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Journal of the Constitutional Convention, 1967 Jul 17

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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

July 17, 1967

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:10 P. M., pursuant to the following written order:

" June 30, 1967

"Delegates to the Convention:

"Pursuant to Rule 56, of the Constitutional Convention rules, I am calling a session on Monday, July 17, 1967, at 1:30 P. M. in the House Chamber.

"At this session the Convention Committee of the Whole will continue reading and discussing the final draft of the document.

"I trust you plan to attend this important meeting.

Dennis J. Roberts
Convention Chairman"

The roll of delegates was called - there were 70 present and 29 absent.

Absentees were: Mr. Appolonia, Mrs. Barber, Mr. Bissonnette, Mrs. Castiglia, Messrs. Colbert, Cunningham, DeCiantis, DiLuglio, Dyl, Dodge, Fanning of Providence, Feeney, Fontaine, Gallagher, Gammino, Giguere, Gorham of Foster, Gorham of Scituate, Jordan, Mrs. Lacroix, Messrs. Martin, McCabe, Moon, Mulligan, Murphy of Warren, Murphy of Coventry, Parrillo, Stapleton and Toolin.

The names of the absentees were called.

On motion by Mr. Wexler, seconded by Messrs. Cochran and O'Donnell, the reading of the Journal of the previous day was dispensed on a voice vote.

MOTIONS and RESOLUTIONS

Mmes. Foster and Hager offered Resolution No. 38 entitled:- "Resolution Expressing Deepest Sympathy at the Death of Marco Castiglia". The resolution was read.

Mrs. Hager seconded by Mrs. Foster and the entire membership of the Convention, moved passage of the resolution.

The motion prevailed on a unanimous rising vote.

Messrs. Viall, Foster, Feeney and Steere, offered Resolution No. 39 entitled:-

"Resolution Congratulating Delegate Augusto W. SaoBento on the Birth of a Daughter, Cara Linda SaoBento, on July 4, 1967".

The resolution was read.

Mr. Viall, seconded by Messrs. Foster, Feeney, Steere and the entire membership of the Convention, moved passage of the resolution.

The motion prevailed on a unanimous rising vote.

GENERAL ORDERS

Mr. Cochran, seconded by Mr. Warren, moved that the Convention resolve into a Committee of the Whole upon the General Orders of the Day.

The motion prevailed on a voice vote.

(For Journal of the Committee of the Whole, see Appendix, this Journal.)

Upon the rising of the Committee of the Whole, the Chairman again called the convention to order.

ADJOURNMENT

At 4:15 P. M., on motion of Mr. Doris, seconded by Mr. Foster, the Convention adjourned to meet on Monday, August 7, 1967, at 1:30 P. M. in the Chamber of the House of Representatives at the State House, on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention

On motion of Mr. Dolbashian, seconded by Messrs. Lawrence, Warren and Gallogly, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 5 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 6 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 7 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 8 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 9 of Article VI was read.

On motion of Mr. Cooney, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Cooney, seconded by Messrs. Canna and Murphy of Tiverton, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article VII was read.

Mrs. Foster, seconded by Messrs. Corcoran and Gates, offered the following written motion to amend:

"I move to amend Article VII Of Elections, Section 1 by striking out in line 1 'all members of the general assembly' and inserting the word 'senators'; and by adding to the section the following: 'Members of the house of representatives shall be elected at a general election on the Tuesday next after the first Monday in November every two years and shall severally hold their offices for two years from the first Tuesday of January next succeeding their election and until their successors are elected and qualified.'"

Millicent S. Foster

The motion was read.

The motion was debated.

On motion of Mr. Bizier, seconded by Mr. Doris, the motion to amend was laid on the table on a division vote, 37 delegates voting in the affirmative and 24 delegates voting in the negative.

On motion of Mr. Kagan, seconded by Messrs. Foster, Viall, Bizier, and Lawrence, the Committee of the Whole recommended adoption of the section, on a division vote, 35 delegates voting in the affirmative and 21 delegates voting in the negative.

Section 2 of Article VII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article VII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier and Lawrence, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article VII was read.

On motion of Mr. Kagan, seconded by Messrs. Lawrence, Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Kagan, seconded by Messrs. Bizier, Foster and Lawrence, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article VIII was read.

On motion of Mr. Kagan, seconded by Mr. Foster, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article VIII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article VIII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article VIII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 5 of Article VIII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 6 of Article VIII was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier and Lawrence, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier and Lawrence, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article IX was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article IX was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article IX was read.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Kagan, seconded by Messrs. Foster and Bizier, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article X was read.

On motion of Mrs. Pell, seconded by Messrs. Wexler, Sherry and Prince, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article X was read.

On motion of Mrs. Pell, seconded by Messrs. Foster, Wexler, Sherry and Prince, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mrs. Pell, seconded by Messrs. Sherry, Foster and Prince, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of XI was read.

On motion of Mr. Coleman, seconded by Mr. Cannon, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Lawrence and Kagan, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Cochran, Sherry and Cannon, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Cochran, Sherry, Kagan and Cannon, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 5 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Sherry, Cochran, Cannon, Manning and Kagan, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 6 of Article XI was read.

