

2013 -- H 5105

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LC00477
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

JOINT RESOLUTION

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

Introduced By: Representatives Lombardi, Craven, Almeida, Hull, and Costa

Date Introduced: January 16, 2013

Referred To: House 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 it take the place of Article IV, section 1, which is hereby
5 amended to read as follows:

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

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

19 The representatives and senators in the general assembly shall be elected on the Tuesday

1 after the first Monday in November, quadrennially in even numbered years commencing in 2014,
2 and shall severally hold their offices for four (4) years from the first Tuesday of January next
3 succeeding their election and until their successors are elected and qualified, and shall serve
4 consecutively for not more than three (3) full terms.

5 Recall is authorized in the case of a general officer who has been indicted or informed
6 against for a felony, convicted of a misdemeanor, or against whom a finding of probable cause of
7 violation of the code of ethics has been made by the ethics commission. Recall shall not, however
8 be instituted at any time during the first six (6) months or the last year of an individual's term of
9 office. Such a recall may be instituted by filing with the state board of elections an application for
10 issuance of a recall petition against said general officer which is signed by duly qualified electors
11 equal to three percent (3%) of the total number of votes cast at the last preceding general election
12 for that office. If, upon verification, the application is determined to contain signatures of the
13 required number of electors, the state board of elections shall issue a recall petition for circulation
14 amongst the electors of the state. Within ninety (90) days of issuance, recall petitions containing
15 the signatures of duly qualified electors constituting fifteen percent (15%) of the total number of
16 votes cast in the last preceding general election for said office must be filed with the state board
17 of elections. The signatures to the application and to the recall petition need not all be on one (1)
18 sheet of paper, but each such application and petition must contain an identical statement naming
19 the person to be recalled, the general office held by said person, and the grounds for such recall
20 set forth in a statement of one hundred (100) words or less approved by the board of elections.
21 Each signatory must set forth his or her signature as it appears on the voting list, the date of
22 signing, and his or her place of residence. The person witnessing the signatures of each elector on
23 said petition must sign a statement under oath on said sheet attesting that the signatures thereon
24 are genuine and were signed in his or her presence. If the requisite number of signatures are not
25 obtained within said ninety (90) days period, the recall effort shall terminate. Upon verification of
26 the requisite number of signatures, a special election shall be scheduled at which the issue of
27 removing said office holder and the grounds therefor shall be placed before the electors of the
28 state. If a majority of those voting support removal of said office holder, the office shall be
29 immediately declared vacant and shall be filled in accordance with the constitution and laws of
30 the state. The person so removed shall not be eligible to fill the unexpired portion of the term of
31 office. The general assembly shall provide by statute for implementation of the recall process.

32 RESOLVED, That the said proposition of amendments shall be submitted to the electors
33 for their approval or rejection at the next statewide general election. The voting places in the
34 several cities and towns shall be kept open during the hours required by law for voting therein for

1 general officers of the state; and be it further

2 RESOLVED, That the secretary of state shall cause the said proposition of amendments
3 to be published as a part of this resolution in the newspapers of the state prior to the date of the
4 said meetings of the said electors; and said proposition shall be inserted in the warrants or notices
5 to be issued previous to said meetings of the electors for the purpose of warning the town, ward,
6 or district meetings, and said proposition shall be read by the town, city, ward, or district
7 meetings to be held as aforesaid; and be it further

8 RESOLVED, That the town, city, ward, and district meetings to be held aforesaid shall
9 be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
10 district meetings shall be conducted in the same manner as now provided by law for the town,
11 city, 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 OF THE STATE - FOUR YEAR TERMS AND
TERM LIMITS FOR REPRESENTATIVES AND SENATORS

- 1 This proposed constitutional amendment would change a representative's term and a
- 2 senator's term to four (4) years, and would limit representatives and senators to three (3)
- 3 consecutive four (4) year terms.

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