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Journal of the Constitutional Convention, 1966
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August P. LaFrance

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

INVOCATION

The Chairman presented Canon Loring William Chadwick, Canon Pastor of the Cathedral of St. John, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 78 present and 22 absent.

Absentees were Mrs. Barber, Messrs. Champion, Dodge, Gallagher, Gammino, Gmelin, Geoffroy, Giguere, Jordan, Mmes. Lacroix, Lambros, Messrs. Martin, McCabe, Merolla, Moon, Mulligan, Murphy of Coventry, Prince, Stapleton, Toolin, Mrs. Webster and Mr. Willey.

The names of the absentees were called.

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

REPORTS OF STANDING COMMITTEES

Mr. Murphy of Tiverton, for the Committee on Public Information, presented a report of the progress of the committee.

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 recommended adoption of the following proposal:

Proposal No. 36 "Article XI Of Impeachments"

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. 75 "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 8 to 0, the Committee did not recommend the following proposal:

**Proposal No. 76** "Of the House of Representatives"

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. 77** "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 8 to 0, the Committee did not recommend the following proposal:

**Proposal No. 82** "Of Impeachments"

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. 189-Section I** "Article XI Of Impeachments"

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 10 to 0, the Committee did not recommend the following proposal:

**Proposal No. 85** "Of Continuity of Government during an Emergency"
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 10 to 0, the Committee did not recommend the following proposal:

Proposal No. 191 "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. Coleman announced that the Committee on Local Government would meet at the rising of the Convention.

Mrs. Foster announced that the Committee on Resolutions would meet at the rising of the Convention.

On a motion of Mr. Cochran, the delegates extended a rising vote of appreciation to Canon Loring William Chadwick for his kindness in giving the Invocation.

COMMUNICATIONS

The Chairman announced receipt of two communications favoring retention in the Constitution of the ban on lotteries.

The Chairman announced receipt of a communication transmitting a resolution of the Rhode Island State Circle, Daughters of Isabella, supporting retention of the lottery prohibition in the Constitution.

The communications were placed on file.

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposals:

Proposal No. 200, offered by Mr. Murphy of Warren, entitled "Term of General Officers."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.

Proposal No. 201, offered by Mr. Murphy of Warren, entitled "Term of Members of the Senate."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.
Proposal No. 202, offered by Mr. Murphy of Warren, entitled "Term of Members of the House of Representatives."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.

Proposal No. 203, offered by Mr. Murphy of Warren, entitled "Election of General Officers."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.

Proposal No. 204, offered by Mr. Murphy of Warren, entitled "Term of Office of Senators."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.

Proposal No. 205, offered by Mr. Murphy of Warren, entitled "Term of Office of Representatives."

The proposal was read by title and referred to the Committee on Elections and Right to Vote.

MOTIONS AND RESOLUTIONS

Mr. Cannon, seconded by Messrs. Wexler, Cochran, Cooney, Foster and Vacca, moved that the Convention approve the appointment of Mr. Francis P. O'Donnell to the Committee on Judiciary and to the Committee on the Administration of the Convention which the Chairman submitted at the Convention session of March 5, 1966.

The motion prevailed on a voice vote.

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for March 28, 1966, a copy of which was on the desk of each delegate.

On a 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 March 28, 1966 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 28, 1966, considered Proposal No. 142, "Of the Legislative Power."
"The Committee on the Legislative Department did not recommend the adoption of the proposal. On a division vote a motion to recommend adoption of the proposal did not prevail."

Mrs. Foster, seconded by Mr. Pickard, moved that the proposal be adopted.

Mrs. Foster requested a roll call vote on the motion.

The Chairman inquired whether there was a sufficient number of delegates requesting a roll call vote thereon.

There was a sufficient number.

The roll was called.

The motion to adopt did not prevail on a roll call vote, 23 delegates voting in the affirmative; 44 delegates voting in the negative, and 33 delegates absent or not voting as follows:

**AYES - 23**

- Thomas H. Bride - Warwick
- Mrs. Aurora Castiglia - Cranston
- David J. Colbert, Jr. - Cranston
- Kevin K. Coleman - Woonsocket
- Edward B. Corcoran - Middletown
- Lloyd R. Crandall - Hopkinton
- Thomas R. DiLuglio - Johnston
- Domenic A. DiSandro, Jr. - Narragansett
- Mrs. Millicent S. Foster - No. Kingstown
- Robert B. Gates - So. Kingstown
- Bradford Gorham - Foster
- Edmund Wexler - Providence

**NOES - 44**

- Felix A. Appolonia - W. Warwick
- Vincent J. Baccari - Providence
- Arthur A. Belhumeur - Central Falls
- Joseph A. Bevilacqua - Providence
- Norman E. Bizier - Central Falls
- Adrien Bissonnette - Woonsocket
- Domenic C. Canna - Bristol
- Jeremiah H. Cannon - Providence
- Mrs. Claire Capuano - Woonsocket
- Orist D. Chaharyn - Woonsocket
- Eugene F. Cochran - Providence
- Miss Elaine C. Colaneri - Providence
- John P. Cooney, Jr. - Providence
- Osias Cote - Pawtucket
- Robert J. Delehanty - Newport
- John Gorham - Scituate
- George D. Greenhalgh - Glocester
- Bradford H. Kenyon - W. Greenwich
- A. Norman LaSalle - Warwick
- William I. Matzner - Providence
- Charles Nathanson - Warwick
- Robert F. Pickard - E. Greenwich
- Mrs. Theresa F. Pulner - Cranston
- Dennis J. Roberts - Providence
- Howard R. Smart, Jr. - Lincoln
- David D. Warren - No. Providence
- Michael DeCiantis - W. Warwick
- Harry J. Dyl - Central Falls
- Edward M. Dolbashian - Portsmouth
- John F. Doris - Woonsocket
- Stephen A. Fanning - Cumberland
- Stephen A. Fanning, Jr. - Providence
- William A. Feeney - East Providence
- Ernest A. Foster - Pawtucket
- Anthony Giangiacomo - Providence
- Samuel C. Kagan - Providence
- Samuel J. Kanakry - Pawtucket
- August P. LaFrance - Pawtucket
- John W. Laporte - Burrillville
- Frederick A. Lawrence - Providence
- Epifanio F. Macari - Cranston
Also "The Committee considered Proposal No. 5, "Article VI, Of the Senate."

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

Mr. DiLuglio, seconded by Mr. Principe, moved that the proposal be rejected.

On a division vote the motion to reject prevailed, 63 delegates voting in the affirmative and 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 3, "Article IV, Of the Legislative Power."

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

Mr. Gorham of Scituate, seconded by Messrs. Gates, Kenyon, Nathanson, Murphy of Warren, Gorham of Foster and Matzner, moved that the proposal be adopted.
The proposal was read.

Mr. Gorham of Scituate requested a roll call vote on the motion for adoption.

The Chairman inquired whether there was a sufficient number of delegates requesting a roll call vote thereon.

There was a sufficient number.

By unanimous consent motions to amend were declared to be in order.

Mr. Fanning of Cumberland, seconded by Messrs. Gates, McKiernan, Gorham of Scituate, Picard and O'Donnell, offered the following written motion to amend:

"I move to amend Proposal No. 3 by adding the following:

"Sec. __. All lotteries shall hereafter be prohibited in this state, except those authorized by statute on or before January 1, 1966." 

/s/ Stephen A. Fanning

The motion was read.

Mr. Fanning of Cumberland requested a roll call vote on the motion to amend.

The Chairman inquired whether there was a sufficient number of delegates requesting a roll call vote thereon.

There was a sufficient number.

The roll was called.

The motion to amend did not prevail on a roll call vote, 29 delegates voting in the affirmative; 40 delegates voting in the negative; and 31 delegates absent or not voting, as follows:

**AYES - 29**

Adrien Bissonnette - Woonsocket
Thomas H. Bride - Warwick
Jeremiah H. Cannon - Providence
John P. Cooney, Jr. - Providence
Edward B. Corcoran - Middletown
Lloyd R. Crandall - Hopkinton
Domenic A. DiSandro, Jr. - Narragansett
Stephen A. Fanning - Cumberland
Stephen A. Fanning, Jr. - Providence
William A. Feeney - East Providence

Mrs. Millicent S. Foster - N.Kgstown
Robert B. Gates - So.Kingstown
Bradford Gorham - Foster
John Gorham - Scituate
George D. Greenhalgh - Glocester
Mrs. A. Marion Hager - Cranston
Bradford H. Kenyon - W. Greenwich
William I. Matzner - Providence
Donald E. McKiernan-Providence
James E. Murphy - Warren
Mr. Corcoran, seconded by Messrs. Nathanson, McKiernan and Gorham of Scituate, offered the following written motion to amend:
"I move that proposal No. 3 be amended to read as follows:

"No lottery shall be conducted by this state or any political sub-
division thereof."

/s/ Edward B. Corcoran

The motion was read.

On a division vote the motion to amend did not prevail, 21 delegates voting in the affirmative and 37 delegates voting in the negative.

The roll was called on a motion to adopt the proposal.

