

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 339

EFFECTIVE ~~XXXXXX~~ *Approved* May 2, 2003

WHEREAS, The Voters of Rhode Island, on two separate occasions, have overwhelmingly voted in favor of amending our State Constitution in order to provide more of a balance of power among the three branches of government; and

WHEREAS, Bi-partisan legislation amending our Constitution to effectuate the changes necessary to carry to fruition this desire of the citizens of Rhode Island has been introduced in the House of Representatives (2003-H 5081) and in the Senate (2003-S 180); and

WHEREAS, 2003-H 5081 was co-sponsored by 38 of the 75 state representatives, including 27 Democrats and 11 Republicans, and 2003-S 180 was co-sponsored by all but 3 of the 38 Senators, and these companion bills are fully supported by good government advocacy groups which have worked on the Separation of Powers issue for years.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council hereby expresses its full support for the passage of both 2003-H 5081 and 2003-S 180, and urges the House of Representatives and the Senate, respectively, to pass these bills as promptly as possible, and that a copy of this resolution be forwarded to Representative Bruce Long and Senator Teresa Paiva-Weed and to each city and town in the State of Rhode Island.

IN CITY COUNCIL
APR 22 2003
READ AND PASSED

PRES.

CLERK

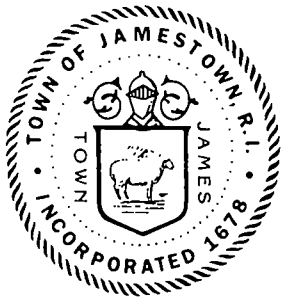
Effective without the
Mayor's Signature:

Michael R. Clement
Michael R. Clement
City Clerk

IN CITY COUNCIL
APR 3 2003
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Michael R. Christ
CLERK

Special
THE COMMITTEE ON
State Legislation
Recommendation - *Approved*
Ann M. Stetson
4-7-03 CLERK

Council President Lombardi (By Request)



Town of Jamestown

Town Council

Town Hall, 93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-7200 • Fax 423-7230

Guy J. Settipane, President
David A. Swain, Vice President

Kenneth G. Littman
David J. Long
Norma B. Willis

MEMORANDUM

To: RI City & Town Councils
From: Arlene D. Kalooski, Town Clerk *Arlene D. Kalooski*
Date: March 27, 2003
Subject: Support for H5081 and S180: Resolution for the Separation of Powers

At a regularly scheduled meeting of the Jamestown Town Council held on Monday, March 24, 2003, the Jamestown Town Council voted to adopt Resolution 03-008 in support for H5081 and S180, bipartisan bills calling for the separation of powers.

The Town Council respectfully requests that you place Jamestown's resolution on your next available Council agenda and join us in giving your full support for the passage of these two most important bills.

Enclosure

C: Senator Teresa Paiva-Weed
Representative Bruce Long

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TOWN OF JAMESTOWN

93 Narragansett Avenue
Jamestown, RI 02835
(401) 423-7200


Resolution 03-008R

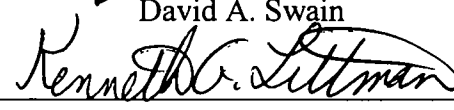
WHEREAS, the voters of Rhode Island, on two separate occasions, have overwhelmingly voted in favor of amending our state Constitution in order to provide more of a balance of power among the three branches of government; and

WHEREAS, bi-partisan legislation amending our Constitution to effectuate the changes necessary to carry to fruition this desire of the citizens of Rhode Island has been introduced in the House of Representatives (2003-H 5081) and in the Senate (2003-S 180); and

WHEREAS, 2003-H 5081 was co-sponsored by 38 of the 75 state representatives, including 27 Democrats and 11 Republicans, and 2003-S 180 was co-sponsored by all but 3 of the 38 Senators, and these companion bills are fully supported by good government advocacy groups which have worked on the Separation of Powers issue for years; now, therefore, be it

RESOLVED, that the Jamestown Town Council hereby expresses its full support for the passage of both 2003-H 5081 and 2003-S 180, and urges the House of Representatives and the Senate, respectively, to pass these bills as promptly as possible, and that a copy of this resolution be forwarded to Representative Bruce Long and Senator Teresa Paiva-Weed and to each city and town in the State of Rhode Island.




