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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

March 28, 1966

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

INVOCATION

The Chairman presented Reverend David G. Cassie, Pastor of Second Presbyterian Church, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 83 present and 17 absent.

Absentees were Messrs. Beauchemin, Cannon, Champion, Delehanty, Dodge, Giguere, Greenhalgh, Jordan, Mrs. Lacroix, Messrs. McCabe, Moon, Murray, Nathanson, Parrillo, Mrs. Pell, Mr. Stapleton and Mrs. Webster.

The names of the absentees were called.

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

Mr. Vacca welcomed as guests students from Pilgrim High School.

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposals:

Proposal No. 199, offered by Mr. Stapleton, entitled "Libraries."

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

Proposal No. 10026, offered by a qualified elector, Robert J. McKenna, of Newport. The proposal was 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 March 5, 1966, and the recessed sessions on March 7, 1966 and on March 14, 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 Chairman, as Chairman of the Committee of the Whole on March 5, 1966 and during the recessed meetings thereof, presented a report of the Committee of the Whole to the Convention and action was taken thereon as follows:

"The Committee of the Whole meeting on March 5th, 1966, recessing to March 7th and again recessing until March 14th, 1966, considered Proposal No. 29-Substitute A, "Of the Legislative Power."

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

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

Also, "The Committee considered Proposal No. 47, "Municipal Elections."

"The Committee on Elections and Right to Vote recommended the adoption of the proposal. On a division vote a motion to recommend recommitment of the proposal to the Committee on Elections and Right to Vote prevailed."

By unanimous consent the proposal was recommitted to the Committee on Elections and Right to Vote.

Also, "The Committee considered Proposal No. 4, "Article V, Of the House of Representatives."

"The Committee on the Legislative Department did not recommend the adoption. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. DiLuglio, seconded by Messrs. Bizier, Cote, Doris, McGrath and Wrenn, moved that the proposal be rejected.

On a division vote, the motion prevailed, 60 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 25, "Preamble."

"The Committee on Style and Drafting recommended the adoption of the proposal. On a division vote a motion to recommend recommitment of the Proposal to the Committee on Style and Drafting prevailed."

By unanimous consent the proposal was recommitted to the Committee on Style and Drafting.

Also, "The Committee considered Proposal No. 71," Article IV- Evening Session of the General Assembly."

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

Mr. Doris, seconded by Messrs. Belhumeur, Cote, Gallagher, Sherry and Principe, moved that the proposal be rejected.

On a division vote the motion prevailed, 57 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 115, "General Assembly."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Doris, seconded by Messrs. Bizier, Cote, Belhumeur, McGrath and Wrenn, moved that the proposal be rejected.

On a division vote the motion prevailed, 58 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 95, "General Assembly."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Belhumeur, seconded by Messrs. Cote and Dolbashian, moved that the proposal be rejected.

On a division vote the motion prevailed, 61 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 88, "Eminent Domain."

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

Mr. Belhumeur, seconded by Messrs. Cote, DeCiantis and Dolbashian, 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. 70, "Of the Legislative Power."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Dolbashian, seconded by Messrs. Belhumeur and Cote, moved that the proposal be rejected.

On a division vote the motion prevailed, 62 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 50, "Compensation of Members of the General Assembly."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection of the Proposal prevailed."

Mr. Dolbashian, seconded by Messrs. Belhumeur, Cote, Wrenn, Principe and Bizier, moved that the proposal be rejected.

On a division vote the motion prevailed, 57 delegates voting in the affirmative and 0 delegates voting in the negative.

Also, "The Committee considered Proposal No. 48, "Legislative Department."

"The Committee on the Legislative Department did not recommend. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Dolbashian, seconded by Messrs. Cote, Manning and Principe, 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. 87, "Sessions of the Legislature."

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

Mr. Dolbashian, seconded by Messrs. Belhumeur and Principe, moved that the proposal be rejected.

On a division vote the motion prevailed, 54 delegates voting in the affirmative and 1 delegate voting in the negative.

Also, "The Committee considered Proposal No. 94, "Taxation."

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

Mr. Principe, seconded by Messrs. Belhumeur, Manning, Cote and Dolbashian, moved that the proposal be rejected.

On a division vote the motion prevailed, 59 delegates voting in the affirmative and 0 delegates voting in the negative.