The motion to adopt did not prevail on a roll call vote, 28 delegates voting in the affirmative; 45 delegates voting in the negative and 27 delegates absent or not voting as follows:

**AYES - 28**

Adrien Bissonnette - Woonsocket
Thomas H. Bride - Warwick
John P. Cooney, Jr. - Providence
Edward B. Corcoran - Middletown
Lloyd R. Crandall - Hopkinton
Domenic A. DiSandro, Jr. - Narragansett
Stephen A. Fanning - Cumberland
Stephen A. Fanning, Jr. - Providence
Mrs. Millicent S. Foster - No.Kingstown
Robert B. Gates - So. Kingstown
Bradford Gorham - Foster
John Gorham - Scituate
George D. Greenhalgh - Glocester
Mrs. A. Marion Hager - Cranston

**NOES - 45**

Felix A. Appolonia - W. Warwick
Vincent J. Baccari - Providence
Roger A. Beauchemin - Pawtucket
Arthur A. Belhumeur - Central Falls
Joseph A. Bevilacqua - Providence
Norman E. Bizier - Central Falls
Domenic C. Canna - Bristol
Jeremiah H. Cannon - Providence
Mrs. Claire Capuano - Woonsocket
Mrs. Aurora Castiglia - Cranston
Orist D. Chaharyn - Woonsocket
Eugene F. Cochran - Providence
Miss Elaine C. Colaneri - Providence
David J. Colbert, Jr. - Cranston
Kevin K. Coleman - Woonsocket
Osias Cote - Pawtucket

Robert J. Delehanty - Newport
Michael DeCiantis - West Warwick
Thomas R. DiLuglio - Johnston
Harry J. Dyl - Central Falls
Edward M. Dolbashian - Portsmouth
John F. Doris - Woonsocket
William A. Feeney - E. Providence
Ernest A. Foster - Pawtucket
Anthony Giangiacomo - Providence
Samuel C. Kagan - Providence
Samuel J. Kanakry - Pawtucket
August P. LaFrance - Pawtucket
John W. Laporte - Burrillville
A. Norman LaSalle - Warwick
Frederick A. Lawrence - Providence
Epifanio F. Macari - Cranston
NOES - Cont.
Edward P. Manning - Cumberland  Anthony F. Principe - Bristol
Thomas F. McGrath - Providence  Thomas D. Pucci - Providence
Paul F. Murray - Newport  Mrs. Theresa F. Pulner - Cranston
Robert S. Ortoleva - Providence  Hugo L. Ricci - Providence
John A. Parrillo - Providence  Augusto W. SaoBento - East Providence
Mrs. Nuala O'D. Pell - Newport  Charles C. Viall - East Providence
John J. Wrenn - Providence

ABSENT OR NOT VOTING - 27
Mrs. Jane H. Barber - Westerly  John F. Lallo - Westerly
William J. Champion, Jr. - Newport  Mrs. Demetra Lambros - Providence
Matthew C. Cunningham - Pawtucket  Frank A. Martin, Jr. - Pawtucket
John C. Dodge - New Shoreham  Francis H. McCabe - Pawtucket
Paul A. Fontaine - Woonsocket  Arthur Merolla - Providence
James A. Gallagher - Jamestown  Edwin J. Moon - Exeter
Edward P. Gallogly - Providence  Edward J. Mulligan - Central Falls
Michael A. Gammino, Jr. - Providence  James F. Murphy - Coventry
William J. Gmelin - Charlestown  Antonio Prince - Woonsocket
Fulda E. Geoffroy - West Warwick  Owen V. Sherry - No. Smithfield
Noel A. Giguerre - Woonsocket  Alfred B. Stapleton - Little Compton
Raymond E. Jordan - Pawtucket  John J. Toolin - Richmond
Mrs. Jeannette M. Lacroix - Lincoln  Mrs. Charlotte H. Webster - E.Providence
Grafton H. Willey III - Barrington

Also "The Committee considered Proposal No. 8, "No Title."

"The Committee on the Legislative Department recommended the adoption. On a voice vote a motion to recommend recommittal to the Committee on Local Government prevailed."

On motion of Mr. Cochran, seconded by Mr. Cannon, the proposal was recommitted to the Committee on Local Government, on a voice vote.

Also "The Committee considered Proposal No. 19, "Election and Term of Office of Members of the Legislature."

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

Mr. DiLuglio, seconded by Mr. Cochran, 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. 42, "Elections of Members of the General Assembly."
"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend the rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Bizier, Cote, Lawrence and Belhumeur, 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. 54, "Article II, Of Suffrage."

"The Committee on Elections and Right to Vote did not recommend adoption. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Cote, Bizier and Lawrence, 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. 59, "Of Suffrage."

"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend the adoption of the proposal did not prevail."