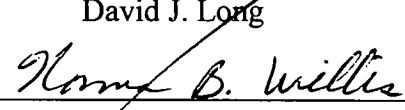
David A. Swain


Kenneth G. Littman



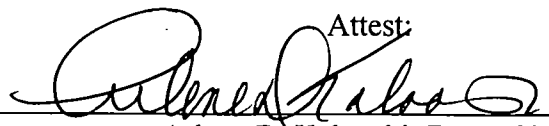
Guy J. Settipane, President



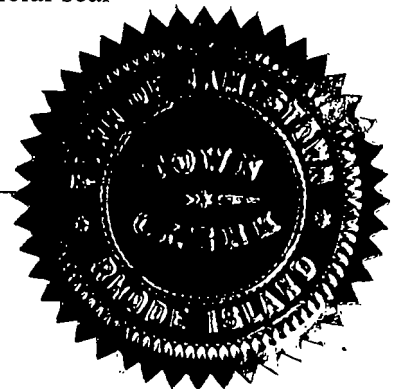
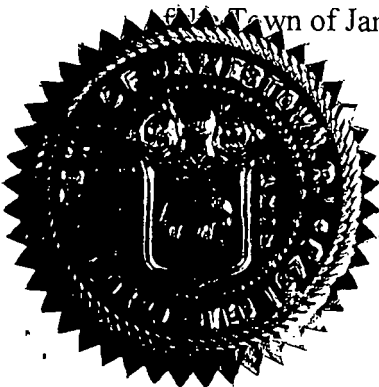
David J. Long


Norma B. Willis

IN WITNESS WHEREOF, I hereby attach my hand and the official seal
of the Town of Jamestown this 24th day of March 2003.



Arlene D. Kalooski, Town Clerk



JANUARY SESSION, A.D. 2003

17 No senator or representative shall, during the time for which he or she was elected, be
18 appointed to any state board, commission or other state or quasi-public entity exercising
19 executive power under the laws of this state, and no person holding any executive office or

1 serving as a member of any board, commission or other state or quasi-public entity exercising
2 executive power under the laws of this state shall be a member of the senate or the house of
3 representatives during his or her continuance in such office.

4 ARTICLE V

5 OF THE DISTRIBUTION OF POWERS

6 The powers of the government shall be distributed into three (3) separate and coequal
7 departments: the Legislative, the Executive and the Judicial.

8 ARTICLE VI

9 OF THE LEGISLATIVE POWER

10 ~~Section 10. Continuation of previous powers. — The general assembly shall continue~~
11 ~~to exercise the powers it has heretofore exercised, unless prohibited in this Constitution.~~

12 ARTICLE IX

13 OF THE EXECUTIVE POWER

14 ~~Section 5. Authority to fill vacancies. — The governor may fill vacancies in office not~~
15 ~~otherwise provided for by this Constitution or by law, until the same shall be filled by the general~~
16 ~~assembly, or by the people.~~

17 Section 5. Powers of appointment. — The governor shall, by and with the advice and
18 consent of the senate, appoint all officers whose appointment is not herein otherwise provided
19 and all members of any board, commission or other state or quasi-public entity which exercises
20 executive power under the laws of this state; but the general assembly may by law vest the
21 appointment of such inferior officers, as they deem proper, in the governor, or within their
22 respective departments in the other general officers, the judiciary or in the heads of departments.

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

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

33 **RESOLVED**, That the town, ward, and district meetings to be held aforesaid shall be
34 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and

- 1 district meetings shall be conducted in the same manner as now provided by law for the town,
- 2 ward, and district meetings for the election of general officers of the state.
- 3

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LC00955
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LC00414

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

JOINT RESOLUTION

TO APPROVE AND PUBLISH, AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION OF THE STATE (SEPARATION OF POWERS)

Introduced By: Representatives Gorham, Story, Savage, Almeida, and Dennigan

Date Introduced: January 15, 2003

Referred To: House Separation of Powers

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 the following sections are hereby amended to read as
5 follows:

6 ARTICLE III

7 OF QUALIFICATION FOR OFFICE

8 Section 6. Holding of offices under other governments -- Senators and
9 representatives not to hold other appointed offices under state government. -- No person
10 holding any office under the government of the United States, or of any other state or country,
11 shall act as a general officer or as a member of the general assembly, unless at the time of taking
12 such engagement that person shall have resigned the office under such government; and if any
13 general officer, senator, representative, or judge shall, after election and engagement, accept any
14 appointment under any other government, the office under this shall be immediately vacated; but
15 this restriction shall not apply to any person appointed to take depositions or acknowledgment of
16 deeds, or other legal instruments, by the authority of any other state or country.

17 No senator or representative shall, during the time for which he or she was elected, be
18 appointed to any state office, board, commission or other state or quasi-public entity exercising
19 executive power under the laws of this state, and no person holding any executive office or

1 serving as a member of any board, commission or other state or quasi-public entity exercising
2 executive power under the laws of this state shall be a member of the senate or the house of
3 representatives during his or her continuance in such office.

