

2008 -- H 7012

LC00170

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (OF THE EXECUTIVE POWER)

Introduced By: Representatives Gemma, Fox, Costantino, McCauley, and Church

Date Introduced: January 02, 2008

Referred To: House Separation of Powers

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefor, the following amendments 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 they take the place of Article IX sections 9 and 10 which
5 are hereby amended to read as follows:

6 **Section 9.** Vacancy in office of governor. -- ~~If the office of the governor shall be vacant~~
7 ~~by reason of death, resignation, impeachment or inability to serve, the lieutenant governor shall~~
8 ~~fill the office of governor, and exercise the powers and authority appertaining thereto, until a~~
9 ~~governor is qualified to act, or until the office is filled at the next election.~~ In case of vacancy in
10 the office of governor or of the governor's inability to serve, impeachment, or absence from the
11 state, the lieutenant governor shall fill the office of governor, and exercise the powers and
12 authority appertaining thereto, until a governor is qualified to act, or until the office is filled at the
13 next election.

14 **Section 10.** Vacancies in both offices of governor and lieutenant governor. -- ~~If the~~
15 ~~offices of governor and lieutenant governor be both vacant by reason of death, resignation,~~
16 ~~impeachment, or inability to serve, the speaker of the house of representatives shall in like~~
17 ~~manner fill the office of governor during such vacancy.~~ If the offices of governor and lieutenant
18 governor be both vacant by reason of death, resignation, impeachment, absence, or otherwise, the
19 speaker of the house of representatives shall in like manner fill the office of governor during such

1 [absence or vacancy.](#)

2 RESOLVED, That these amendments shall take, in the Constitution of the state, the place
3 of Sections 9 and 10, Article IX of the Constitution:

4 It is further

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

J O I N T R E S O L U T I O N

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AMENDMENT TO THE CONSTITUTION OF THE STATE (OF THE EXECUTIVE POWER)

1 This act would restore the language in effect prior to the 1992 amendments. Section 9
2 would authorize the lieutenant governor to act as governor in the event that a vacancy occurs or if
3 the governor was absent from the state. Section 10 would authorize the speaker of the house to
4 act as governor in the event that the governor and lieutenant governor' office become vacant or
5 both are absent. This act would also require that the amendments be submitted to the electors for
6 their approval or rejection at the next statewide general election.

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