Mr. Kagan, seconded by Messrs. Cote, Bizier and Lawrence, moved that the proposal be rejected.

On a division vote the motion prevailed, 50 delegates voting in the affirmative and 5 delegates voting in the negative.

Also, "The Committee considered Proposal No. 74, "Of the Qualifications of Electors."

"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend the rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Bizier, Cote 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. 79, "Of Elections."
"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Cote, Bizier and Lawrence, 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. 80, "Of Qualifications for Office."

"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Cote, Bizier and Lawrence, 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. 131, "Article II, Of Suffrage."

"The Committee on Elections and Right to Vote did not recommend the adoption. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Bizier, Cote, Lawrence and Foster, moved that the proposal be rejected.

On a division vote the motion prevailed, 52 delegates voting in the affirmative and 4 delegates voting in the negative.

Also, "The Committee considered Proposal No. 120, "Suffrage."

"The Committee on Elections and Right to Vote did not recommend the 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. 179, "Suffrage."

"The Committee on Elections and Right to Vote did not recommend the adoption of the proposal. On a division vote a motion to recommend the adoption of the proposal prevailed. On April 4th, the day on which the Committee next met, a motion to reconsider Proposal No. 179 was adopted
on a voice vote. A motion to recommend rejection of Proposal No. 179 prevailed on a division vote."

Mr. DiLuglio, seconded by Mr. Canna, moved that the proposal be adopted.

The proposal was read.

On a division vote the motion did not prevail, 26 delegates voting in the affirmative and 40 delegates voting in the negative.

Also, "The Committee considered Proposal No. 188, "Municipal Elections."

"The Committee on Elections and Right to Vote did not recommend the adoption of the proposal. On a division vote a motion to recommend rejection of the proposal prevailed."

Mr. Kagan, seconded by Messrs. Cote and Lawrence, 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. 181, "Suffrage."

"The Committee on Elections and Right to Vote did not recommend the adoption of the proposal. On a division vote a motion to recommend rejection of the proposal prevailed."

"On April 4th, the day on which the Committee of the Whole next met, a motion to reconsider Proposal No. 181, "Suffrage" failed on a division vote."

Mr. Kagan, seconded by Messrs. Foster, Cote and Lawrence moved that the proposal be rejected.

On a division vote the motion prevailed, 52 delegates voting in the affirmative and 13 delegates voting in the negative.

GENERAL ORDERS

Mr. Doris, seconded by Messrs. Foster, Kagan and Principe, moved that the Convention resolve into a Committee of the Whole.

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.

ADJOURNMENT

At 3:52 P.M. on motion of Mr. Doris, seconded by Messrs. Cote and Foster, the Convention adjourned to meet on Monday, April 18, 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

APPENDIX

Journal of the Committee of the Whole

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

RECONSIDERATION

Mr. Doris, seconded by Messrs. Lawrence, Kagan and Bizier, moved that the Committee of the Whole reconsider Proposal No. 20-Substitute B, for which a motion to recommend adoption did not prevail at the previous session of the Committee of the Whole.

On a division vote the motion to reconsider prevailed, 36 delegates voting in the affirmative and 18 delegates voting in the negative.

On reconsideration, Mr. Doris, seconded by Messrs. DiLuglio and Lawrence, offered the following written motion to amend:

"I move to amend Proposal No. 20, Substitute B 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 every four years commencing in the next even-numbered year nonconcurrent with a presidential election, and shall severally hold their offices for four years from the first Tuesday after the first Monday in January next succeeding their election and until their successors are elected and qualified."

/s/ John F. Doris

The motion was read.

On a division vote the motion to amend prevailed, 36 delegates voting in the affirmative and 32 delegates voting in the negative.
Mr. Doris, seconded by Messrs. DiLuglio, SaoBento, Cote, Bizier and Lawrence, moved that the Committee of the Whole recommend adoption of the proposal as amended.

The motion was debated.

Mr. Gorham, seconded by Mr. Pickard, offered the following written motion to amend:

"I move to amend Proposal No. 20, Substitute B as previously amended so as to read as follows:

"Section 1. The General Officers shall severally hold their offices for four years from the first Tuesday after the first Monday in January next succeeding their election and until their successors are elected and qualified."

/s/ John Gorham

The motion was read.

The motion was debated.

On a division vote the motion to amend did not prevail, 16 delegates voting in the affirmative and 39 delegates voting in the negative.

The motion to recommend adoption was debated.

On a division vote the motion to recommend adoption of Proposal No. 20-Substitute B, as amended, prevailed, 37 delegates voting in the affirmative and 33 delegates voting in the negative.

Mr. Cooney, seconded by Messrs. Lawrence and Bizier, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention