

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

1

HOUSE BILL 48

Short Title: Line-Item Veto. (Public)

Sponsors: Representatives Blust, Blackwood (Primary Sponsors); Allred, Current, Dockham, Langdon, McGee, Moore, Setzer, and Starnes.

Referred to: Rules, Calendar, and Operations of the House.

February 4, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GRANT THE GOVERNOR A LINE-ITEM VETO OF APPROPRIATIONS ITEMS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 22 of Article II of the North Carolina Constitution is amended by adding a new subsection to read:

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

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

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

"[] FOR [] AGAINST

Constitutional amendment granting the Governor the line-item veto over appropriations items."

SECTION 3. If a majority of votes cast on the question are in favor of the amendment set out in Section 1 of this act, the State Board of Elections shall certify the amendment to the Secretary of State whereupon the amendment shall become effective. The amendment shall apply to all bills ratified after that date. The Secretary of State shall enroll the amendment so certified among the permanent records of that office.



1

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