State of Rhode Island

In General Assembly

January Session, A.D. 2022

Concurrent Resolution

Extending power conferred upon the Governor pursuant to the provisions of subsection (e) of Title 30, Chapter 15, Section 9 of the Rhode Island General Laws

Introduced By: Representatives Shekarchi, Blazejewski, Kazarian, Ackerman, Edwards, and Abney

Date Introduced: January 28, 2022

Referred To: House State Government & Elections

WHEREAS, On August 19, 2021, the Governor issued Executive Order 21-86 declaring a new state of emergency with respect to the Delta and other then-existing variants of COVID-19 (Declaration of Disaster Emergency for New COVID-19 Variants) and which said Order was affirmed and amended via Executive Order 21-109, which has in turn been extended by the Governor pursuant to subsequent orders, the most recent of which being Executive Order 22-12 issued on February 3, 2022; and

WHEREAS, The Governor has issued various additional Executive Orders predicated on the August 19, 2021 order Declaring a Disaster Emergency for New COVID-19 Variants; and

WHEREAS, The state has experienced widespread community spread of one or more highly transmissible variants of COVID-19 in recent months, resulting in the highest infection and hospitalization rates during the course of the pandemic and thereby placing a dangerous strain on the health care system in the state; and

WHEREAS, Although at this time, infection and hospitalization rates appear to be in decline, daily infections and hospitalization rates currently remain extremely high and the COVID-19 virus has demonstrated a tendency to be dangerous and unpredictable to the citizens of this state and the stability of the health care system; and

WHEREAS, Certain powers relating to the Governor's management of disaster emergencies are enumerated in § 30-15-9(e); and

WHEREAS, In accordance with § 30-15-9(b) the General Assembly, by concurrent
WHEREAS, On July 1, 2021, the General Assembly passed 2021 - H 6122 Substitute A as amended, entitled "An Act Making Appropriations for the Support of the State for the Fiscal Year Ending June 30, 2022" which amended § 30-15-9 to impose a limit of one hundred eighty (180) days on powers conferred upon the Governor pursuant to subsection (e) of such section "unless and until the General Assembly extends the one hundred eighty (180) day period by concurrent resolution"; and

WHEREAS, The Governor signed said act on July 6, 2021 thereby making it operative; and

WHEREAS, The one hundred and eightieth (180th) day following the issuance of Executive Order 21-86 occurs on or about February 14, 2022; and

WHEREAS, Present conditions reasonably indicate that the health and safety of the citizens of this state would benefit from a limited continuation of the judicious use of executive emergency powers by the Governor; now therefor be it

RESOLVED, That this General Assembly of the State of Rhode Island, without waiving its powers pursuant to § 30-15-9(b) to terminate a state of disaster emergency at any time, hereby adopts this concurrent resolution extending the Governor's additional powers contained in § 30-15-9(e) of the General Laws with respect to Executive Order 21-86, as superseded by Executive Order 21-109 together with extensions thereof and additional Executive Orders related thereto, through March 31, 2022; and be it further

RESOLVED, That after March 31, 2022, powers conferred upon the Governor pursuant to the provisions of § 30-15-9(e) as they relate to the Declaration of Disaster Emergency for New COVID-19 Variants shall expire, unless further extended by concurrent resolution of the General Assembly; and be it further

RESOLVED, That if the Governor finds that the threat of danger has passed to the extent that emergency conditions no longer exist, the Governor shall terminate the state of disaster emergency by executive order or proclamation in accordance with § 30-15-9(b); and be it further

RESOLVED, That the Secretary of State be and hereby is authorized and directed to transmit a duly certified copy of this resolution to the Honorable Daniel J. McKee, Governor of the State of Rhode Island.

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