

2022 -- S 2154

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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

EXTENDING POWER CONFERRED UPON THE GOVERNOR PURSUANT TO THE PROVISIONS OF SUBSECTION (E) OF TITLE 30, CHAPTER 15, SECTION 9 OF THE RHODE ISLAND GENERAL LAWS

Introduced By: Senators Ruggerio, McCaffrey, and Goodwin

Date Introduced: January 28, 2022

Referred To: Senate Special Legislation and Veterans Affairs

1 WHEREAS, On August 19, 2021, the Governor issued Executive Order 21-86 declaring
2 a new state of emergency with respect to the Delta and other then-existing variants of COVID-19
3 (Declaration of Disaster Emergency for New COVID-19 Variants) and which said Order was
4 affirmed and amended via Executive Order 21-109, which has in turn been extended by the
5 Governor pursuant to subsequent orders, the most recent of which being Executive Order 22-02
6 issued on January 6, 2022; and

7 WHEREAS, The Governor has issued various additional Executive Orders predicated on
8 the August 19, 2021 order Declaring a Disaster Emergency for New COVID-19 Variants; and

9 WHEREAS, The state has experienced widespread community spread of one or more
10 highly transmissible variants of COVID-19 in recent months, resulting in the highest infection
11 and hospitalization rates during the course of the pandemic and thereby placing a dangerous strain
12 on the health care system in the state; and

13 WHEREAS, Although at this time, infection and hospitalization rates appear to be in
14 decline, daily infections and hospitalization rates currently remain extremely high and the
15 COVID-19 virus has demonstrated a tendency to be dangerous and unpredictable to the citizens
16 of this state and the stability of the health care system; and

17 WHEREAS, Certain powers relating to the Governor's management of disaster
18 emergencies are enumerated in § 30-15-9(e); and

19 WHEREAS, In accordance with § 30-15-9(b) the General Assembly, by concurrent

1 resolution, may terminate a state of disaster emergency at any time; and

2 WHEREAS, On July 1, 2021, the General Assembly passed 2021 - H 6122 Substitute A
3 as amended, entitled "An Act Making Appropriations for the Support of the State for the Fiscal
4 Year Ending June 30, 2022" which amended § 30-15-9 to impose a limit of one hundred eighty
5 (180) days on powers conferred upon the Governor pursuant to subsection (e) of such section
6 "unless and until the General Assembly extends the one hundred eighty (180) day period by
7 concurrent resolution"; and

8 WHEREAS, The Governor signed said act on July 6, 2021 thereby making it operative;
9 and

10 WHEREAS, The one hundred and eightieth (180th) day following the issuance of
11 Executive Order 21-86 occurs on or about February 14, 2022; and

12 WHEREAS, Present conditions reasonably indicate that the health and safety of the
13 citizens of this state would benefit from a limited continuation of the judicious use of executive
14 emergency powers by the Governor; now therefor be it

15 RESOLVED, That this General Assembly of the State of Rhode Island, without waiving
16 its powers pursuant to § 30-15-9(b) to terminate a state of disaster emergency at any time, hereby
17 adopts this concurrent resolution extending the Governor's additional powers contained in § 30-
18 15-9(e) of the General Laws with respect to Executive Order 21-86, as superseded by Executive
19 Order 21-109 together with extensions thereof and additional Executive Orders related thereto,
20 through April 15, 2022; and be it further

21 RESOLVED, That after April 15, 2022, powers conferred upon the Governor pursuant to
22 the provisions of § 30-15-9(e) as they relate to the Declaration of Disaster Emergency for New
23 COVID-19 Variants shall expire, unless further extended by concurrent resolution of the General
24 Assembly; and be it further

25 RESOLVED, That if the Governor finds that the threat of danger has passed to the extent
26 that emergency conditions no longer exist, the Governor shall terminate the state of disaster
27 emergency by executive order or proclamation in accordance with § 30-15-9(b); and be it further

28 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
29 transmit a duly certified copy of this resolution to the Honorable Daniel J. McKee, Governor of
30 the State of Rhode Island.

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