4 ARTICLE V

5 OF THE DISTRIBUTION OF POWERS

6 The powers of the government shall be distributed into three separate and co-equal
7 departments: the legislative, executive and judicial.

8 ARTICLE IX

9 OF THE EXECUTIVE POWER

10 ~~Section 5. Authority to fill vacancies. — The governor may fill vacancies in office not~~
11 ~~otherwise provided for by this Constitution or by law, until the same shall be filled by the general~~
12 ~~assembly, or by the people.~~

13 Powers of Appointment. — The governor shall, by and with advice and consent of the
14 senate, appoint any officer of the state whose appointment is not herein otherwise provided for,
15 and all members of any board, commission or other state or quasi-public entity which exercises
16 executive power under the laws of this state; but the general assembly may by law vest the
17 appointment of such inferior officers, as they deem proper, in the governor, or within their
18 respective departments in the other general officers, the judiciary, or in the heads of departments.
19 The governor shall have power to fill up all vacancies that may happen during the recess of the
20 senate, by granting commissions which shall expire at the end of the next session.

21 RESOLVED, That a majority of all members elected to each house of the general
22 assembly voting therefore, the following amendment to the Constitution of the state be proposed
23 to the qualified electors of the state in accordance with the provisions of Article XIV of the
24 constitution for their approval and that the following section is hereby repealed:

25 ARTICLE VI

26 OF THE LEGISLATIVE POWER

27 ~~Section 10. Constitution of previous powers. — The general assembly shall continue~~
28 ~~to exercise the powers it has heretofore exercised, unless prohibited in this Constitution.~~

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

33 RESOLVED, That the secretary of state shall cause the said proposition of amendments
34 to be published as a part of this resolution in the newspapers of the state prior to the date of the

1 said meetings of the said electors; and the said proposition shall be inserted in the warrants or
2 notices to be issued previous to said meetings of the electors for the purpose of warning the town,
3 ward, or district meetings, and said proposition shall be read by the town, ward, or district
4 meetings to be held as aforesaid; and be it further

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

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LC00414
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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 (SEPARATION OF POWERS)

- 1 This resolution would amend the state constitution to provide that no member of the
- 2 general assembly would be appointed to serve on any state board, commission or agency. These
- 3 amendments would become law upon an affirmative vote of the electorate.

LC00414

**BOARD OF CANVASSERS
JAMESTOWN, RHODE ISLAND
March 12, 2003**

An advertised meeting of the Board of Canvassers was called to order at the Jamestown Town Hall, 93 Narragansett Ave. at 11:35 am by Chairwoman Marian J. Clarke. The following members were present:

Dolores M. Christman
Alcina L. Blair

Also present were:

Karen Montoya, Clerk to the Board of Canvassers

APPROVAL OF MINUTES

The minutes from the meeting of March 7, 2003 were approved. The motion was made by Dolores Christman and seconded by Marian Clarke.

UNFINISHED BUSINESS

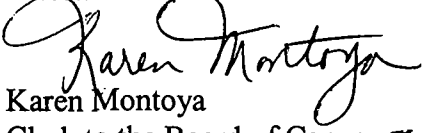
There was no unfinished business.

NEW BUSINESS

The Board examined the new voting list and a motion was made by Marian Clarke to accept the list as the official election list to be used for the Primary on April 2, 2003. Dolores Christman seconded.

There being no further business the meeting was adjourned at 12:00. Marian Clarke made the motion and Alcina Blair seconded.

Attest:


Karen Montoya
Clerk to the Board of Canvassers

Cc: Town Council Members (5)
Board of Canvassers (3)
Arlene D. Kalooski, Town Clerk

**BOARD OF CANVASSERS
JAMESTOWN, RHODE ISLAND
March 7, 2003**

An advertised meeting of the Board of Canvassers was called to order at the Jamestown Town Hall, 93 Narragansett Ave. at 11:02 am by Chairwoman Marian J. Clarke. The following members were present:

Dolores M. Christman
Alcina L. Blair

Also present were:

Karen Montoya, Clerk to the Board of Canvassers

APPROVAL OF MINUTES

The minutes from the meeting of Feb. 10, 2003 were approved. The motion was made by Dolores Christman and seconded by Alcina Blair.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

The Board discussed the best location for the one polling place for the Primary on April 2nd. It was unanimously decided to have it at the Community Center since that would be the least disruption to the community because school will be in session.

There being no further business the meeting was adjourned at 11:30. Marian Clarke made the motion and Dolores Christman seconded.

Attest:



Karen Montoya
Clerk to the Board of Canvassers

Cc: Town Council Members (5)
Board of Canvassers (3)
Arlene D. Kalooski, Town Clerk