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State of Rhode Island and Providence Plantations

JOURNAL OF THE
CONSTITUTIONAL CONVENTION

Providence, Rhode Island

January 10, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:40 P.M.

INVOCATION

The Chairman presented Rabbi Jacob Handler, Rabbi of Temple Beth Israel, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 72 present, 27 absent. A quorum was present.

Absentees were Messrs. Appolonia, Bissonnette, Mmes. Capuano and Castiglia, Messrs. Coleman, Cunningham, Delehanty, DiSandro, Dodge, Fanning of Cumberland, Feeney, Gallagher, Giguere, Jordan, Mrs. Lambros, Messrs. Martin, McCabe, McKinnon, Moon, Mulligan, Murphy of Warren, Murphy of Coventry, SaoBento, Sherry, Toolin, Viall and Warren.

The names of the absentees were called.

On motion of Mr. Wexler, the delegates extended to Rabbi Handler, a rising vote of appreciation for his kindness in giving the Invocation.

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

REPORTS OF STANDING COMMITTEES

Mr. Kagan, for the Committee on Elections and Right to Vote, reported back, that, by a vote of 8 to 0, the Committee directed the report of Section 1(d) and Section 2 of Proposal No. 27-Substitute A (previously recommitted) to the Convention, Section 1(d), without recommendation and Section 2 with recommendation of adoption.

The sections and the report were accepted, referred to the Committee of the Whole and placed on the General Orders.

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposal:

Proposal No. 192, offered by Mr. LaSalle, entitled, "Article ____, Initiative and Referendum".

The proposal was read by title and referred to the Committee on the Legislative Department.

MOTIONS AND RESOLUTIONS

Mr. Gallogly offered Resolution No. 27. (Appreciation and best wishes to Mrs. Webster).

The resolution was read.

Mr. Gallogly, seconded by all the delegates in attendance, moved passage of the resolution.

The motion prevailed on a unanimous rising vote of appreciation and best wishes.

Mr. Viall offered Resolution No. 28, entitled "To Require An Election For The Vacancy In The Office of Delegate to The Constitutional Convention."

The resolution was read and referred to the Committee on Rules and Credentials.

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for December 13, 1965, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Mr. Murphy of Tiverton, reading of the report was dispensed and the Convention proceeded to act thereon, on a voice vote.

The Chairman, as Chairman of the Committee of the Whole on December 13, 1965, presented the report of the Committee of the Whole to the Convention and action was taken thereon as follows:

"The Committee of the Whole meeting on December 13, 1965, considered Proposal No. 98, "Personal Liberty."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected.

On a division vote, the motion prevailed, 53 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 97, "Personal Liberty."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed.

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected. On a division vote, the motion prevailed, 53 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 105, "Property."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected.

On a division vote, the motion prevailed, 54 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 107, "Criminal Procedure."

"The Committee on Personal Liberties did not recommend. On a division vote a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected.

On a division vote, the motion prevailed, 54 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 108, "Criminal Procedure."

"The Committee on Personal Liberties did not recommend. On a division vote a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected.

On a division vote, the motion prevailed, 51 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 109, "Criminal Procedure."

"The Committee on Personal Liberties did not recommend. On a division vote a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate, moved that the proposal be rejected.

On a division vote, the motion prevailed, 56 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 110, "Criminal Procedure."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Messrs. Gorham of Scituate, Gallogly and Lawrence, moved that the proposal be rejected.

On a division vote, the motion prevailed, 54 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 116, "Personal Liberties."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Messrs. Gorham of Scituate and Lawrence, moved that the proposal be rejected.

On a division vote, the motion prevailed, 52 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 143, "Declaration of Certain Constitutional Rights and Principles."

"The Committee on Personal Liberties did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Dolbashian, seconded by Mr. Gorham of Scituate and Mrs. Pulner, moved that the proposal be rejected.

On a division vote, the motion prevailed, 55 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 101, "Alcoholic Beverages."

"The Committee on Local Government did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

Mr. Gorham of Foster, seconded by Mr. Belhumeur, moved that the proposal be rejected.

On a division vote, the motion prevailed, 54 delegates voting in the affirmative and 0 delegates voting in the negative.

GENERAL ORDERS

Mr. Pickard, seconded by Messrs. Murphy of Tiverton and Foster, 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.

Mr. DiLuglio announced that the Committee on the Legislative Department would meet on Monday, January 10, 1966 at 7:30 P.M. at Davis Street.

Mr. Cochran announced that the Committee on Local Government would meet on Monday, January 10, 1966 at 7:30 P.M. at Davis Street.

ADJOURNMENT

Mr. Wexler, seconded by Dr. Parrillo, moved that the Convention adjourn to meet on Monday, January 18, 1966 at 1:00 P.M. in the Chamber of the House of Representatives at the State House.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention

A P P E N D I XJournal of the Committee of the Whole

January 10, 1966

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

Mr. Nathanson, seconded by Messrs. LaSalle, Pickard, Matzner, Bride, Mmes. Pulner and Webster, moved that the Committee of the Whole reconsider Proposal No. 160 "Item Veto", motion for adoption of which failed at the previous session of the Committee of the Whole.

Mr. Gallogly, seconded by Messrs. Doris, Wrenn, Bevilacqua, Bizier, Ricci, Fontaine and DiLuglio, moved that the motion to reconsider be laid on the table.

On a division vote, the motion to lay on the table did not prevail, 28 delegates voting in the affirmative and 32 delegates voting in the negative.

On a division vote the motion to reconsider was lost, 32 delegates voting in the affirmative and 32 delegates voting in the negative.

GENERAL ORDERS

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

Proposal No. 133 "Of the Department of Justice"
(The Committee on the Executive Department does not recommend.)

The proposal was read.

Mr. Pucci, seconded by Messrs. Pickard, Roberts and Corcoran, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

At 2:42 the Chairman yielded the rostrum to Mr. Pickard, Second Vice-Chairman.

Mr. Canna, seconded by Mr. Manning, moved that the Committee of the Whole recommend recommittal of the proposal.

On a voice vote, the motion failed to prevail.

On a division vote the motion to recommend adoption of the proposal failed, 20 delegates voting in the affirmative and 38 delegates voting in the negative.

Proposal No. 172 "State Bond Referenda"

(The Committee on the Executive Department recommends the adoption.)

The proposal was read.

Mr. Gallogly, seconded by Mr. LaFrance and Mrs. Pulner, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion prevailed, 40 delegates voting in the affirmative and 11 delegates voting in the negative.

Proposal No. 176 "Reorganization of the Executive Branch"

(The Committee on the Executive Department recommends the adoption.)

The proposal was read.

Mrs. Pulner, seconded by Messrs. DiLuglio and Canna, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

Mrs. Pulner, seconded by Messrs. Nathanson and DiLuglio, offered the following written motion to amend:

"I propose to amend Proposal No. 176 by the addition of the following sentence to be inserted as Section 1:

"The Governor may make changes in the organization of the Executive Branch with the exception of those departments headed by an elected General Officer."

Theresa F. Pulner, Delegate
Constitutional Convention

The motion was debated.

On a division vote, the motion to amend did not prevail, 12 delegates voting in the affirmative and 40 delegates voting in the negative.

The motion was debated.

On a division vote, the motion to adopt did not prevail, 5 delegates voting in the affirmative and 49 delegates voting in the negative.

Dr. Parrillo, seconded by Mr. Gallogly, moved that the Committee of the Whole rise. The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention