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State of Rhode Island and Providence Plantations

**JOURNAL OF THE
CONSTITUTIONAL CONVENTION**

Providence, Rhode Island

October 23, 1967

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:11 P.M.

The roll of delegates was called; there were 74 present and 24 absent.

Absentees were Mr. Appolonia, Mrs. Barber, Messrs. Beauchemin, Bride, Mmes. Capuano, Castiglia, Messrs. Colbert, DeCiantis, Dyl, Dodge, Fanning of Providence, Gallagher, Gorham of Foster, Gorham of Scituate, Mmes. Hager, Lacroix, Lambros, Messrs. Moon, Mulligan, Murphy of Warren, Murphy of Coventry, Parrillo, Stapleton and Toolin.

The names of the absentees were called.

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

COMMUNICATIONS

The Chairman announced receipt of the following communications:

From the Women's Christian Temperance Union of Rhode Island Incorporated relative to retention of the ban on lotteries.

From the Cranston Democratic City Committee relative to amendments by the Convention concerning wire tapping, lottery ban, legislative pay, home rule, terms of elected state officials and date of special election.

The communications were read.

UNFINISHED BUSINESS

At adjournment of the previous session there was pending on reconsideration the following:

CONSTITUTION OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
(Proposal No. 20, Substitute C; 25, 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)

Mr. Doris, on behalf of himself and several other delegates, offered a series of written motions to amend.

The Chairman suggested that other delegates also offer their written motions to amend and that all of such motions would be arranged for consideration in such order as their subject matter might bear to the order of the document.

Written motions to amend were offered by Messrs. Pickard, Nathanson, LaSalle, O'Donnell, Wexler, Fanning of Cumberland and Roberts.

The following written motion to amend was read:

"I move to amend Section 6 of Article I by changing the period at the end of the section to a semi-colon and adding the following:

'and no orders and warrants for such interceptions shall issue except for evidence of such criminal offenses as the general assembly shall authorize and in compliance with the conditions and procedures prescribed by law and on complaint in writing, upon probable cause, supported by oath or affirmation and particularly identifying the means of communication and the person or persons whose communications are to be intercepted.'"

John F. Doris
Eugene F. Cochran
Hugo L. Ricci
John P. Cooney
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier
Osias Cote

Mr. Doris, seconded by Messrs. Cote, Bizier, Cochran, Wrenn, McGrath, SaoBento, Foster, Murray, McCabe, Lallo, DiLuglio, and Cooney, moved passage of the motion.

The motion was debated.

Mr. Fanning of Cumberland, seconded by Messrs. LaSalle and Cunningham, moved that the motion to amend be committed to the Committee on Personal Liberties.

Mr. Doris, seconded by Messrs. Cote and Bizier, moved that the motion to commit be laid on the table.

On a division vote the motion to lay on the table prevailed, 63 delegates voting in the affirmative and 4 delegates in the negative.

The debate on the motion continued.

The motion to amend prevailed on a roll call vote, 67 delegates voting in the affirmative, 5 delegates voting in the negative and 26 delegates absent or not voting as follows:

AYES -- 67

- | | |
|---------------------------|----------------------------|
| Baccari - Providence | Kagan - Providence |
| Belhumeur - Central Falls | Kanakry - Pawtucket |
| Bevilacqua - Providence | Kenyon - West Greenwich |
| Bizier - Central Falls | LaFrance - Pawtucket |
| Bissonnette - Woonsocket | Lallo - Westerly |
| Canna - Bristol | Laporte - Burrillville |
| Cannon - Providence | Lawrence - Providence |
| Chaharyn - Woonsocket | Maining - Cumberland |
| Cochran - Providence | McCabe - Pawtucket |
| Colaneri - Providence | McGrath - Providence |
| Coleman - Woonsocket | McKinnon - Pawtucket |
| Cooney - Providence | McKiernan - Providence |
| Corcoran - Middletown | Merolla - Providence |
| Cote - Pawtucket | Murphy - Tiverton |
| Crandall - Hopkinton | Murray - Newport |
| Cunningham - Pawtucket | Nathanson - Warwick |
| Delehanty - Newport | Ortoleva - Providence |
| DiLuglio - Johnston | Pell - Newport |
| DiSandro - Narragansett | Pickard - East Greenwich |
| Dolbashian - Portsmouth | Prince - Woonsocket |
| Doris - Woonsocket | Principe - Bristol |
| Fanning - Cumberland | Pucci - Providence |
| Feeney - East Providence | Ricci - Providence |
| Fontaine - Woonsocket | Roberts - Providence |
| Foster - Pawtucket | SaoBento - East Providence |
| Foster - North Kingstown | Sherry - North Smithfield |
| Gallogly - Providence | Smart - Lincoln |
| Gammino - Providence | Steere - East Providence |
| Gates - South Kingstown | Vacca - Smithfield |
| Gmelin - Charlestown | Viall - East Providence |
| Geoffroy - West Warwick | Warren - North Providence |
| Giangiacomo - Providence | Wexler - Providence |
| Giguere - Woonsocket | Willey - Barrington |
| | Wrenn - Providence |

