

2019 -- S 0612

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION -- SENATE TERMS FOR FOUR (4) YEARS

Introduced By: Senators Pearson, Seveney, Lombardo, and Gallo

Date Introduced: March 14, 2019

Referred To: Senate Judiciary

1 WHEREAS, The proposed amendment to Article IV, Section 1 of the Constitution of the
2 State is intended to increase the terms of senators in the general assembly to four (4) years; and

3 WHEREAS, Increasing the term of senators in the general assembly to terms of four (4)
4 years will provide greater stability for the senate membership; and

5 WHEREAS, Greater stability in the senate membership will allow development of
6 expertise; and

7 WHEREAS, Greater stability in senate membership will allow senators to focus on long-
8 term solutions to problems; and

9 WHEREAS, Extending the time between elections to four (4) years allows senators
10 greater time to focus on the work of the public prior to the next election; and

11 WHEREAS, Extending the period between elections can raise the standard of political
12 debate; now, therefore be it

13 RESOLVED, That a majority of all members elected to each house of the general
14 assembly voting therefor, the following amendment to the Constitution of the state be proposed to
15 the qualified electors of the state in accordance with the provisions of Article XIV of the
16 Constitution, for their approval and the following Section is hereby amended, effective on
17 January 1, 2021, to read as follows:

18 ARTICLE IV

19 OF ELECTIONS AND CAMPAIGN FINANCE

1 Section 1. Election and terms of governor, lieutenant governor, secretary of state,
2 attorney-general, general treasurer, and general assembly members.

3 The governor, lieutenant governor, secretary of state, attorney general and general
4 treasurer shall be elected on the Tuesday after the first Monday in November, quadrennially
5 commencing A.D. 1994, and every four (4) years thereafter, and shall severally hold their offices,
6 subject to recall as provided for herein, for four (4) years from the first Tuesday of January next
7 succeeding their election and until their successors are elected and qualified. No person shall
8 serve consecutively in the same general office for more than two (2) full terms, excluding any
9 partial term of less than two (2) years previously served.

10 Senators in the general assembly shall be elected on the Tuesday after the first Monday in
11 November, quadrennially commencing A.D. 2022 and every four (4) years thereafter, and shall
12 severally hold their offices until successors are elected and qualified.

13 The ~~senators and~~ representatives in the general assembly shall be elected on the Tuesday
14 after the first Monday in November, biennially in even numbered years, and shall severally hold
15 their offices for two (2) years from the first Tuesday of January next succeeding their election and
16 until their successors are elected and qualified.

17 Recall is authorized in the case of a general officer who has been indicted or informed
18 against for a felony, convicted of a misdemeanor, or against whom a finding of probable cause of
19 violation of the code of ethics has been made by the ethics commission. Recall shall not, however
20 be instituted at any time during the first six (6) months or the last year of an individual's term of
21 office.

22 Such a recall may be instituted by filing with the state board of elections an application
23 for issuance of a recall petition against said general officer which is signed by duly qualified
24 electors equal to three percent (3%) of the total number of votes cast at the last preceding general
25 election for that office. If, upon verification, the application is determined to contain signatures of
26 the required number of electors, the state board of elections shall issue a recall petition for
27 circulation amongst the electors of the state. Within ninety (90) days of issuance, recall petitions
28 containing the signatures of duly qualified electors constituting fifteen percent (15%) of the total
29 number of votes cast in the last preceding general election for said office must be filed with the
30 state board of elections.

31 The signatures to the application and to the recall petition need not all be on one (1) sheet
32 of paper, but each such application and petition must contain an identical statement naming the
33 person to be recalled, the general office held by said person, and the grounds for such recall set
34 forth in a statement of one hundred (100) words or less approved by the board of elections. Each

1 signatory must set forth his or her signature as it appears on the voting list, the date of signing,
2 and his or her place of residence. The person witnessing the signatures of each elector on said
3 petition must sign a statement under oath on said sheet attesting that the signatures thereon are
4 genuine and were signed in his or her presence.

5 If the requisite number of signatures are not obtained within said ninety (90) days period,
6 the recall effort shall terminate. Upon verification of the requisite number of signatures, a special
7 election shall be scheduled at which the issue of removing said office holder and the grounds
8 therefor shall be placed before the electors of the state. If a majority of those voting support
9 removal of said office holder, the office shall be immediately declared vacant and shall be filled
10 in accordance with the constitution and laws of the state. The person so removed shall not be
11 eligible to fill the unexpired portion of the term of office. The general assembly shall provide by
12 statute for implementation of the recall process; and be it further

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

17 RESOLVED, That the secretary of state shall cause the said proposition of amendments
18 to be published as a part of this resolution in the newspapers of the state prior to the date of the
19 said meetings of the said electors; and the said proposition shall be inserted in the warrants or
20 notices to be issued previous to said meetings of the electors for the purpose of warning the town,
21 ward, or district meetings, and said proposition shall be read by the town, ward, or district
22 meetings to be held as aforesaid; and be it further

23 RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be
24 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
25 district meetings shall be conducted in the same manner as now provided by law for the town,
26 ward, and district meetings for the election of general officers of the state.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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 -- SENATE TERMS FOR FOUR (4) YEARS

- 1 This proposed amendment to the state constitution would provide for a four (4) year term
- 2 for members of the senate commencing with the general election to be held in November, 2022.

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