

2012 -- H 7462

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LC00252
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE STATE (GOVERNOR AND
LIEUTENANT GOVERNOR TO APPEAR JOINTLY ON THE BALLOT)

Introduced By: Representatives Reilly, Edwards, Nunes, Phillips, and Morgan

Date Introduced: February 09, 2012

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
3 to 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 and 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 for herein, for
11 four (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 Commencing with the quadrennial election in A.D. 2014, the names of candidates for the
16 offices of governor and lieutenant governor shall be placed jointly upon the ballot, according to
17 their political party, as a single choice, and a vote for that choice shall constitute a single vote for
18 both offices.

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

1 after the first Monday in November, biennially in even numbered years, and shall severally hold
2 their offices for two (2) years from the first Tuesday of January next succeeding their election and
3 until their successors are elected and qualified.

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

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

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

26 If the requisite number of signatures are not obtained within said ninety (90) day period,
27 the recall effort shall terminate. Upon verification of the requisite number of signatures, a special
28 election shall be scheduled at which the issue of removing said office holder and the grounds
29 therefor shall be placed before the electors of the state. If a majority of those voting support
30 removal of said office holder, the office shall be immediately declared vacant and shall be filled
31 in accordance with the constitution and laws of the state. The person so removed shall not be
32 eligible to fill the unexpired portion of the term of office. The general assembly shall provide by
33 statute for implementation of the recall process.

34 RESOLVED, That this amendment shall take, in the Constitution of the State, the place

1 of Section 1, Article IV of the Constitution;

2 It is further

3 RESOLVED, That the said proposition of amendment shall be submitted to the electors
4 for their approval or rejection at the next statewide general election. The voting places in the
5 several cities and towns shall be kept open during the hours required by law for voting therein for
6 general officers of the state; and be it further

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

13 RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be
14 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
15 district meetings shall be conducted in the same manner as now provided by law for the town,
16 ward, and district meetings for the election of general officers of the state.

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