NOES -- 5

- | | |
|------------------------|----------------------|
| Greenhalgh - Glocester | Macari - Cranston |
| LaSalle - Warwick | Matzner - Providence |
| | Pulner - Cranston |

ABSENT OR NOT VOTING -- 26

- | | |
|--------------------------|----------------------|
| Appolonia - West Warwick | Bride - Warwick |
| Barber - Westerly | Capuano - Woonsocket |
| Beauchemin - Pawtucket | Castiglia - Cranston |

ABSENT OR NOT VOTING - 26 (Cont.)

Colbert - Cranston
DeCiantis - West Warwick
Dyl - Central Falls
Dodge - New Shoreham
Fanning - Providence
Gallagher - Jamestown
Gorham - Foster
Gorham - Scituate
Hager - Cranston
Lacroix - Lincoln

Lambros - Providence
Martin - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Warren
Murphy - Coventry
O'Donnell - Providence
Parrillo - Providence
Stapleton - Little Compton
Toolin - Richmond

The following written motion to amend was read:

"I move to amend Section 2 of Article II by deleting the words 'for absentee voting', and substituting therefor the words 'for absentee and shut-in voting'."

John F. Doris
Eugene F. Cochran
Hugo L. Ricci
John P. Cooney
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier

Mr. Doris, seconded by Mr. Cochran, moved passage of the motion.

The motion was debated.

The motion to amend prevailed on a roll call vote, 70 delegates voting in the affirmative, 0 delegates voting in the negative and 28 delegates absent or not voting as follows:

AYES -- 70

Baccari - Providence
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Bissonnette - Woonsocket
Canna - Bristol
Cannon - Providence
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown

Cote - Pawtucket
Crandall - Hopkinton
Cunningham - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
DiSandro - Narragansett
Dolbashian - Portsmouth
Doris - Woonsocket
Fanning - Cumberland
Fontaine - Woonsocket
Foster - Pawtucket
Foster - North Kingstown
Gallogly - Providence

AYES - 70 (Cont.)

Cammino - Providence	Murphy - Tiverton
Gates - South Kingstown	Murray - Newport
Geoffroy - West Warwick	Nathanson - Warwick
Giangiacoimo - Providence	Ortoleva - Providence
Giguere - Woonsocket	Pell - Newport
Greenhalgh - Gloucester	Pickard - East Greenwich
Kagan - Providence	Prince - Woonsocket
Kanakry - Pawtucket	Principe - Bristol
Kenyon - West Greenwich	Pucci - Providence
LaFrance - Pawtucket	Pulner - Cranston
Lallo - Westerly	Ricci - Providence
Laporte - Burrillville	Roberts - Providence
LaSalle - Warwick	SaoBento - East Providence
Lawrence - Providence	Sherry - North Smithfield
Macari - Cranston	Smart - Lincoln
Manning - Cumberland	Steere - East Providence
Matzner - Providence	Vacca - Smithfield
McCabe - Pawtucket	Viall - East Providence
McGrath - Providence	Warren - North Providence
McKinnon - Pawtucket	Wexler - Providence
McKiernan - Providence	Willey - Barrington
Merolla - Providence	Wrenn - Providence

