LC01745

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (ETHICS COMMISSION)

Introduced By: Senators E O'Neill, Pinga, Maher, Cote, and Bates

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefore, the following amendment to the Constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the Constitution for their approval and the following sections are hereby amended, effective on January 1, 2011, to read as follows:

6 ARTICLE III

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OF QUALIFICATION FOR OFFICE

Section 8. Ethics commission — Code of ethics. Ethics commission — Code of ethics — Jurisdiction. — The general assembly shall establish an independent non-partisan ethics commission which shall adopt a code of ethics including, but to limited to, provisions on conflicts of interest, confidential information, use of position, contracts with government agencies and financial disclosure. All elected and appointed officials of state and local government, of boards, commissions and agencies shall be subject to the code of ethics and the jurisdiction of the ethics commission. The ethics commission shall have the jurisdiction and authority to investigate and adjudicate all alleged violations of the code of ethics, including acts otherwise protected by Article VI, Section 5, and to impose penalties, as provided by law; and the commission shall have the power to remove from office officials who are not subject to impeachment.

18 ARTICLE VI

19 **OF THE LEGISLATIVE POWER**

1	Section 5. Immunities of General Assembly members. – The persons of all members
2	of the general assembly shall be exempt from arrest and their estates from attachment in any civil
3	action, during the session of the general assembly, and two days after the termination thereof, and
4	all process served contrary hereto shall be void. For any speech in debate in either house, no
5	member shall be questioned in any other place, except by the ethics commission as set forth in
6	Article III, section 8 of this Constitution.
7	RESOLVED, That the said proposition of amendment shall be submitted to the electors
8	for their approval or rejection at the next statewide general election. The voting places in the
9	several cities and towns shall be kept open during the hours required by law for voting therein for
10	general officers of the state; and be it further
11	RESOLVED, That the secretary of state shall cause the said proposition of amendment to
12	be published as a part of this resolution in the newspapers of the state prior to the date of the said
13	meetings of the said electors; and the said proposition shall be inserted in the warrants or notices
14	to be issued previous to said meetings of the electors for the purpose of warning the town, ward,
15	or district meetings, and said proposition shall be read by the town, ward, or district meetings to
16	be held as aforesaid; and be it further
17	RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be
18	warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
19	district meetings shall be conducted in the same manner as now provided by law for the town,
20	ward, and district meetings for the election of general officers of the state.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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1 This amendment of the Constitution of the State, if adopted, would provide that the 2 Ethics Commission would have jurisdiction over the members of the General Assembly 3 notwithstanding the "speech in debate" provisions of Article VI, Section 5 of the Constitution. LC01745