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Journal of the Constitutional Convention, 1966 Apr 18

August P. LaFrance

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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

April 18, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:55 P.M.

INVOCATION

The Chairman presented Rabbi Pesach Krauss, Congregation B Nai Israel of Woonsocket, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 73 present and 27 absent.

Absentees were Messrs. Appolonia, Baccari, Beauchemin, Mmes. Capuano, Castiglia, Messrs. Champion, Cunningham, Dodge, Gallagher, Gallogly, Gates, Geoffroy, Giguere, Mrs. Lacroix, Mr. Lallo, Mrs. Lambros, Messrs. Martin, McCabe, Merolla, Moon, Murphy of Coventry, Mrs. Pell, Mr. Prince, Mrs. Pulner, Messrs. Sherry, Stapleton and Mrs. Webster.

The names of the absentees were called.

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

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

REPORTS OF STANDING COMMITTEES

Mrs. Foster, for the Committee on Resolutions, reported back that, by a vote of 8 to 0, the committee ordered to be reported that by a vote of 6 to 2, the Committee did not recommend the following proposal:

Proposal No. 196 "Permanent Commission on the Constitution"

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

Mrs. Foster, for the Committee on Resolutions, reported back that, by a vote of 10 to 0, the Committee did not recommend the following proposal:

Proposal No. 189C "Of the Distribution of Powers"

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

At 2:05 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice-Chairman.

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for April 4, 1966, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Messrs. Foster and Bride, 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 April 4, 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 April 4, 1966, considered Proposal No. 20-Substitute B, "Term and Election of General Officers."

"The Committee on Elections and Right to Vote recommended the adoption of the Substitute Proposal. A motion to amend the proposal prevailed. On a division vote a motion to recommend adoption of the Substitute Proposal as amended did not prevail."

"On April 11th, the day on which the Committee next met, a motion to reconsider Proposal No. 20-Substitute B was adopted on a division vote. A motion to amend Proposal No. 20-Substitute B prevailed on a division vote. A motion to recommend adoption of Proposal No. 20-Substitute B as amended prevailed on a division vote."

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

Also, "The Committee considered Proposal No. 194, "Of the Legislature."

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

Mr. Roberts, seconded by Messrs. DiLuglio, Pickard, Bride and LaSalle, moved that the proposal be adopted.

Mr. Roberts, seconded by Messrs. Toolin, LaSalle, Bride and O'Donnell, offered the following written motion to amend:

"I move to amend Proposal No. 194 by substituting the following language for that contained in the proposal:

"The following alternative proposal shall be submitted to the voters at the time of submission of the Constitution in the following form:

"Shall the alternative proposal for a Unicameral Legislature be adopted?" In the event that a majority of the voters voting on the question vote in favor of the alternative proposed, the following alternative provisions for a Unicameral Legislature shall become part of the Constitution in place of the provisions of Article IV (Bicameral system)."

ARTICLE IV - OF THE LEGISLATIVE POWER

Section 1. This Constitution shall be the supreme law of the state and any law inconsistent therewith shall be void. The general assembly shall pass all laws necessary to carry this Constitution into effect.

Section 2. The legislative power, under this Constitution shall be vested in the general assembly, which shall consist of one chamber to be called the Senate. The Senate shall consist of 100 members. All members of the Senate shall represent districts which shall contain approximately the same number of people. The style of its laws shall be, It is enacted by the general assembly as follows:

Section 3. There shall be a session of the general assembly at Providence commencing on the first Tuesday of January in each year. It may be convened at other times by the governor; or, at the request of a majority of the members by the lieutenant-governor.

Section 4. No member of the general assembly shall take any fee, or be of counsel, in any matter pending before the general assembly, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the general assembly.

Section 5. The person of every member of the general assembly shall be exempt from arrest and his estate from attachment in any civil action, during the session of the general assembly, and two days before the commencement and two days after the termination thereof, and all process served contrary hereto shall be void. For any speech or debate in the general assembly, no member shall be questioned in any other place.

Section 6. The general assembly shall be the judge of the elections and qualifications of its members; and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties, as may be prescribed by the general assembly or by law.

The organization of the general assembly may be regulated by law, subject to the limitations contained in this Constitution.

