

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2018**

**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-OF ELECTIONS AND  
CAMPAIGN FINANCE**

Introduced By: Representatives Phillips, Solomon, Casimiro, Canario, and Filippi

Date Introduced: February 28, 2018

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   ARTICLE IV

7   OF ELECTIONS AND CAMPAIGN FINANCE

8           Section 1. Election and terms of governor, lieutenant governor, secretary of state,  
9 attorney-general, general treasurer, and general assembly members.

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

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

1 until their successors are elected and qualified. Commencing in November, 2020, and thereafter,  
2 senators and representatives from even numbered districts shall be elected for a term of four (4)  
3 years, and the remaining members from odd numbered districts shall be elected for a two (2) year  
4 term. Provided, however, commencing in November, 2022, and thereafter, senators and  
5 representatives from odd numbered districts shall be elected for a term of four (4) years. There  
6 shall be no limit to the number of terms the senators and representatives in the general assembly  
7 may be elected.

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

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

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

30 If the requisite number of signatures are not obtained within said ninety (90) days period,  
31 the recall effort shall terminate. Upon verification of the requisite number of signatures, a special  
32 election shall be scheduled at which the issue of removing said office holder and the grounds  
33 therefor shall be placed before the electors of the state. If a majority of those voting support  
34 removal of said office holder, the office shall be immediately declared vacant and shall be filled

1 in accordance with the constitution and laws of the state. The person so removed shall not be  
2 eligible to fill the unexpired portion of the term of office. The general assembly shall provide by  
3 statute for implementation of the recall process.

4           RESOLVED, That this amendment shall take, in the Constitution of the state, the place of  
5 Section 1, Article IV of the Constitution;

6           It is further

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

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

17           RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be  
18 warned, and the list of voters shall be canvassed and made up, and the said town, ward and  
19 district meetings shall be conducted in the same manner as now provided by law for the town,  
20 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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1           This joint resolution would propose a constitutional amendment authorizing four (4) year  
2 terms for members of the general assembly, elected members from even numbered districts would  
3 begin to be elected to four (4) year terms commencing in November, 2020, while members in off  
4 numbered districts would begin to be elected to four (4) year terms commencing in November,  
5 2022.

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