

2018 -- S 2702

LC004834

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE OF RHODE ISLAND (FOUR YEAR TERMS AND TERM LIMITS FOR SENATORS AND REPRESENTATIVES)

Introduced By: Senators Morgan, Raptakis, and Cote

Date Introduced: March 20, 2018

Referred To: Senate Judiciary

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to
3 the qualified electors of the state in accordance with the provisions of Article XIV of the
4 Constitution for their approval and that this amendment, if approved, take the place of Article IV,
5 Section 1, which is hereby amended, effective on January 1, 2019, to read as follows:

6 ARTICLE IV

7 OF ELECTIONS AND CAMPAIGN FINANCE

8 **Section 1. Election and terms of governor, lieutenant governor, secretary of state,**
9 **attorney-general, general treasurer, and general assembly members.** -- The governor,
10 lieutenant governor, secretary of state, attorney-general, general treasurer shall be elected on the
11 Tuesday after the first Monday in November, quadrennially commencing A.D. 1994, and every
12 four (4) years thereafter, and shall severally hold their offices, subject to recall as provided herein,
13 for four (4) years from the first Tuesday of January next succeeding their election and until their
14 successors are elected and qualified. No person shall serve consecutively in the same general
15 office for more than two (2) full terms, excluding any partial term of less than two (2) years
16 previously served.

17 The senators and representatives in the general assembly shall be elected on the Tuesday
18 after the first Monday in November, biennially in even numbered years, and shall severally hold
19 their offices for two (2) years from the first Tuesday of January next succeeding their election and

1 until their successors are elected and qualified. Commencing A.D. 2020, and every four (4) years
2 thereafter, the senators and representatives in the general assembly shall be elected on the
3 Tuesday after the first Monday in November, quadrennially, and shall severally hold their offices
4 for four (4) years from the first Tuesday of January next succeeding their election and until their
5 successors are elected and qualified. No person shall serve consecutively in the same chamber of
6 the general assembly for more than four (4) full four (4) year terms, excluding any partial term or
7 earlier two (2) year term or terms served previously.

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

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

22 The signatures to the application and to the recall petition need not all be on one (1) sheet
23 of paper, but each such application and petition must contain an identical statement naming the
24 person to be recalled, the general office held by said person, and the grounds for such recall set
25 forth in a statement of one hundred (100) words or less approved by the board of elections. Each
26 signatory must set forth his or her signature as it appears on the voting list, the date of signing,
27 and his or her place of residence. The person witnessing the signatures of each elector on said
28 petition must sign a statement under oath on said sheet attesting that the signatures thereon are
29 genuine and were signed in his or her presence.

30 If the requisite number of signatures are not obtained within said ninety (90) days period,
31 the recall effort shall terminate. Upon verification of the requisite number of signatures, a special
32 election shall be scheduled at which the issue of removing said office holder and the grounds
33 therefor shall be placed before the electors of the state. If a majority of those voting support
34 removal of said office holder, the office shall be immediately declared vacant and shall be filled

1 in accordance with the constitution and laws of the state. The person so removed shall not be
2 eligible to fill the unexpired portion of the term of office. The general assembly shall provide by
3 statute for implementation of the recall process.

4 RESOLVED, That this amendment take, in the Constitution of the state, the place of
5 Article IV, Section 1, of the Constitution; and be it further

6 RESOLVED, That the said proposition of amendment shall be submitted to the electors
7 for their approval or rejection at the next statewide general election to be held in November,
8 2018. The voting places in the several cities and towns shall be kept open during the hours
9 required by law for voting therein for members of the state general assembly; and be it further

10 RESOLVED, That the secretary of state shall cause the said proposition of amendment to
11 be published as a part of this resolution in the newspapers of the state prior to the date of the said
12 meetings of said electors; and the said proposition shall be inserted in the warrants or notices to
13 be issued previous to said meetings of the electors for the purpose of warning the town, ward or
14 district meetings, and said proposition shall be read by the town, ward or district meetings to be
15 held as aforesaid; and be it further

16 RESOLVED, That the town, ward and district meetings to be held aforesaid shall be
17 warned, and the list of voters shall be canvassed and made up, and the said town, ward and
18 district meetings shall be conducted in the same manner as now provided by law for the town,
19 ward and district meetings for the next general election of members to the state general assembly
20 and such other general officers of the state as may be up for election.

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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

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AMENDMENT TO THE CONSTITUTION OF THE STATE OF RHODE ISLAND (FOUR
YEAR TERMS AND TERM LIMITS FOR SENATORS AND REPRESENTATIVES)

- 1 This resolution would propose an amendment to the Constitution to the electors of the
- 2 state that increases the length of terms for senators and representatives to four (4) years and
- 3 would impose a limit of four (4) consecutive terms for those offices.

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