On motion of Mr. Cochran, seconded by Messrs. Coleman, Bizier, Kagan, Cannon and Sherry, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 7 of Article XI was read.

On motion of Mr. Coleman, seconded by Mr. Sherry, the Committee of the Whole recommended adoption of the section, on a voice vote.

Mr. Cochran requested that he be recorded as voting in the negative on the motion.

Section 8 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Sherry, Cannon and Lawrence, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 9 of Article XI was read.

On motion of Mr. Coleman, seconded by Messrs. Cochran, Cannon, Bizier, and Sherry, the Committee of the Whole recommended adoption of the section, on a division vote, 39 delegates voting in the affirmative and 13 delegates voting in the negative.

Mr. Nathanson requested that he be recorded as voting in the negative on the motion.

Mr. Wexler, seconded by Mr. Coleman, moved that the Committee of the Whole reconsider Section 3 of Article XI.

The motion prevailed on a voice vote.

On reconsideration, Mr. Wexler, seconded by Mr. Sherry, offered the following written motion to amend:

"I hereby move to amend section 3 of Article XI, 'Of Local Government', in the fourth line by inserting the word 'one' after the word 'any' and before the word 'or' ."

Edmund Wexler

The motion was read.

The motion to amend prevailed on a voice vote.

On motion of Mr. Cochran, seconded by Mr. Coleman, the Committee of the Whole recommended adoption of the section as amended, on a voice vote.

Mr. LaSalle, seconded by Mr. Gmelin, offered the following written motion to amend:

"I move to amend Article XI in its entirety by substituting therefor the provisions of Article XXVIII entitled 'Home Rule for Cities and Towns' as it appears in the present constitution of the State of Rhode Island and Providence Plantations. "

A. Norman LaSalle

The motion was read.

On a voice vote, the motion did not prevail.

On motion of Mr. Coleman, seconded by Messrs. Cannon, Lawrence, Sherry and Wexler, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Section 1 of Article XII was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article XII was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article XII was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article XII was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Gallogly, seconded by Messrs. Sherry and Wrenn, the Committee of the Whole recommended the adoption of the Article, on a voice vote.

Section 1 of Article XIII was read.

On motion of Mr. Foster, seconded by Mr. Warren, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article XIII was read.

On motion of Mr. Foster, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article XIII was read.

On motion of Mr. Foster, seconded by Mr. DiSandro, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article XIII was read.

On motion of Mr. Foster, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Foster, seconded by Messrs. Warren and Principe, the Committee of the Whole recommended adoption of the Article on a voice vote.

Section 1 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier, Lawrence, Cote, and McGrath, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Cote, Bizier, McGrath and Lawrence, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier, Cote, Lawrence and McGrath, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier, Lawrence, Cote, Wrenn, Cochran and Cooney, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 5 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Cote, Lawrence, Bizier, McGrath and Cooney, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 6 of Article XIV was read.

On motion of Mr. Kagan, seconded by Messrs. Foster, Bizier, Lawrence, Wrenn, Cote and McGrath, the Committee of the Whole recommended adoption of the section, on a voice vote.

On motion of Mr. Kagan, seconded by Messrs. Cote, Lawrence, Foster, Mc Grath, Baccari, Cannon and Cooney, the Committee of the Whole recommended adoption of the Article, on a voice vote.

Mr. Doris, seconded by Messrs. Foster, Bizier, Cochran, Lawrence and McGrath, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention

A P P E N D I X

Journal of the Committee
of the Whole

July 17, 1967

Upon the resolving of the Convention into a Committee of the Whole, the Chairman called the Committee of the Whole to Order.

GENERAL ORDERS

The Committee of the Whole proceeded to consider and act upon the General Orders of the Day.

UNFINISHED BUSINESS

CONSTITUTION OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
(Proposal No. 20 Substitute C, 25, 26 Substitute B, 27 Substitute B, 28, 29 Substitute B, 30 Substitute B, 31 Substitute B, 32 Substitute B, 33 Substitute B, 34 Substitute B, 35 Substitute C, 36, 37, 39 Substitute A, 41 Substitute B, 155 Substitute D, 171 Substitute C, 190 Substitute B.)

(Committee on Style and Drafting recommends adoption.)

The Committee of the Whole had passed the document by sections through Article IV.

Section 1 of Article V was read.

On motion of Mr. Coleman, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 2 of Article V was read.

On motion of Mr. Cochran, seconded by Mr. Coleman, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 3 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 4 of Article V was read.

On motion of Mr. Wrenn, seconded by Mr. Murphy of Tiverton, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 5 of Article V was read.

On motion of Mr. Gallogly, seconded by Messrs. Wexler and Wrenn, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 6 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 7 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 8 of Article V was read.

On motion of Mr. Cochran, seconded by Mr. Gallogly, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 9 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Cochran, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 10 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 11 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 12 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.

Section 13 of Article V was read.

On motion of Mr. Gallogly, seconded by Mr. Wexler, the Committee of the Whole recommended adoption of the section, on a voice vote.