

2018 -- S 2967

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

SENATE RESOLUTION

AMENDING THE RULES OF THE SENATE

Introduced By: Senators Ruggerio, Algiere, McCaffrey, Goodwin, and Lombardi

Date Introduced: June 07, 2018

Referred To: Senate Rules, Government Ethics and Oversight

1 RESOLVED, That the Rules of the Senate as adopted on March 30th, 2017 as Senate
2 Resolution 531 Substitute A, as amended, Resolution 161, be and they are hereby amended as
3 follows, to wit:

4 (1) By amending Rule 5.1-1 to read as follows:

5 **5.1-1 Committee on Judiciary.**

6 It shall be the duty of the committee on judiciary to consider the appointments of the
7 governor referred to it by the senate which require the advice and consent of the senate and all
8 legislation and matters which affect the penal code, judicial system, ethics, open meetings, access
9 to public records and election laws of the state, to maintain oversight over the application,
10 execution and operation of the laws within its jurisdiction, expulsion of a member, and to
11 consider such other matters as may be referred to it by the senate. In the matters of judicial
12 appointments, expulsion of a member, and those public hearings designated by the committee
13 chair, all testimony shall be under oath and preserved by stenographic record which shall be
14 transcribed upon the order of the chair.

15 (2) By amending Section 10 by adding thereto the following rules, to wit:

16 **10.20 Continuing Education and Training.**

17 All state senators and senate employees, shall annually participate in a continuing
18 education program presented by the Rhode Island Commission for Human Rights.

19 **10.21 Discipline of a Member.**

20 The extraordinary power of expulsion generally should be reserved for very serious

1 breaches of legal or ethical responsibilities of members. A complaint to expel a member shall
2 commence with a resolution sponsored by the senate president; provided however, if the president
3 is the subject of the resolution to expel, the resolution shall be sponsored by the president pro
4 tempore. The secretary of the senate shall refer the resolution to the committee on judiciary. The
5 committee shall investigate the matter and shall have the right to compel witnesses and produce
6 documents by subpoena and other customary means. The committee shall afford the member due
7 process. Due process shall be defined as customary legislative process for hearings, to include:
8 properly served notice of all hearings, the right to testify and refute the allegations and the right to
9 present evidence. In addition, individual notice shall be served upon the member and the member
10 shall have the right to cross examine any witness. The vote of a majority of the committee shall
11 be sent to the floor for the next legislative day available for consideration. All testimony shall be
12 under oath and preserved by stenographic record which shall be transcribed upon the order of the
13 chair. Expulsion shall require by two-thirds of the members elected voting for approval of the
14 resolution to expel.

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