction
25 or increase. The enrolled bill shall not be returned with the Governor's objection. If
26 more than one item is objected to in a bill, the General Assembly may reconsider the
27 items separately or together.

28 As used in this subsection, "item" refers to a separable sum of money appropriated.
29 It does not refer separately to punctuation, letters, words, phrases, or sentences which
30 express purposes or conditions with reference to the appropriation made. The Governor
31 cannot object to the appropriation without also objecting to the condition or limitation.
32 Conversely, the Governor cannot veto the condition or limitation without also
33 disapproving the appropriation."

34 **SECTION 2.** The amendment set out in Section 1 of this act shall be
35 submitted to the qualified voters of the State at the next statewide election, primary or
36 otherwise, which election shall be conducted under the laws then governing elections in
37 the State. Ballots, voting systems, or both may be used in accordance with Chapter 163
38 of the General Statutes. The question to be used in the voting systems and ballots shall
39 be:

40 FOR AGAINST

41 Constitutional amendment granting the Governor the line-item veto over
42 appropriations, tax, or bond items."

43 **SECTION 3.** If a majority of votes cast on the question are in favor of the
44 amendment set out in Section 1 of this act, the State Board of Elections shall certify the

1 amendment to the Secretary of State whereupon the amendment shall become effective.
2 The amendment shall apply to all bills ratified after that date. The Secretary of State
3 shall enroll the amendment so certified among the permanent records of that office.

4 **SECTION 4.** This act is effective when it becomes law.