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State of Rhode Island and Providence Plantations

JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

January 17, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:35 P.M.

INVOCATION

The Chairman presented Reverend Abdulahad Doumato of St. Ephraim's Syrian Orthodox Church, Central Falls, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 68 present and 31 absent.

Absentees were Messrs. Appolonia, Beauchemin, Bevilacqua, Bizier, Bissonnette, Canna, Connon, Crandall, Delehanty, DeCiantis, Dodge, Fontaine, Gallagher, Gammino, Giguere, Jordan, Mrs. Lambros, Messrs. Macari, Manning, Martin, McCabe, McGrath, McKiernan, Merolla, Moon, Murphy of Coventry, Prince, SaoBento, Stapleton, Viall and Mrs. Webster.

The names of the absentees were called.

On motion of Mr. Belhumeur, the delegates extended to Reverend Doumato a rising vote of appreciation for his kindness in giving the Invocation.

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

REPORTS OF STANDING COMMITTEES

At 1:50 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice-Chairman.

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 12 "President of the Senate"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 16 "State Lotteries for Aid to Education, Public Assistance, Urban Renewal and General Purposes"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 51 "Income Tax"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 71 "Evening Sessions of the General Assembly"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 73 "Of the Distribution of Powers"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 91 "Taxation"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 96 "Lotteries"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 100 "Racing"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 144 "Funds for Blood Banks"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 145 "Sales and Income Tax"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 1, the Committee did not recommend the following proposal:

Proposal No. 177 "Passage of Bills"

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

Mr. DiLuglio, for the Committee on the Legislative Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 183 "Bond Referenda"

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

Mr. Kagan, for the Committee on Elections and Right to Vote, reported back that, by a vote of 8 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 20, Substitute B "Term and Election of General Officers"

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

REPORT OF THE COMMITTEE OF THE WHOLE

The First Vice-Chairman announced that he would present the report of the Committee of the Whole for January 3, 1966, a copy of which was on the desk of each delegate.

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

The First Vice-Chairman, as Chairman of the Committee of the Whole, on January 3, 1966, 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 January 3, 1966, considered Proposal No. 160, 'Item Veto.'

"The Committee on the Executive Department did not recommend. The proposal was amended in the Committee of the Whole. On a division vote, a motion to recommend adoption of the proposal as amended did not prevail."

Mr. Roberts, seconded by Messrs. Pickard, Nathanson, Matzner, Corcoran, Bride and Toolin, moved that the proposal be adopted.

The motion was debated.

Mr. Murray requested a roll call vote on the motion.

Mr. Fanning of Cumberland recognized on a point of order submitted that upon request for a roll call, the Chairman should determine whether a sufficient number requested a roll call.

The Chairman inquired if there was a sufficient number requesting a roll call vote on the motion. There was a sufficient number so requesting.

The Chairman ruled that vote on the motion would be by roll call at the conclusion of the debate.

Mr. Corcoran inquired whether the proposal before the Convention carried with it the amendment made in the Committee of the Whole.

The Chairman ruled that the proposal as amended in the Committee of the Whole was before the Convention.

At the request of Mr. Corcoran, the proposal, as amended, was read.

The motion was further debated.

The roll was called and the vote was announced.

Mr. Murray recognized on a point of order submitted that Rule 48 required affirmative vote for adoption by the majority of the delegates elected to the Convention, for passage and referral to the Committee on Style and Drafting and that for want of such majority a motion failed of passage. The Chairman ruled that the motion to adopt failed of passage, 36 delegates voting in the affirmative, 32 delegates voting in the negative and 31 delegates absent or not voting as follows:

AYES - 36

Jane H. Barber-Westerly
Thomas H. Bride-Warwick
Aurora Castiglia-Cranston
Kevin K. Coleman-Woonsocket
John P. Cooney, Jr.-Providence
Edward B. Corcoran-Middletown
Domenic A. DiSandro, Jr.-Narragansett
Edward M. Dolbashian-Portsmouth
Stephen A. Fanning-Cumberland
Stephen A. Fanning, Jr.-Providence
William A. Feeney-East Providence
Millicent S. Foster-N.Kingstown
Robert B. Gates-S. Kingstown
William J. Gmelin-Charlestown
Bradford Gorham-Foster
John Gorham-Scituate
A. Marion Hager-Cranston
Bradford H. Kenyon-W.Greenwich

A. Norman LaSalle-Warwick
William I. Matzner-Providence
Vincent P. McKinnon-Pawtucket
Edward J. Mulligan-Central Falls
William F. Murphy-Tiverton
Paul F. Murray-Newport
Charles Nathanson-Warwick
Nuala O'D. Pell-Newport
Robert F. Pickard-E. Greenwich
Thomas D. Pucci-Providence
Theresa F. Pulner-Cranston
Dennis J. Roberts-Providence
Howard R. Smart, Jr.-Lincoln
John J. Toolin-Richmond
David D. Warren-No. Providence
Edmund Wexler-Providence
Grafton H. Willey, III-Barrington
John J. Wrenn-Providence

NOES - 32

Vincent J. Baccari-Providence
Arthur A. Belhumeur-Central Falls
Claire Capuano-Woonsocket
Orist D. Chaharyn-Woonsocket
William J. Champion, Jr.-Newport
Eugene F. Cochran-Providence
Elaine C. Colaneri-Providence
David J. Colbert, Jr.-Cranston
Osias Cote-Pawtucket
Matthew C. Cunningham-Pawtucket
Thomas R. DiLuglio-Johnston
Harry J. Dyl-Central Falls
John F. Doris-Woonsocket
Ernest A. Foster-Pawtucket
Edward P. Gallogly-Providence
Fulda E. Geoffroy-West Warwick

Jeannette M. Lacroix-Lincoln
August P. LaFrance-Pawtucket
John F. Lallo-Westerly
John W. Laporte-Burrillville
Frederick A. Lawrence-Providence
James E. Murphy-Warren
Robert S. Ortoleva-Providence
John A. Parrillo-Providence
Anthony F. Principe-Bristol
Hugo L. Ricci-Providence
Owen V. Sherry-North Smithfield
Anthony Vacca-Smithfield
Anthony Giangiacomo-Providence
George D. Greenhalgh-Glocester
Samuel C. Kagan-Providence
Samuel J. Kanakry-Pawtucket

ABSENT OR NOT VOTING - 31

Felix A. Appolonia-West Warwick
Roger A. Beauchemin-Pawtucket
Joseph A. Bevilacqua-Providence
Norman E. Bizier-Central Falls
Adrien Bissonnette-Woonsocket
Domenic C. Canna-Bristol
Jeremiah H. Cannon-Providence
Lloyd R. Crandall-Hopkington
Robert J. Delehanty-Newport
Michael DeCiantis-West Warwick
John C. Dodge-New Shoreham
Paul A. Fontaine-Woonsocket
James A. Gallagher-Jamestown
Michael A. Gammino, Jr.-Providence
Noel A. Giguere-Woonsocket

Raymond E. Jordan-Pawtucket
Demetra Lambros-Providence
Epifanio F. Macari-Cranston
Edward P. Manning-Cumberland
Frank A. Martin, Jr.-Pawtucket
Francis H. McCabe-Pawtucket
Thomas F. McGrath-Providence
Donald E. McKiernan-Providence
Arthur Merollo-Providence
Edwin J. Moon-Exeter
James E. Murphy-Coventry
Antonio Prince-Woonsocket
Augusto W. SaoBento-East Providence
Alfred B. Stapleton-Little Compton
Charles C. Vaill-East Providence

Mrs. Charlotte H. Webster-East Providence

Also "The Committee considered Proposal No. 161, 'Expenditures.'

"The Committee on the Executive Department did not recommend. On a division vote a motion to recommend adoption of the proposal did not prevail."

The proposal was read.

Mr. Roberts, seconded by Messrs. Pickard and Toolin, moved that the proposal be adopted.

The motion was debated.

On a division vote, the motion failed of passage, 18 delegates voting in the affirmative and 32 delegates voting in the negative.

On suggestion of Mr. Kagan, by unanimous consent, the Convention referred back to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Kagan, for the Committee on Elections and Right to Vote, reported back that the Committee reaffirmed its earlier recommendation for adoption of the following proposal:

Proposal No. 47 "Municipal Elections"

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

GENERAL ORDERS

Mr. Cooney, seconded by Messrs. Wexler and Dolbashian, 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 First Vice-Chairman again called the Convention to order.

ADJOURNMENT

At 4:16 P.M., Mr. Cochran, seconded by Messrs. Principe and Dolbashian, moved that the Convention adjourn to meet on Monday, January 24, 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 17, 1966

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

At 3:20 P.M. the First Vice-Chairman yielded the rostrum to Mr. Pickard, Second Vice-Chairman.

GENERAL ORDERS

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

Proposal No. 10022-Substitute A "Natural Resources"

(The Committee on the Executive Department recommends adoption of the Substitute Proposal.)

The proposal was read.

Mr. Warren, seconded by Messrs. Kenyon, Willey, Matzner, Nathanson and Mrs. Pulner, moved that the Committee of the Whole recommend adoption of the Substitute Proposal.

The motion was debated.

At 3:45 P.M. the Second Vice-Chairman yielded the rostrum to the First Vice-Chairman.

Mr. Cochran, seconded by Mrs. Pulner, moved that the Committee of the Whole recommend recommitment to the Committee on the Executive Department.

The motion prevailed on a voice vote.

Proposal No. 132 "Creating a Property Owners Bill of Rights"

(The Committee on Personal Liberties does not recommend.)

Mr. Murphy of Warren, seconded by Mr. Dolbashian, moved that the proposal be placed at the foot of the calendar.

The motion prevailed on a voice vote.

Proposal No. 27-Sections 1(d) and 2, Substitute A "Of Suffrage"

(The Committee on Elections and Right to Vote recommends the adoption of the Substitute Sections.)

Section 1(d) of the proposal was read.

Mr. Kagan, seconded by Messrs. Cochran and Cooney, moved that the Committee of the Whole recommend adoption of the section.

The motion was debated.

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

Section 2, Substitute A of the Proposal was read.

Mr. Kagan, seconded by Messrs. Lawrence, Cooney, Cochran, and Feeney, moved that the Committee of the Whole recommend adoption of the section.

The motion was debated.

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

Mr. Kagan, seconded by Messrs. Feeney, Nathanson, Lawrence and Cochran, moved that the Committee of the Whole recommend adoption of Proposal No. 27-Substitute A "Of Suffrage", as amended, including Sections 1(d) and 2, as substituted.

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

Dr. Parrillo, seconded by Mr. Cote, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention