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Journal of the Constitutional Convention, 1967 Oct 30

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State of Rhode Island and Providence Plantations

JOURNAL OF THE
CONSTITUTIONAL CONVENTION

Providence, Rhode Island

October 30, 1967

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:20 P.M.

The roll of delegates was called; there were 75 present and 23 absent.

Absentees were Mr. Appolonia, Mrs. Barber, Mr. Bissonnette, Mrs. Castiglia, Miss Colaneri, Messrs. Colbert, Crandall, DeCiantis, Dodge, Fanning of Cumberland, Gallagher, Gmelin, Mrs. Lacroix, Messrs. Martin, McCabe, McKinnon, Moon, Mulligan, Murphy of Coventry, O'Donnell, Prince, Stapleton and Toolin.

The names of the absentees were called.

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

Mr. Murray welcomed as guests at the Convention session members of the senior class at Rogers High School in Newport.

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, 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)

The Convention proceeded with consideration of written motions to amend previously offered.

The following written motion to amend was read:

"I move to amend Article IV, sections 3 and 5, by striking out the word 'forty' wherever it appears and substituting therefor the words 'twenty five'."

Robert F. Pickard

Mr. Pickard withdrew the motion.

The following written motion to amend was read:

"I move to amend Article IV, 'Of the Legislative Power' as follows:

Section 3 Delete the first sentence, Substitute, 'The senate shall consist of the lieutenant governor and twenty-five senators, one from each of twenty-five senatorial districts apportioned on the basis of population, consistent with federal constitutional standards.'

Section 4 Delete the first sentence. Substitute, 'The house of representatives shall consist of fifty members, one from each of fifty representative districts apportioned on the basis of population, consistent with federal constitutional standards.'

Section 5 Delete the first sentence. Substitute, 'Immediately upon adoption of this constitution and thereafter following any new census taken by the authority of the United States or by this state, the general assembly shall apportion the state into twenty-five senatorial districts and fifty representative districts each as nearly equal in population and as compact in territory as is reasonably possible.'"

Charles Nathanson

Mr. Nathanson, seconded by Messrs. Pickard, Willey, LaSalle, and Kenyon, moved passage of the motion.

Mr. Doris, seconded by Messrs. Cote, Bizier, Ricci and McGrath 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 13 delegates voting in the negative.

The following written motion to amend was read:

"I move to amend section 13, of Article IV to read as follows:

Sec. 13. The members of the general assembly and the general officers shall receive compensation as may be prescribed by law, but the amount thereof shall not be altered during the term of the general assembly which enacts the change.'"

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 Messrs. Bizier, Cote and McGrath, moved that the motion to amend be laid on the table.

The motion to lay on the table prevailed on a division vote, 57 delegates voting in the affirmative and 0 delegates voting in the negative.

The following written motion to amend was read:

"I move to amend Article IV, section 13, by deleting the entire section and substituting therefore the following:

"Sec. 13. The members of the general assembly shall severally receive the sum of fifty dollars for each day of actual attendance at sessions of the general assembly; Provided that no compensation shall be allowed any member for more than sixty days attendance in any calendar year. The general assembly shall regulate the compensation of the governor and of all other general officers."

Robert F. Pickard

Mr. Pickard, seconded by Messrs. Willey, Nathanson and Gorham of Foster, moved passage on the motion.

The motion was debated.

The motion to amend did not prevail on a roll call vote, 14 delegates voting in the affirmative, 60 delegates voting in the negative and 24 delegates absent or not voting as follows:

AYES -- 14

- | | |
|--------------------------|--------------------------|
| Bride - Warwick | Nathanson - Warwick |
| Foster - North Kingstown | Pickard - East Greenwich |
| Gates - South Kingstown | Roberts - Providence |
| Gorham - Foster | Smart - Lincoln |
| Greenhalgh - Gloucester | Steere - East Providence |
| Hager - Cranston | Wexler - Providence |
| Matzner - Providence | Willey - Barrington |

