

2021 -- H 5418

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- APPOINTMENT,
QUALIFICATION, AND TENURE OF OFFICERS

Introduced By: Representatives Amore, and Noret

Date Introduced: February 05, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 36-1-6 of the General Laws in Chapter 36-1 entitled "Appointment,
2 Qualification, and Tenure of Officers" is hereby amended to read as follows:

3 **36-1-6. Tenure of officers appointed by governor.**

4 (a) All persons appointed by the governor, or appointed by the governor with the advice
5 and consent of the senate, shall severally continue in and hold their respective offices for and during
6 the term for which they were severally appointed and until their respective successors are qualified
7 to act, unless sooner removed in accordance with law.

8 (b) Except as otherwise expressly provided by law, no person appointed to any office or
9 position subject to the advice and consent of the senate shall assume such office or position or
10 exercise any of the powers of such office or position until the senate shall have given its advice and
11 consent to such appointment. In no case shall the governor appoint or designate any person to serve
12 on an "interim" or "acting" basis in circumvention of this section.

13 (c) Except as otherwise expressly provided by law, unless membership on a board or
14 commission is specified by statute or requires a professional license issued by the state, all members
15 or designees serving on boards and commissions responsible for: the oversight of state agencies or
16 political subdivisions; the management or disposal of state property or assets; or the promulgation
17 of rules and regulations authorized by the general laws shall be residents of the state.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- APPOINTMENT,
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- 1 This act would require that all persons serving on boards and commissions appointed by
- 2 the governor have a connection to the state through residence or licensure.
- 3 This act would take effect upon passage.

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