ABSENT OR NOT VOTING -- 28

Appolonia - West Warwick	Gorham - Foster
Barber - Westerly	Gorham - Scituate
Beauchemin - Pawtucket	Hager - Cranston
Bride - Warwick	Lacroix - Lincoln
Capuano - Woonsocket	Lambros - Providence
Castiglia - Cranston	Martin - Pawtucket
Colbert - Cranston	Moon - Exeter
DeCiantis - West Warwick	Mulligan - Central Falls
Dyl - Central Falls	Murphy - Warren
Dodge - New Shoreham	Murphy - Coventry
Fanning - Providence	O'Donnell - Providence
Feeney - East Providence	Parrillo - Providence
Gallagher - Jamestown	Stapleton - Little Compton
Gmelin - Charlestown	Toolin - Richmond

The following written motion to amend was read:

"I hereby move to amend Article IV by adding thereto the following section:

Sec. 23. The General Assembly shall have no power to authorize any lottery without the express consent of the people."

John F. Doris
Eugene F. Cochran
(continued)

Hugo L. Ricci
John F. Cooney
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier
Osias Cote

Mr. Doris, seconded by Messrs. Cochran, Ricci, Wrenn, Bizier, McGrath, Lawrence, Lallo, Wexler, and McKinnon, moved passage of the motion.

At 3:23 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice Chairman.

The motion was debated.

Mr. Fanning of Cumberland, seconded by Mr. Roberts, offered the following written motion to amend:

"I move to amend the amendment by striking the following words 'without the express consent of the people'."

Stephen A. Fanning

Mr. Doris, recognized on a point of order, submitted that the motion to amend an amendment was out of order.

The Chairman ruled that the motion was in order.

Mr. Doris, seconded by Messrs. Cote and Ricci, moved that the motion to amend be laid on the table.

The motion to lay on the table prevailed on a voice vote.

The motion to amend, offered by Mr. Doris and several other delegates, prevailed on a roll call vote, 52 delegates voting in the affirmative, 13 delegates voting in the negative and 33 delegates absent or not voting as follows:

AYES -- 52

Baccari - Providence
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Canna - Bristol
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Doris - Woonsocket

Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown
Cote - Pawtucket
Cunningham - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
DiSandro - Narragansett
Dolbashian - Portsmouth

AYES -- 52 (Cont.)

Feeney - East Providence
Fontaine - Woonsocket
Foster - Pawtucket
Gallogly - Providence
Gammino - Providence
Gates - South Kingstown
Geoffroy - West Warwick
Giangiacomo - Providence
Giguere - Woonsocket
Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Laporte - Burrillville
Lawrence - Providence
Macari - Cranston
Manning - Cumberland

Matzner - Providence
McGrath - Providence
McKinnon - Pawtucket
McKiernan - Providence
Merolla - Providence
Murphy - Tiverton
Murray - Newport
Ortoleva - Providence
Prince - Woonsocket
Principe - Bristol
Pucci - Providence
Ricci - Providence
SaoBento - East Providence
Sherry - North Smithfield
Viall - East Providence
Wexler - Providence
Wrenn - Providence

NOES -- 13

Crandall - Hopkinton
Foster - North Kingstown
Greenhalgh - Glocester
Kenyon - West Greenwich
LaSalle - Warwick
Nathanson - Warwick

Pell - Newport
Pickard - East Greenwich
Roberts - Providence
Smart - Lincoln
Steere - East Providence
Warren - North Providence

Willey - Barrington

ABSENT OR NOT VOTING -- 33

Appolonia - West Warwick
Barber - Westerly
Beauchemin - Pawtucket
Bissonnette - Woonsocket
Bride - Warwick
Cannon - Providence
Capuano - Woonsocket
Castiglia - Cranston
Colbert - Cranston
DeCiantis - West Warwick
Dyl - Central Falls
Dodge - New Shoreham
Fanning - Cumberland
Fanning - Providence
Gallagher - Jamestown
Gmelin - Charlestown

Gorham - Foster
Gorham - Scituate
Lacroix - Lincoln
Lambros - Providence
Martin - Pawtucket
McCabe - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Warren
Murphy - Coventry
O'Donnell - Providence
Parrillo - Providence
Pulner - Cranston
Stapleton - Little Compton
Toolin - Richmond
Vacca - Smithfield

Hager - Cranston

(During the roll call Mr. Matzner explained his vote.)