NOES -- 60

- | | |
|---------------------------|---------------------------|
| Baccari - Providence | Cunningham - Pawtucket |
| Beauchemin - Pawtucket | Delehanty - Newport |
| Belhumeur - Central Falls | DiLuglio - Johnston |
| Bevilacqua - Providence | DiSandro - Narragansett |
| Bizier - Central Falls | Dyl - Central Falls |
| Canna - Bristol | Dolbashian - Portsmouth |
| Cannon- Providence | Doris - Woonsocket |
| Castiglia - Cranston | Fanning - Providence |
| Chaharyn - Woonsocket | Fontaine - Woonsocket |
| Cochran - Providence | Foster - Pawtucket |
| Coleman - Woonsocket | Gallogly - Providence |
| Cooney - Providence | Gammino - Providence |
| Corcoran - Middletown | Geoffroy - West Warwick |
| Cote - Pawtucket | Giangiacoamo - Providence |

NOES -- Continued

Giguere - Woonsocket	Murphy - Warren
Gorham - Scituate	Murphy - Tiverton
Kagan - Providence	Murray - Newport
Kanakry - Pawtucket	Ortoleva - Providence
Kenyon - West Greenwich	Parrillo - Providence
LaFrance - Pawtucket	Pell - Newport
Lallo - Westerly	Principe - Bristol
Lambros - Providence	Pucci - Providence
Laporte - Burrillville	Pulner - Cranston
LaSalle - Warwick	Ricci - Providence
Lawrence - Providence	SaoBento - East Providence
Macari - Cranston	Sherry - North Smithfield
Manning - Cumberland	Vacca - Smithfield
McGrath - Providence	Viall - East Providence
McKiernan - Providence	Warren - North Providence
Merolla - Providence	Wrenn - Providence

ABSENT OR NOT VOTING - 24

Appolonia - West Warwick	Gmelin - Charlestown
Barber - Westerly	Lacroix - Lincoln
Bissonnette - Woonsocket	Martin - Pawtucket
Capuano - Woonsocket	McCabe - Pawtucket
Colaneri - Providence	McKinnon - Pawtucket
Colbert - Cranston	Moon - Exeter
Crandall - Hopkinton	Mulligan - Central Falls
DeCiantis - West Warwick	Murphy - Coventry
Dodge - New Shoreham	O'Donnell - Providence
Fanning - Cumberland	Prince - Woonsocket
Feeney - East Providence	Stapleton - Little Compton
Gallagher - Jamestown	Toolin - Richmond

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

The following written motion to amend was read:

"I move to amend Article IV, section 17, by striking out the words 'three-fifths' wherever they shall appear and substituting therefore the words 'two-thirds', and further to amend this section by adding thereto the following:

'The governor may strike out or reduce items in appropriation bills passed by the general assembly, and the procedure in such cases shall be the same as in case of the disapproval of an entire bill by the governor.'

Robert F. Pickard

Mr. Pickard, seconded by Mrs. Foster, Messrs. Corcoran, Nathanson, LaSalle, Matzner and Willey, moved passage of the motion.

The motion was debated.

The motion to amend did not prevail on a roll call vote, 23 delegates voting in the affirmative, 52 delegates voting in the negative and 23 delegates absent or not voting as follows:

AYES -- 23

Bride - Warwick	Kenyon - West Greenwich
Castiglia - Cranston	LaSalle - Warwick
Coleman - Woonsocket	Matzner - Providence
Corcoran - Middletown	Nathanson - Warwick
DiSandro - Narragansett	Pell - Newport
Foster - North Kingstown	Pickard - East Greenwich
Gates - South Kingstown	Pulner - Cranston
Gorham - Foster	Roberts - Providence
Gorham - Scituate	Smart - Lincoln
Greenhalgh - Glocester	Steere - East Providence
Hager - Cranston	Warren - North Providence
Willey - Barrington	

