

RESOLUTION OF THE CITY COUNCIL

No. 129

Approved March 28, 2014

WHEREAS, The influence of special interests are increasingly providing opportunities for conflict of interest thereby corrupting the process of transparent and accountable governance; and

WHEREAS, Current RI Code of Ethics legislation is intended to prevent conflict of interest and promote transparency and accountability in the course of elected and appointed public officials performing their public duties without condition; and

WHEREAS, The City of Providence supports the RI Code of Ethics and the RI Ethics Commission; and

WHEREAS, All elected and appointed officials in the State of Rhode Island including the City of Providence are required to comply with the RI Code of Ethics; and

WHEREAS, All elected and appointed officials in the State of Rhode Island including the City of Providence, with the single exception of the RI General Assembly, fall under the jurisdiction of the RI Ethics Commission for adjudication for non-compliance or violation of RI Code of Ethics; and

WHEREAS, The current proposal for a Referendum to amend RI Code of Ethics legislation would , as it did prior to the Irons Ruling by the RI Supreme Court, again include the RI General Assembly under the jurisdiction of the RI Ethics Commission for adjudication for non-compliance or violation of the RI Code of Ethics; and

WHEREAS, This proposed amendment would enhance/complete the original intent of this statute which is to prevent conflict of interest in the course of elected and appointed public officials performing their public duties without condition; and

WHEREAS, It would consequently contribute toward the improvement of a more transparent and accountable government for both the City of Providence and the State of Rhode Island; be it therefore.

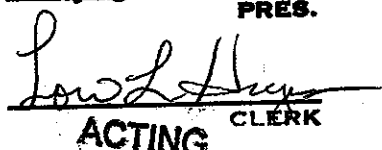
NOW, THEREFORE, BE IT RESOLVED, that the Providence City Council expresses its support of the substance, intent and spirit of the proposed Referendum to put before the voters a Constitutional amendment to include the RI General Assembly under the jurisdiction of the RI Ethics Commission for adjudication for non-compliance or violation of the RI Code of Ethics as presented in the Joint Resolutions S-2034 and H-7593, and cause a copy of this resolution to be mailed to Governor Chafee, Senate President M. Teresa Paiva Weed, Speaker of the House Gordon Fox, and Senators Gayle L. Goldin, Maryellen Goodwin, Frank A. Ciccone, Paul V. Jabour, Harold M. Metts, and Representatives Thomas A. Palangio, Christopher R. Blazejewski, Edith H. Ajello, John J. DeSimone, Raymond A. Hull, Maria E. Cimini, Michael A. Tarro, Scott Slater, Leo Medina, John Carnevale, Grace Diaz, Anastasia P. Williams.

IN CITY COUNCIL

MAR 20 2014

READ AND PASSED


PRES.


ACTING CLERK

I HEREBY APPROVE.


Mayor

Date: 3/28/14

LC004374

JANUARY SESSION, A.D. 2014

OF THE LEGISLATIVE POWER

1 **Section 5. Immunities of General Assembly members.** – The persons of all members
2 of the general assembly shall be exempt from arrest and their estates from attachment in any civil
3 action, during the session of the general assembly, and two days after the termination thereof, and
4 all process served contrary hereto shall be void. For any speech in debate in either house, no
5 member shall be questioned in any other place, except by the ethics commission as set forth in
6 Article III, section 8 of the Constitution.

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.

LC004374

LC003086

IN GENERAL ASSEMBLY

JOINT RESOLUTION

Referred To: Senate Judiciary

OF THE LEGISLATIVE POWER

1 **Section 5. Immunities of General Assembly members.** -- The persons of all members
2 of the general assembly shall be exempt from arrest and their estates from attachment in any civil
3 action, during the session of the general assembly, and two days after the termination thereof, and
4 all process served contrary hereto shall be void. For any speech in debate in either house, no
5 member shall be questioned in any other place, except by the ethics commission as set forth in
6 Article III, section 8 of the Constitution.

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.

=====
LC003086
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

JOINT RESOLUTION
TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE STATE (ETHICS COMMISSION)

1 This amendment to the Constitution of the State, if adopted, would provide that the Ethics
2 Commission would have jurisdiction over the members of the General Assembly notwithstanding
3 the “speech in debate” provisions of Article VI, Section 5 of the Constitution.

4 =====

5 LC003086

6 =====