The following written motion to amend was read:

"I move to amend Article IV by adding thereto the following new section:

Section 23. All lotteries shall be prohibited in this state."

Francis P. O'Donnell

Mr. Roberts, seconded by Mr. Gates, moved passage of the motion.

Mr. Doris, seconded by Messrs. Cote, Foster, Bizier and Gallogly, moved that the motion to amend be laid on the table.

Mr. Gates requested a roll call vote on the motion to lay on the table.

The Chairman inquired whether there was sufficient number of delegates desiring a roll call vote thereon.

There was a sufficient number so desiring.

The motion to lay on the table prevailed on a roll call vote, 48 delegates voting in the affirmative, 17 delegates voting in the negative and 33 delegates absent or not voting as follows:

AYES -- 48

Baccari - Providence
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Bissonnette - Woonsocket
Canna - Bristol
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Coleman - Woonsocket
Cooney - Providence
Cote - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
DiSandro - Narragansett
Dolbashian - Portsmouth
Doris - Woonsocket
Feeny - East Providence
Fontaine - Woonsocket
Foster - Pawtucket
Gammino - Providence
Geoffroy - West Warwick
Giangiacomo - Providence
Giguere - Woonsocket

Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Laporte - Burrillville
LaSalle - Warwick
Lawrence - Providence
Macari - Cranston
Manning - Cumberland
McGrath - Providence
McKiernan - Providence
Merolla - Providence
Murphy - Tiverton
Murray - Newport
Ortoleva - Providence
Prince - Woonsocket
Principe - Bristol
Pucci - Providence
Ricci - Providence
Sao Bento - East Providence
Sherry - North Smithfield
Viall - East Providence
Wexler - Providence
Wrenn - Providence

Corcoran - Middletown
 Crandall - Popkinton
 Fanning - Cumberland
 Foster - North Kingstown
 Gallogly - Providence
 Gates - South Kingstown
 Greenhalgh - Gloucester
 Kenyon - West Greenwich

Matzner - Providence
 Nathanson - Warwick
 Pell - Newport
 Pickard - East Greenwich
 Roberts - Providence
 Smart - Lincoln
 Steere - East Providence
 Warren - North Providence

Willey - Barrington

ABSENT OR NOT VOTING -- 33

Appolonia - West Warwick
 Barber - Westerly
 Beauchemin - Pawtucket
 Bride - Warwick
 Cannon - Providence
 Capuano - Woonsocket
 Castiglia - Cranston
 Colbert - Cranston
 Cunningham - Pawtucket
 DeCiantis - West Warwick
 Dyl - Central Falls
 Dodge - New Shoreham
 Fanning - Providence
 Gallagher - Jamestown
 Gmelin - Charlestown
 Gorham - Foster

Gorham - Scituate
 Hager - Cranston
 Lacroix - Lincoln
 Lambros - Providence
 Martin - Pawtucket
 McCabe - Pawtucket
 McKinnon - Pawtucket
 Moon - Exeter
 Mulligan - Central Falls
 Murphy - Warren
 Murphy - Coventry
 O'Donnell - Providence
 Parrillo - Providence
 Fulner - Cranston
 Stapleton - Little Compton
 Toolin - Richmond

Vacca - Smithfield

The following written motion to amend was read:

"I propose the following amendment to the proposed new constitution:

ARTICLE IV
 OF THE LEGISLATIVE POWER

Sec. 5. Add 'decennial' after the word 'new' in line 2."
 Edmund Wexler

Mr. Wexler, seconded by Mr. Principe, moved passage of the motion.

At 4:00 P.M. the Chairman again took the rostrum.

The motion was debated.

Mr. Doris, seconded by Mr. Cochran, moved that the motion to amend be laid on the table.

The motion to lay on the table prevailed on a division vote, 53 delegates voting in the affirmative and 7 delegates voting in the negative.

ADJOURNMENT

At 4:06 P.M., on motion of Mr. Doris, seconded by Mr. Cochran, the Convention adjourned to meet on Monday, October 30, 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

SR