NOES -- 52

Baccari - Providence	Kagan - Providence
Beauchemin - Pawtucket	Kanakry - Pawtucket
Belhumeur - Central Falls	LaFrance - Pawtucket
Bevilacqua - Providence	Lallo - Westerly
Bizier - Central Falls	Lambros - Providence
Canna - Bristol	Laporte - Burrillville
Cannon - Providence	Lawrence - Providence
Chaharyn - Woonsocket	Macari - Cranston
Cochran - Providence	Manning - Cumberland
Cooney - Providence	McGrath - Providence
Cote - Pawtucket	McKiernan - Providence
Cunningham - Pawtucket	Merolla - Providence
Delehanty - Newport	Murphy - Warren
DiLuglio - Johnston	Murphy - Tiverton
Dyl - Central Falls	Murray - Newport
Dolbashian - Portsmouth	Ortoleva - Providence
Doris - Woonsocket	Parrillo - Providence
Fanning - Providence	Principe - Bristol
Feeney - East Providence	Pucci - Providence
Fontaine - Woonsocket	Ricci - Providence
Foster - Pawtucket	SaoBento - East Providence
Gallogly - Providence	Sherry - North Smithfield
Gammino - Providence	Vacca - Smithfield
Geoffroy - West Warwick	Viall - East Providence
Giangiacomo - Providence	Wexler - Providence
Giguere - Woonsocket	Wrenn - Providence

ABSENT OR NOT VOTING - 23

Appolonia - West Warwick	Capuano - Woonsocket
Barber - Westerly	Colaneri - Providence
Bissonnette - Woonsocket	Colbert - Cranston

ABSENT OR NOT VOTING - Continued

Crandall - Hopkinton
 DeCiantis - West Warwick
 Dodge - New Shoreham
 Fanning - Cumberland
 Gallagher - Jamestown
 Gmelin - Charlestown
 Lacroix - Lincoln
 Martin - Pawtucket

McCabe - Pawtucket
 McKinnon - Pawtucket
 Moon - Exeter
 Mulligan - Central Falls
 Murphy - Coventry
 O'Donnell - Providence
 Prince - Woonsocket
 Stapleton - Little Compton

Toolin - Richmond

The following written motion to amend was read:

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

Sec. 24. The General Assembly shall continue to exercise the powers they have have heretofore exercised, unless prohibited in this Constitution."

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 Messrs. Cochran, Wrenn, Wexler and Foster, moved passage of the motion.

The motion was debated.

The motion to amend prevailed on a roll call vote, 73 delegates voting in the affirmative, 0 delegates voting in the negative and 25 delegates absent or not voting as follows:

AYES -- 73

Baccari - Providence
 Beauchemin - Pawtucket
 Belhumeur - Central Falls
 Bevilacqua - Providence
 Bizier - Central Falls
 Bride - Warwick
 Canna - Bristol
 Cannon - Providence
 Castiglia - Cranston
 Chaharyn - Woonsocket

Cochran - Providence
 Coleman - Woonsocket
 Cooney - Providence
 Corcoran - Middletown
 Cote - Pawtucket
 Cunningham - Pawtucket
 DiLuglio - Johnston
 DiSandro - Narragansett
 Dyl - Central Falls
 Dolbashian - Portsmouth

AYES - Continued

- | | |
|--------------------------|----------------------------|
| Doris - Woonsocket | Manning - Cumberland |
| Fanning - Providence | Matzner - Providence |
| Feeney - East Providence | McGrath - Providence |
| Fontaine - Woonsocket | McKiernan - Providence |
| Foster - Pawtucket | Merolla - Providence |
| Gallogly - Providence | Murphy - Warren |
| Gammino - Providence | Murphy - Tiverton |
| Gates - South Kingstown | Murray - Newport |
| Geoffroy - West Warwick | Nathanson - Warwick |
| Giangiacomo - Providence | Ortoleva - Providence |
| Giguere - Woonsocket | Parrillo - Providence |
| Gorham - Foster | Pell - Newport |
| Gorham - Scituate | Pickard - East Greenwich |
| Greenhalgh - Gloucester | Principe - Bristol |
| Hager - Cranston | Pucci - Providence |
| Kagan - Providence | Pulner - Cranston |
| Kanakry - Pawtucket | Ricci - Providence |
| Kenyon - West Greenwich | Roberts - Providence |
| LaFrance - Pawtucket | SaoBento - East Providence |
| Lallo - Westerly | Sherry - North Smithfield |
| Lambros - Providence | Smart - Lincoln |
| Laporte - Burrillville | Steere - East Providence |
| Lawrence - Providence | Viall - East Providence |
| LaSalle - Warwick | Warren - North Providence |
| Macari - Cranston | Wexler - Providence |
| Foster - North Kingstown | Willey - Barrington |
| Wrenn - Providence | |