On motion of Mr. Wrenn, the delegates extended a rising vote of appreciation to Reverend David G. Cassie, for his kindness in giving the Invocation.

GENERAL ORDERS

Mr. Dolbashian, seconded by Messrs. Murphy of Tiverton, Pucci, Principe and Kagan, 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.

On suggestion of Mr. DiLuglio, by unanimous consent the Convention referred back to reports of standing committees.

REPORTS OF STANDING COMMITTEES

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 1, the Committee did not recommend the following proposal:

Proposal No. 194 "Of the Legislature"

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

ADJOURNMENT

At 4:31 P.M. on motion of Mr. Doris, seconded by Messrs. Cochran, Belhumeur and DiLuglio, the Convention adjourned to meet on Monday, April 4, 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

March 28, 1966

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

On motion of Mr. Kagan, seconded by Messrs. Belhumeur and Cote, Proposal No. 20-Substitute B was ordered to be placed last on the calendar of General Orders, on a voice vote.

RECONSIDERATION

Mr. Gorham of Scituate, seconded by Mr. Gates, moved that the Committee of the Whole reconsider Proposal No. 31-Substitute A, "Article VI, Of the Senate," which was recommended for adoption at the previous session of the Committee of the Whole.

On a division vote, the motion to reconsider did not prevail, 22 delegates voting in the affirmative and 39 delegates voting in the negative.

GENERAL ORDERS

On motion of Mr. DiLuglio, seconded by Messrs. Bride, Cote, Doris and Principe, Proposal No. 7 was ordered to be placed last on the calendar of General Orders, on a voice vote.

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

Proposal No. 142 "Of the Legislative Power"

(The Committee on the Legislative Department does not recommend.)

The proposal was read.

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

The motion was debated.

On a division vote, the motion did not prevail, 24 delegates voting in the affirmative and 41 delegates voting in the negative.

Mr. DiLuglio announced that the Committee on the Legislative Department would meet forthwith if there could be a recess.

RECESS

At 2:26 P.M. the Committee of the Whole recessed for a period of five minutes.

ORDER

At 2:39 P.M. the Chairman again called the Committee of the Whole to order.

GENERAL ORDERS

Consideration of the General Orders of the Day continued.

Proposal No. 5 "Article VI, Of the Senate"

(The Committee on the Legislative Department does not recommend.)

The proposal was read.

Mr. McKiernan, seconded by Messrs. Dolbashian and Principe, moved that the Committee of the Whole recommend rejection of the proposal.

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

On motion of Mr. Principe, seconded by Mr. Cochran, Proposal No. 136 and Proposal No. 139, in that order, were ordered to be placed last on the calendar of General Orders, on a voice vote.

Proposal No. 3 "Article IV-Of Legislative Power"

(The Committee on the Legislative Department does not recommend.)

The proposal was read.

Mr. McKiernan, seconded by Mrs. Hager, Messrs. Gorham of Scituate, Kenyon and Fanning of Cumberland, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

Mr. Pickard, seconded by Messrs. Gorham of Scituate, Gammino and Dolbashian, offered the following written motion to amend:

"I move to amend Proposal No. 3 so as to read as follows:

"All lotteries shall be prohibited in this state, except lotteries conducted by and for the exclusive benefit of non-profit social clubs, fraternal organizations, veterans organizations, religious, education or charitable organizations, other than the state or any political subdivision thereof, and parimutuel betting at horse race tracks to the extent such excepted lotteries are permitted by law from time to time."

/s/ Robert F. Pickard

The motion was read.

The motion was debated.

At 3:00 P.M. the Chairman yielded the rostrum to Mr. David G. Warren, First Vice-Chairman.

The debate continued.

At 3:17 P.M. the Chairman again took the rostrum.

On a division vote the motion to amend did not prevail, 25 delegates voting in the affirmative and 37 delegates voting in the negative.

Mr. Corcoran, seconded by Messrs. Gorham of Scituate, Murphy of Tiverton, Murphy of Warren, Kenyon and Gammino, offered the following written motion to amend:

"I propose the following amendment to Proposal No. 3:

"No lottery shall be conducted by this state or any political subdivision thereof."

/s/ Edward B. Corcoran

The motion was read.

On a division vote the motion to amend did not prevail, 24 delegates voting in the affirmative and 39 delegates voting in the negative.

On a division vote a motion to recommend adoption of the proposal did not prevail, 28 delegates voting in the affirmative and 42 delegates voting in the negative.

Proposal No. 8 "No Title"

(The Committee on the Legislative Department recommends adoption.)

The proposal was read.

Mr. Cochran, seconded by Messrs. Principe, Foster, Belhumeur and Bizier, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

The motion to recommend adoption was withdrawn.

Mr. Gorham of Foster, seconded by Mr. Cochran, moved that the Committee of the Whole recommend recommittal of the proposal to the Committee on Local Government.

The motion to recommend recommitment prevailed on a voice vote.

Proposal No. 19 "Election and Term of Office of Members of the Legislature"

(The Committee on the Legislative Department does not recommend.)

The proposal was read.

Mr. Cochran, seconded by Messrs. Lawrence, Belhumeur and SaoBento, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 45 delegates voting in the affirmative and 0 delegates voting in the negative, with more than 6 delegates present and not voting.

On motion of Mr. Pickard, seconded by Mr. Cochran, Proposal No. 24 was ordered to be placed last on the calendar of General Orders, on a voice vote.

Proposal No. 42 "Elections of Members of General Assembly"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. Viall, seconded by Mr. Lawrence, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 48 delegates voting in the affirmative and 0 delegates voting in the negative with more than 3 delegates present and not voting.

Proposal No. 54 "Article II, Of Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. Viall, seconded by Mr. Lawrence, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 45 delegates voting in the affirmative and 0 delegates voting in the negative with more than 6 delegates present and not voting.

Proposal No. 59 "Of Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mrs. Pulner, seconded by Mrs. Hager, Messrs. Warren and Matzner, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion did not prevail, 9 delegates voting in the affirmative and 32 delegates voting in the negative with more than 10 delegates present and not voting.

On motion of Mr. Laporte, seconded by Mr. Ortoleva, Proposal No. 66 was ordered to be placed last on the calendar of General Orders, on a voice vote.

Proposal No. 74 "Of the Qualifications of Electors"

(The Committee on Elections and Right to Vote does not recommend.)

On motion of Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, the reading of Proposal No. 74 was dispensed.

Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 49 delegates voting in the affirmative and 0 delegates voting in the negative with more than 2 delegates present and not voting.

Proposal No. 79 "Of Elections"

(The Committee on Elections and Right to Vote does not recommend.)

On motion of Mr. Viall, seconded by Messrs. Lawrence, Cote and Foster, the reading of Proposal No. 79 was dispensed.

Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 50 delegates voting in the affirmative and 0 delegates voting in the negative with more than 1 delegate present and not voting.

Proposal No. 80 "Of Qualifications for Office"

(The Committee on Elections and Right to Vote does not recommend.)

On motion of Mr. Viall, seconded by Messrs. Lawrence, Cote and Foster, the reading of Proposal No. 80 was dispensed.

Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, moved that the Committee of the Whole recommend rejection of the proposal.

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

Proposal No. 131 "Article II, Of Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

On a motion of Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, the reading of Proposal No. 131 was dispensed.

Mr. Viall, seconded by Messrs. Lawrence, Foster and Cote, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote, the motion prevailed, 48 delegates voting in the affirmative and 0 delegates voting in the negative with more than 3 delegates present and not voting.

Proposal No. 120 "Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. Fanning of Cumberland, seconded by Messrs. Appolonia and DiLuglio, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion prevailed, 26 delegates voting in the affirmative and 19 delegates voting in the negative with more than 6 delegates present and not voting.

On motion of Mr. Viall, seconded by Mr. Cote, Proposal No. 137 was ordered to be placed last on the calendar of General Orders, on a voice vote.

Proposal No. 179 "Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. DiLuglio, seconded by Messrs. Toolin, Cannon and Viall, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote the motion prevailed, 35 delegates voting in the affirmative and 19 delegates voting in the negative.

Proposal No. 188 "Municipal Elections"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. Belhumeur, seconded by Messrs. Cochran, Viall and Lawrence, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 58 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 181 "Suffrage"

(The Committee on Elections and Right to Vote does not recommend.)

The proposal was read.

Mr. Fontaine, seconded by Messrs. Bizier, Principe and Viall, moved that the Committee of the Whole recommend rejection of the proposal.

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

Mr. Doris, seconded by Mr. Foster, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention