

**2014 -- S 2824 SUBSTITUTE A AS AMENDED**

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LC004577/SUB A

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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2014**

**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 (ETHICS COMMISSION)

Introduced By: Senators Sheehan, Conley, McCaffrey, E O`Neill, and Cote

Date Introduced: March 25, 2014

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 the following Articles are hereby amended, as hereinafter set  
5 forth, effective on January 7, 2015, to read as follows:

6 ARTICLE VI

7 OF THE LEGISLATIVE POWER

8 Section 5. Immunities of general assembly members. -- The persons of all members of  
9 the general assembly shall be exempt from arrest and their estates from attachment in any civil  
10 action, during the session of the general assembly, and two days before the commencement and  
11 two days after the termination thereof, and all process served contrary hereto shall be void. For  
12 any speech in debate in either house, no member shall be questioned in any other place, except by  
13 the ethics commission for a violation of the code of ethics occurring after January 7, 2015;  
14 provided, however, that members of the general assembly shall be free, without question or  
15 penalty, to discuss and debate, verbally or in writing, any matter within their core legislative  
16 duties.

17 ARTICLE III

18 OF QUALIFICATION FOR OFFICE

19 Section 8. Ethics commission -- Code of ethics. The general assembly shall establish an

1 independent non-partisan ethics commission which shall adopt a code of ethics including, but not  
2 limited to, provisions on conflicts of interest, confidential information, use of position, contracts  
3 with government agencies and financial disclosure. All elected and appointed officials and  
4 employees of state and local government, of boards, commissions and agencies shall be subject to  
5 the code of ethics. The ethics commission shall have the authority to investigate all violations of  
6 the code of ethics and to impose penalties, as provided by law; and the commission shall have the  
7 power to remove from office officials who are not subject to impeachment. Provided, however,  
8 that effective January 7, 2015, any person against whom the commission finds a violation of the  
9 code of ethics shall be entitled to a trial de novo in a court established pursuant to Article X,  
10 Section 2 of the Constitution, in accordance with procedures established by law.

11 Section 9. Ethics commission composition.-- Effective January 7, 2015, the ethics  
12 commission shall be composed of eleven (11) members, each appointed for a single, five (5) year  
13 term by the governor; provided, that six (6) of whom shall be appointed each from a list of three  
14 (3) candidates submitted by the speaker of the house of representatives, the majority leader of the  
15 house of representatives, the minority leader of the house of representatives, the president of the  
16 Senate, the majority leader of the Senate, and the minority leader of the Senate. Those  
17 commissioners in office on January 7, 2015, shall continue in office for the terms to which they  
18 were originally appointed and until their successors are appointed and qualified. On or before  
19 February 1, 2015, the governor shall appoint two (2) members, one (1) of whom shall be selected  
20 from a list of three (3) candidates submitted by the majority leader of the Senate. Vacancies  
21 occurring after January 7, 2015, shall be filled in accordance with this section.

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

26 RESOLVED, That the secretary of state shall cause the said proposition of amendment to  
27 be published as a part of this resolution in the newspapers of the state prior to the date of the said  
28 meetings of the said electors; and the said proposition shall be inserted in the warrants or notices  
29 to be issued previous to said meetings of the electors for the purpose or warning the town, ward,  
30 or district meetings, and said proposition shall be read by the town, ward, or district meetings to  
31 be held as aforesaid; and be it further

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

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