ABSENT OR NOT VOTING - 25

- | | |
|--------------------------|----------------------------|
| Appolonia - West Warwick | Gmelin - Charlestown |
| Barber - Westerly | Lacroix - Lincoln |
| Bissonnette - Woonsocket | Martin - Pawtucket |
| Capuano - Woonsocket | McCabe - Pawtucket |
| Colaneri - Providence | McKinnon - Pawtucket |
| Colbert - Cranston | Moon - Exeter |
| Crandall - Hopkinton | Mulligan - Central Falls |
| Delehanty - Newport | Murphy - Coventry |
| DeCiantis - West Warwick | O'Donnell - Providence |
| Dodge - New Shoreham | Prince - Woonsocket |
| Fanning - Cumberland | Stapleton - Little Compton |
| Gallagher - Jamestown | Toolin - Richmond |
| Vacca - Smithfield | |

ABSENT OR NOT VOTING - 25

- | | |
|--------------------------|--------------------------|
| Appolonia - West Warwick | Colbert - Cranston |
| Barber - Westerly | Crandall - Hopkinton |
| Bissonnette - Woonsocket | Delehanty - Newport |
| Capuano - Woonsocket | DeCiantis - West Warwick |
| Colaneri - Providence | Dodge - New Shoreham |

ABSENT OR NOT VOTING - Cont.

Fanning - Cumberland
Gallagher - Jamestown
Gmelin - Charlestown
Lacroix - Lincoln
Martin - Pawtucket
McCabe - Pawtucket
McKinnon - Pawtucket

Moon - Exeter
Mulligan - Central Falls
Murphy - Coventry
O'Donnell - Providence
Prince - Woonsocket
Stapleton - Little Compton
Toolin - Richmond

Vacca - Smithfield

The following written motion to amend was read:

"I propose to amend the proposed constitution by re-inserting Art. IV, Sec. 10 of the 1842 constitution."

Stephen A. Fanning

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

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

The following written motion to amend was read:

"I move to amend Article V, Section 3, by striking out the words 'with the advice and consent of the senate'."

Robert F. Pickard

Mr. Pickard withdrew the motion.

The following written motion to amend was read:

"I move to amend Article V by deleting Section 12 thereof and by renumbering Section 13 as Section 12."

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 Messrs. Cote, Bizier and McGrath, moved that the motion to amend be laid on the table.

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

The following written motion to amend was read:

"I move to amend Article VI by inserting as section 3 the following:

'Sec. 3. The justices of the supreme court shall give their written opinion upon any question of law whenever requested by the governor or by either house of the general assembly.'

And by renumbering section 3 and each of the succeeding sections of said article as the next highest number.

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

Mr. Doris, seconded by Messrs. Cote, Bizier, Foster, McGrath and Lawrence, moved passage of the motion.

The motion was debated.

At 3:15 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice Chairman.

The debate on the motion continued.

The motion to amend did not prevail, a majority of all the delegates elected to the Convention not having voted in favor of passage, on a roll call vote, 48 delegates voting in the affirmative, 26 delegates voting in the negative and 24 delegates absent or not voting as follows:

AYES -- 48

Baccari - Providence
Beauchemin - Pawtucket
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Canna-Bristol
Chaharyn - Woonsocket
Cochran - Providence
Cote - Pawtucket
Delehanty - Newport
Dyl - Central Falls
Dolbashian - Portsmouth
Doris - Woonsocket
Feeny - East Providence
Fontaine - Woonsocket
Cunningham - Pawtucket

Foster - Pawtucket
Gallogly - Providence
Gates - South Kingstown
Geoffroy - West Warwick
Giangiaco - Providence
Giguere - Woonsocket
Gorham - Scituate
Greenhalgh - Glocester
Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Laporte - Burrillville
LaSalle - Warwick
Lawrence - Providence
Lambros - Providence

AYES -- Continued

Macari - Cranston
McGrath - Providence
McKiernan - Providence
Merolla - Providence
Murphy - Tiverton
Ortoleva - Providence
Parrillo - Providence
Principe - Bristol

Ricci - Providence
Sao Bento - East Providence
Sherry - North Smithfield
Steere - East Providence
Viall - East Providence
Wexler - Providence
Wrenn - Providence
Pucci - Providence

NOES -- 26

Bride - Warwick
Cannon - Providence
Castiglia - Cranston
Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown
DiLuglio - Johnston
DiSandro - Narragansett
Fanning - Providence
Foster - North Kingstown
Gammino - Providence
Gorham - Foster
Hager - Cranston

Kenyon - West Greenwich
Manning - Cumberland
Matzner - Providence
Murphy - Warren
Murray - Newport
Nathanson - Warwick
Pell - Newport
Pickard - East Greenwich
Pulner - Cranston
Roberts - Providence
Smart - Lincoln
Warren - North Providence
Willey - Barrington

ABSENT OR NOT VOTING - 24

Appolonia - West Warwick
Barber - Westerly
Bissonnette - Woonsocket
Capuano - Woonsocket
Colaneri - Providence
Colbert - Cranston
Crandall - Hopkinton
DeCiantis - West Warwick
Dodge - New Shoreham
Fanning - Cumberland
Gallagher - Jamestown
Gmelin - Charlestown

Lacroix - Lincoln
Martin - Pawtucket
McCabe - Pawtucket
McKinnon - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Coventry
O'Donnell - Providence
Prince - Woonsocket
Stapleton - Little Compton
Toolin - Richmond
Vacca - Smithfield

At 3:30 P.M. the Chairman again took the rostrum.

The following written motion to amend was read:

"I move to amend Article VI - OF THE JUDICIAL POWER - by adding the following sentence to Section 2 thereof:

'The judges of the supreme court shall give their written opinion upon any question of law whenever requested by either house of the general assembly.'"

A. Norman LaSalle

Mr. LaSalle withdrew the motion.

The following written motion to amend was read:

"I move to amend the sections renumbered as sections 5 and 10 of Article VI by deleting the figures 5 and 6 where they appear therein and substituting therefor the figures 6 and 7 respectively and to amend the section renumbered as section 8 of said Article by deleting the figure 6 and substituting therefor the figure 7."

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

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

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

The following written motion to amend was read:

"I move to amend Article VI, section 3, by striking out the entire section and substituting therefore the following:

'Sec. 3. The justices of the supreme court shall be appointed by the governor with the advice and consent of the senate.'"

Robert F. Pickard

Mr. Pickard, seconded by Messrs. Nathanson, Corcoran, Kenyon, Mrs. Foster and Gorham of Foster, moved passage of the motion.

The motion was debated.

The motion to amend did not prevail on a roll call vote, 19 delegates voting in the affirmative, 53 delegates voting in the negative and 26 delegates absent or not voting as follows:

AYES -- 19

Bride - Warwick
Coleman - Woonsocket
Corcoran - Middletown
Foster - North Kingstown
Gates - South Kingstown
Gorham - Foster
Gorham - Scituate

Hager - Cranston
Kenyon - West Greenwich
LaSalle - Warwick
Matzner - Providence
Nathanson - Warwick
Pell - Newport
Pickard - East Greenwich

AYES - Continued

Roberts - Providence
Smart - Lincoln

Steere - East Providence
Warren - North Providence

Willey - Barrington

NOES -- 53

Baccari - Providence
Beauchemin - Pawtucket
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Canna - Bristol
Cannon - Providence
Castiglia - Cranston
Chaharyn - Woonsocket
Cochran - Providence
Cooney - Providence
Cote - Pawtucket
Cunningham - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
DiSandro - Narragansett
Dyl - Central Falls
Dolbashian - Portsmouth
Doris - Woonsocket
Feeney - East Providence
Fontaine - Woonsocket
Foster - Pawtucket
Gallgoly - Providence
Gammino - Providence
Geoffroy - West Warwick
Giangiacomo - Providence

Giguere - Woonsocket
Greenhalgh - Glocester
Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Lambros - Providence
Laporte - Burrillville
Lawrence - Providence
Manning - Cumberland
McGrath - Providence
McKiernan - Providence
Merolla - Providence
Murphy - Warren
Murphy - Tiverton
Murray - Newport
Ortoleva - Providence
Parrillo - Providence
Principe - Bristol
Pucci - Providence
Pulner - Cranston
Ricci - Providence
SaoBento - East Providence
Sherry - North Smithfield
Viall - East Providence
Wexler - Providence

