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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

February 7, 1966

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

"February 1, 1966

"To all Delegates:

"The next Convention session is scheduled for Monday, February 7, 1966, at 1:00 P.M. in the Chamber of the House of Representatives.

"As you know, our last session was canceled because we did not have a quorum. Will you please make every effort to be in attendance at this meeting so that we may proceed with the business at hand. Your cooperation will be greatly appreciated.

"Because of the number of items on the General Orders, I hope that the delegates will plan to stay in session until at least 5:00 P.M.

"If the General Orders are not finished at that time, consideration will be given to recessing and reassembling after a dinner break.

"Will you please use the enclosed postcard to indicate whether you will be available for an evening session on February 7th should one be called.

"Very truly yours,
(signed)

Dennis J. Roberts, Chairman"

INVOCATION

The Chairman presented Reverend R. Leroy Moser, Pastor of the Central Baptist Church, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 76 present and 23 absent.

Absentees were Mr. Appolonia, Mmes. Barber, Castiglia, Messrs. Crandall, Delehanty, DeCiantis, Dodge, Gallagher, Giguere, Jordan, Lallo, Mrs. Lambros, Messrs. Martin, McCabe, McGrath, McKinnon, Merolla, Moon, Murphy of Tiverton, Murray, Mrs. Pulner, Mr. Viall, and Mrs. Webster.

The names of the absentees were called.

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

Mr. Vacca welcomed as guests at the Convention the League of Women Voters and the Golden Agers of Smithfield, Warwick and North Providence.

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

REPORTS OF STANDING COMMITTEES

Mr. Coleman, for the Committee on Local Government, 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. 169 "Proposed Amendment to the Constitution
Limiting the Legislative Power of the
General Assembly over Cities and Towns"

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. 2 "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. 3 "Article IV Of the Legislative Power"

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. 156 "Proposing the Repeal of a Provision of the Constitution of the State Relating to State 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. 69 "Legislature"

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. 87 "Sessions of the Legislature"

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. 94 "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 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 114 "Legislative Power"

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. 125 "The Governor"

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. 140 "Legislative Session"

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. 141 "Legislative Rules"

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. 168 "Proposed Amendment to Rhode Island Constitution
Outlining Veto Procedure in the General Assembly,
and Memorandum concerning same."

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. 151 "Legislative Vote on Veto"

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. 163 "Appropriation 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 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 164 "Special Appropriations"

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. 7 "Article IV, Of the Legislative Power"

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. 142 "Of the Legislative Power"

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 recommended adoption of the following proposal:

Proposal No. 29-Substitute A "Of the Legislative Power-Article IV"

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

Mr. Wexler, for the Committee on Style and Drafting, reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 25 "Preamble"

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

Mr. Wexler, for the Committee on Style and Drafting, reported back that, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 28 "Distribution of Powers"

The proposal and report were accepted and placed in order for second reading of proposals at the next session.

COMMUNICATIONS

The Chairman announced receipt of a letter from the Warwick Junior Chamber of Commerce recommending that a unicameral legislature be adopted in Rhode Island.

The communication was referred to the Committee on the Legislative Department.

The Chairman also announced receipt of several resolutions adopted by the Rhode Island State Grange. The communication was referred to the Committee on the Legislative Department.

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposals:

Proposal No. 193, offered by Mr. Fanning of Cumberland, entitled "Publication of Home Rule Charters".

The proposal was read and referred to the Committee on Local Government.

Proposal No. 194, offered by Mr. Roberts, entitled "Of the Legislature".

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

Proposal No. 195, offered by Mr. Roberts, entitled "Of the Legislature".

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

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for January 10, 1966, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Mr. Manning, 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 January 10, 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 10, 1966, considered Proposal No. 133, 'Of the Department of Justice'.

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

Mr. Pucci, seconded by Messrs. Coleman, Fanning of Cumberland and Murphy of Warren, moved that the proposal be adopted.

On a division vote, the motion failed of passage, 14 delegates voting in the affirmative and 43 delegates voting in the negative.

Also "The Committee considered Proposal No. 172, 'State Bond Referenda'.

"The Committee on the Executive Department recommended adoption. On a division vote a motion to recommend adoption of the proposal prevailed."

The proposal was referred to the Committee on Style and Drafting.

Also "The Committee considered Proposal No. 176, "Reorganization of the Executive Branch."

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

Mr. Doris, seconded by Messrs. Canna, Kagan and Belhumeur, moved that the proposal be rejected.

On a division vote the motion prevailed, 47 delegates voting in the affirmative and 10 delegates voting in the negative.

GENERAL ORDERS

Mr. Pickard, seconded by Mr. Cochran, 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. Wexler announced that the Committee on Style and Drafting would meet at the rise of the Convention.

ADJOURNMENT

At 4:40 P.M., on motion of Mr. Cochran, seconded by Mr. Doris, the Convention adjourned to meet on Monday, February 14, 1966, at 1:00 P.M. in the chamber of the House of Representatives at the State House, 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

February 7, 1966

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.

Proposal No. 171-Substitute B "Of Amendments"

(The Committee on Resolutions recommends the adoption.)

On motion of Mrs. Foster, seconded by Mr. Wexler, reading of the Proposal in full was dispensed on a voice vote.

Section 1 of the Proposal was read.

Mrs. Foster, seconded by Messrs. Pickard, Gates and DiSandro, moved that the Committee of the Whole recommend adoption of the section.

The motion was debated.

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

"I move to strike out the words"

"Or the next state-wide special election."

A. Norman LaSalle

The motion was read.

The motion was debated.

On a division vote, the motion to amend prevailed, 42 delegates voting in the affirmative and 24 delegates voting in the negative.

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

"I move to amend Section 1 of Proposal #171B by striking the words "three-fifths" wherever they may appear in said section and substituting therefor the words "a majority".

Orist D. Chaharyn

The motion was read

The motion was debated.

On a division vote, the motion prevailed, 39 delegates voting in the affirmative and 26 delegates voting in the negative.

The motion that the Committee of the Whole recommend adoption of the section as amended prevailed on a division vote, 46 delegates voting in the affirmative and 14 delegates voting in the negative.

Section 2 of the proposal was read.

Mrs. Foster, seconded by Messrs. Toolin and DiSandro, moved that the Committee of the Whole recommend adoption of the section.

On a division vote, the motion to adopt prevailed, 55 delegates voting in the affirmative and 4 delegates voting in the negative.

Section 3 of the proposal was read.

Mrs. Foster, seconded by Mr. LaSalle, moved that the Committee of the Whole recommend adoption of the section.

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

Section 4 of the proposal was read.

Mrs. Foster, seconded by Messrs. Gorham of Foster and Gates, moved that the Committee of the Whole recommend adoption of the section.

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

Mrs. Foster, seconded by Messrs. Fanning of Cumberland, Cote, and LaSalle, moved that the Committee of the Whole recommend adoption of the proposal as amended.

The motion was debated.

On a division vote, the motion to adopt the proposal as amended prevailed, 48 delegates voting in the affirmative and 3 delegates voting in the negative.

Proposal No. 86 "Of Amendments"

(The Committee on Resolutions does not recommend.)

The proposal was read.

Mr. Beauchemin seconded by Mrs. Foster moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion to recommend rejection prevailed, 47 delegates voting in the affirmative and 0 delegates voting in the negative with more than 4 delegates present and not voting.

Proposal No. 187 "Of Amendments"

(The Committee on Resolutions does not recommend.)

The proposal was read.

Mrs. Foster, seconded by Mr. Canna, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion to recommend rejection prevailed, 42 delegates voting in the affirmative and 2 delegates voting in the negative with more than 7 delegates present and not voting.

Mr. Cochran, seconded by Messrs. LaSalle, Willey, and Doris, moved that the Committee of the Whole rise. The motion prevailed on a voice vote.

August P. LaFrance
Secretary
Constitutional Convention