LC00955

2012 -- S 2302

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 - FOUR YEAR TERMS FOR SENATORS AND TERM LIMITS FOR LEGISLATORS

Introduced By: Senators Hodgson, Maher, Cote, Ottiano, and Algiere

Date Introduced: February 01, 2012

Referred To: Senate Special Legislation and Veterans Affairs

1 RESOLVED, That a majority of all members elected to each house of the general 2 assembly voting therefore, 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:

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ARTICLE IV

OF ELECTIONS AND CAMPAIGN FINANCE

SECTION 1. Election and terms of governor, lieutenant governor, secretary of state, 8 9 attorney general, general treasurer, and general assembly members. - The governor, lieutenant 10 governor, secretary of state, attorney general and general treasurer shall be elected on the Tuesday 11 after the first Monday in November, quadrennially commencing A.D. 1994, and every four (4) 12 years thereafter, and shall severally hold their offices, subject to recall as provided for herein, for 13 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.

The senators and representatives in the general assembly shall be elected on the Tuesday after the first Monday in November, biennially in even numbered years, and shall severally hold their offices for two (2) years from the first Tuesday of January next succeeding their election and until their successors are elected and qualified., and shall serve consecutively for not more than
four (4) full terms. The senators in the general assembly shall be elected on the Tuesday after the
first Monday in November, quadrennially in even numbered years commencing in 2014, and shall
severally hold their offices for four (4) years from the first Tuesday of January next succeeding
their election and shall serve consecutively for not more than two (2) full terms.

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

11 Such recall may be instituted by filing with the state board of elections an application for 12 issuance of a recall petition against said general officer which is signed by duly qualified electors 13 equal to three percent (3%) of the total number of votes cast at the last preceding general election 14 for that office. If, upon verification, the application is determined to contain signatures of the 15 required number of electors, the state board of elections shall issue a recall petition for circulation 16 amongst the electors of the state. Within ninety (90) days of issuance, recall petitions containing 17 the signatures of duly qualified electors constituting fifteen percent (15%) of the total number of 18 votes cast in the last preceding general election for said office must be filed with the state board 19 of elections.

20 The signatures to the application and to the recall petition need not all be on one (1) sheet 21 of paper, but each such application and petition must contain an identical statement naming the 22 person to be recalled, the general office held by said person, and the grounds for such recall set 23 forth in a statement of one hundred (100) words or less approved by the board of elections. Each 24 signatory must set forth his or her signature as it appears on the voting list, the date of signing, 25 and his or her place of residence. The person witnessing the signatures of each elector on said 26 petition must sign a statement under oath on said sheet attesting that the signatures thereon are 27 genuine and were signed in his or her presence.

If the requisite number of signatures are not obtained within said ninety (90) days period, the recall effort shall terminate. Upon verification of the requisite number of signatures, a special election shall be secluded at which the issue of removing said office holder and the grounds therefor shall be placed before the electors of the state. If a majority of those voting support removal of said office holder, the office shall be immediately declared vacant and shall be filled in accordance with the constitution and laws of the state. The person so removed shall not be eligible to fill the unexpired portion of the term of office. The general assembly shall provide by 1 statute for implementation of the recall process.

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

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

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

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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This proposed constitutional amendment would change a senator's term to four (4) years,

2 and would limit representatives to four (4) consecutive two (2) year terms and senators to two (2)

3 consecutive four (4) year terms.

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