Wrenn - Providence

ABSENT OR NOT VOTING -- 26

Appolonia - West Warwick
Barber - Westerly
Bissonnette - Woonsocket
Capuano - Woonsocket
Colaneri - Providence
Colbert - Cranston
Crandall - Hopkinton
DeCiantis - West Warwick
Dodge - New Shoreham
Fanning - Cumberland
Fanning - Providence
Gallagher - Jamestown
Gmelin - Charlestown

Lacroix - Lincoln
Macari - Cranston
Martin - Pawtucket
McCabe - Pawtucket
McKinnon - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Coventry
O'Donnell - Providence
Prince - Woonsocket
Stapleton - Little Compton
Toolin - Richmond
Vacca-Smithfield

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

The following written motion to amend was read:

"I propose to amend the proposed constitution by adding to the article on the judiciary the following:

'The general assembly may provide by law for verdicts to be returned by juries in civil and criminal cases on the concurrence of ten members of a jury.'"

Stephen A. Fanning

Mr. Cannon, seconded by Mr. Fanning of Providence, moved that the motion to amend be continued to the next session of the Convention.

The motion prevailed on a voice vote.

The following written motion to amend was read:

"I move to amend section 1 of article VII to read as follows:

'Section 1. The general officers and all members of the general assembly shall be elected at a general election on the Tuesday next after the first Monday in November biennially commencing A.D. 1968. They shall severally hold their offices for two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified, except as hereinbefore provided in section 9b of Article V.'

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 Messrs. Bizier, Lawrence, Cote and McGrath, moved that the motion to amend be laid on the table.

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

The following written motion to amend was read:

"I move to amend Article VII, section 1, by eliminating the entire section and substituting therefor the following:

'Section 1. The general officers and members of the senate shall be elected at a general election on the Tuesday next after the first Monday in November every four years commencing in the next even-numbered

year following the adoption of this constitution, nonconcurrent with a presidential election. They shall severally hold their offices for four years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified except as hereinbefore provided in section 9b of article V. Members of the house shall be elected at an election on the Tuesday next after the first Monday in November every two years commencing in the next even-numbered year following the adoption of this constitution. They shall severally hold their offices for two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified."

"I further move to amend the final sentence of Article XIV, section 1, by striking out the words 'general assembly' where they shall appear and substituting therefor the word 'senate'."

Robert F. Pickard

Mr. Pickard, seconded by Messrs. Corcoran and Nathanson, moved passage of the motion.

The motion was debated.

The motion to amend did not prevail, 23 delegates voting in the affirmative, 47 delegates voting in the negative and 28 delegates absent or not voting as follows:

AYES -- 23

Bride - Warwick	Hager - Cranston
Castiglia - Cranston	Kenyon - West Greenwich
Cooney - Providence	LaSalle - Warwick
Corcoran - Middletown	Matzner - Providence
Foster - North Kingstown	Murphy - Warren
Gallogly - Providence	Nathanson - Warwick
Gates - South Kingstown	Pell - Newport
Gorham - Foster	Pickard - East Greenwich
Gorham - Scituate	Pulner - Cranston
Greenhalgh - Glocester	Roberts - Providence
Steere - East Providence	Smart - Lincoln
Willey - Barrington	

NOES -- 47

Baccari - Providence	Coleman - Woonsocket
Beauchemin - Pawtucket	Cote - Pawtucket
Belhumeur - Central Falls	Delehanty - Newport
Bevilacqua - Providence	DiLuglio - Johnston
Bizier - Central Falls	DiSandro - Narragansett
Canna - Bristol	Dyl - Central Falls
Cannon - Providence	Dolbashian - Portsmouth
Chaharyn - Woonsocket	Doris - Woonsocket
Cochran - Providence	Fanning - Providence

NOES - Continued

Feeney - East Providence
Fontaine - Woonsocket
Foster - Pawtucket
Gammino - Providence
Geoffroy - West Warwick
Giangiacomo - Providence
Giguere - Woonsocket
Kagan - Providence
Kanakry - Pawtucket
Lallo - Westerly
Lambros - Providence
Laporte - Burrillville
Lawrence - Providence
Macari - Cranston

Manning - Cumberland
McGrath - Providence
McKiernan - Providence
Merolla - Providence
Murphy - Tiverton
Murray - Newport
Ortoleva - Providence
Principe - Bristol
Ricci - Providence
SaoBento - East Providence
Sherry - North Smithfield
Viall - East Providence
Warren - North Providence
Wexler - Providence

Wrenn - Providence

ABSENT OR NOT VOTING -- 28

Appolonia - West Warwick
Barber - Westerly
Bissonnette - Woonsocket
Capuano - Woonsocket
Colaneri - Providence
Colbert - Cranston
Crandall - Hopkinton
Cunningham - Pawtucket
DeCiantis - West Warwick
Dodge - New Shoreham
Fanning - Cumberland
Gallagher - Jamestown
Gmelin - Charlestown
Lacroix - Lincoln

LaFrance - Pawtucket
Martin - Pawtucket
McCabe - Pawtucket
McKinnon - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Coventry
O'Donnell - Providence
Prince - Woonsocket
Pucci - Providence
Stapleton - Little Compton
Toolin - Richmond
Vacca - Smithfield
Parrillo - Providence

The following written motion to amend was read:

"I move to amend Article VII 'Of Elections' as follows:

'Section 1. to be divided into two parts -

'Section 1-a In the first sentence delete "all members of the general assembly" - substitute, "members of the senate".

'Section 1-b 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 commencing in the next even-numbered year following the adoption of this constitution. They shall hold their offices for two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified."

Charles Nathanson

Mr. Nathanson withdrew the motion.

ADJOURNMENT

At 3:58 P.M. on motion of Mr. Doris, seconded by Messrs. Cote, Bizier, Sherry and Foster, the Convention adjourned to meet on Monday, November 6, 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

AMENDMENT

I move to amend Article IV, sections 3 and 5, by striking out the word "forty" wherever it appears and substituting therefor the words, "twenty-five."

Robert F. Pickard

W/DRAWN

AMENDMENT

I move to amend Article IV "of the Legislative Power" as follows:

Section 3 Delete the first sentence. Substitute, "The senate shall consist of the lieutenant governor and twenty-five senators, one from each of twenty-five senatorial districts apportioned on the basis of population, consistent with federal constitutional standards."

Section 4 Delete the first sentence. Substitute, "The house of representatives shall consist of fifty members, one from each of fifty representative districts apportioned on the basis of population, consistent with federal constitutional standards."

Section 5 Delete the first sentence. Substitute, "Immediately upon adoption of this constitution and thereafter following any new census taken by the authority of the United States or by this state, the general assembly shall apportion the state into twenty-five senatorial districts and fifty representative districts each as nearly equal in population and as compact in territory as is reasonably possible."

Charles Nathanson

TABLED

AMENDMENT

I move to amend Article IV, section 13, by deleting the entire section and substituting therefor the following:

Sec. 13. The members of the general assembly shall severally receive the sum of fifty dollars for each day of actual attendance at sessions of the general assembly; Provided that no compensation shall be allowed any member for more than sixty days attendance in any calendar year. The general assembly shall regulate the compensation of the governor and of all other general officers."

Robert F. Pickard

Roll Call
No



AMENDMENT

I move to amend Article IV, Section 17, by striking out the words "three-fifths" wherever they shall appear and substituting therefore the words "two-thirds", and further to amend this section by adding thereto the following:

"The governor may strike out or reduce items in appropriation bills passed by the general assembly, and the procedure in such cases shall be the same as in case of the disapproval of an entire bill by the governor."

Robert F. Pickard

AMENDMENT

I propose to amend the proposed constitution by re-enacting Art. IV, Sec. 10 of the 1842 Constitution.

Stephen A. Fanning

AMENDMENT

I move to amend Article V, section 3, by striking out the words "with the advice and consent of the senate".

Robert F. Pickard

AMENDMENT

I move to amend Article VI - OF THE JUDICIAL POWER - by adding the following sentence to Section 2 thereof:

The judges of the supreme court shall give their written opinion upon any question of law whenever requested by either house of the general assembly.

A. Norman LaSalle

AMENDMENT

I move to amend Article VI, Section 3, by striking out the entire section and substituting therefore the following:

Sec. 3. The justices of the supreme court shall be appointed by the governor with the advice and consent of the senate."

Robert F. Pickard

*Kohl Ahl
VOTED DOWN*

*TABLED
COONEY AMENDMENT
TO STATE
AFFECT ALREADY
PASSED*

WITHDRAWN

*HERE, WE TABBED A
PROPOSED AMENDMENT
BY DORIS*

*FAILED
OF 51*

*HERE WE TABBED
PROPOSED AMENDMENT
BY DORIS (TIED TO ABOVE)*

*Kohl Ahl
VOTED
DOWN*

AMENDMENT

I propose to amend the proposed constitution by adding to the Article in the Judiciary the following:

The general assembly may provide by law for verdicts to be returned by juries in civil and criminal cases on the concurrence of ten members of a jury.

Stephen A. Fanning

AMENDMENT

I move to amend Article VII, section 1, by eliminating the entire section and substituting therefor the following:

Section 1. The general officers and members of the senate shall be elected at a general election on the Tuesday next after the first Monday in November every four years commencing in the next even-numbered year following the adoption of this constitution, nonconcurrent with a presidential election. They shall severally hold their offices for four years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified except as hereinbefore provided in section 9b of article v. Members of the house shall be elected at an election on the Tuesday next after the first Monday in November every two years commencing in the next even-numbered year following the adoption of this constitution. They shall severally hold their offices for two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified.

I further move to amend the final sentence of Article XIV, section 1, by striking out the words "general assembly" where they shall appear and substituting therefor the word "senate".

Robert F. Pickard

AMENDMENT

I move to amend Article VII "Of Elections" as follows:

Section 1 to be divided into two parts -

Section 1-a In the first sentence delete "all members of the general assembly"-substitute, "members of the senate".

Section 1-b 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 commencing in the next even-numbered year following the adoption of this constitution. They shall hold their offices for two years from the first Tuesday in January next succeeding their election and until their successors are elected and qualified."

Charles Nathanson

Courts

*TABLED
ROLL CALL
DEFEATED*

W/DRAWN

A M E N D M E N T

I move to amend Article XI by striking out Sec. 2 and substituting therefore the following:

Sec. 2 Every city or town may incur obligations and may issue bonds or other evidences of indebtedness, except that no obligation for the payment of money shall be incurred for current expenses unless such obligation is in anticipation of current revenues and is limited to one year. No obligations for the payment of money for a period of more than one year shall be incurred by any city or town unless it is approved by a majority of those local electors voting thereon at a general election. The General Assembly may by general law regulate the incurring of obligations for the payment of money and the issuance of bonds and other evidences of indebtedness by cities and towns, and may provide for special elections for the approval of such obligations.

Dennis J. Roberts

A M E N D M E N T

I move to amend Article XI - Of Local Government - by deleting Section 9 thereof.

A. Norman LaSalle

A M E N D M E N T

I move to amend Article XI, Section 9 as follows: Change period at end of sentence to a comma and add the following:

"unless said charter specifically provides for the submission of all amendments and revisions to the qualified electors of said city or town for approval. In such instances, with the approval of the general assembly, the proposed amendments to or revision of said charter shall be submitted to the qualified electors at the next general election or at a special election called for said purposes with publication of the change as set forth in Section 7 of this article. "

"

Charles Nathanson

A M E N D M E N T

I move to amend Article XI in its entirety by substituting therefor the provisions of Article XXVIII - "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



AMENDMENT

I propose the following amendment to the proposed new Constitution: Article XIII-
"Of Amendments"

Section 1. Line 9 Substitute "three-fifths" for "a majority".

Edmund Wexler

AMENDMENT

I move to amend Article XIII, section 1, by striking out the words "a majority" in
the second sentence of that section, and substituting therefor the words "three-
fifths".

Robert F. Pickard

AMENDMENT

I move to amend Article XIII - Of Amendments - by striking out the words " a
majority" in Section 1 and inserting the words "three-fifths" in place
thereof.

A. Norman LaSalle