Section 7. The general assembly may determine its rules of proceeding, punish contempts, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

Section 8. The general assembly shall keep a journal of its proceedings. The yeas and nays of the members shall, at the desire of one-fifth of those present, be entered on the journal. The general assembly may establish such committees as may be necessary for the efficient conduct of its business. One-third of the members shall have power to relieve a committee of further consideration of a bill when a committee to which it was assigned has not reported on it.

Section 9. The members of the general assembly shall receive an annual salary as may be prescribed by law, but the amount thereof shall be neither increased nor diminished during the term of the general assembly which enacted the change. The general assembly shall regulate the compensation of the governor and of all other officers, subject to the limitations contained in the Constitution.

Section 10. The general assembly shall have no power, hereafter, without the express consent of the people, to incur state debts to an amount exceeding five hundred thousand dollars, except in time of war, or in case of insurrection or invasion; nor shall they in any case, without such consent, pledge the faith of the state for the payment of obligations of others. This section shall not be construed to refer to any money that may be deposited with this state by the government of the United States.

Section 11. Notwithstanding the provisions of Section 10 of this article the general assembly may provide by law for the state to borrow in any fiscal year, in anticipation of receipts from taxes, sums of money not exceeding twenty percent of the receipts from taxes during the next prior fiscal year, and, in anticipation of receipts from other sources, additional sums of money, not exceeding ten percent of the receipts from such other sources during the said next prior fiscal year; provided, that the aggregate of all such borrowings shall not exceed a sum equal to thirty percent of the actual receipts from taxes during the said next prior fiscal year. Any money so borrowed in anticipation of such receipts shall be repaid within the fiscal year in which such borrowings take place. No money shall be so borrowed in anticipation of such receipts in any fiscal year until all money so borrowed in all previous fiscal years shall have been repaid.

Section 12. The assent of two-thirds of the members elected to the general assembly shall be required to every bill appropriating the public money or property for local or private purposes.

Section 13. Hereafter the general assembly may provide by general law for the creation and control of corporations; provided, however, that no corporation shall be created with the power to exercise the right of eminent domain, or to acquire franchises in the streets and highways of towns and cities, except by special act of the general assembly upon a petition for the same, the pendency whereof shall be notified as may be required by law.

Section 14. The clearance, replanning, redevelopment, rehabilitation and improvement of blighted and sub-standard areas shall be a public use and purpose for which the power of eminent domain may be exercised, tax monies and other public funds expended and public credit pledged. The general assembly may authorize cities, towns, or local redevelopment agencies to undertake and carry out projects approved by the local legislative body for such uses and purposes including (a) the acquisition in such areas of such properties as the local legislative body may deem necessary or proper to effectuate any of the purposes of **this** article, although temporarily not required for such purposes, and (b) the sale or other disposition of any such properties to private persons for private uses or to public bodies for public uses.

Section 15. The general assembly may authorize the acquiring or taking in fee by the state, or by any cities or towns of more land and property than is needed for actual construction in the establishing, laying out, widening, extending or relocating of public highways, streets, places, parks or parkways: provided, however, that the additional land and property so authorized to be acquired or taken shall be no more in extent than would be sufficient to form suitable building sites abutting on such public highway, street, place, park or parkway. After so much of the land and property has been appropriated for such public highway, street, place, park, or parkway as is needed therefore, the remainder may be held and improved for any public purpose or purposes, or may be sold or leased for value with or without suitable restrictions, and in case of any such sale or lease, the person or persons from whom such remainder was taken shall have the first right to purchase or lease the same upon such terms as the state or city or town is willing to sell or lease the same.

Section 16. The general assembly may authorize cities and towns to acquire property by eminent domain, or otherwise, for the establishment and construction of off-street parking facilities and to maintain and operate or lease the same. Without limitation of the generality of the foregoing, any of the powers or authorities consistent with the provisions of this article for the provision of off-street parking, now vested in public bodies by law, shall continue in existence and may be exercised by said public bodies, except as such powers and authorities may be modified or repealed by the general assembly.

Section 17. Every bill, resolution, or vote (except such as relate to adjournment, the organization or conduct of the general assembly,

and resolutions proposing amendment to the Constitution) which shall have passed the general assembly shall be presented to the governor. If he approves it he shall sign it, and thereupon, it shall become operative, but if he does not approve it he shall return it, accompanied by his objections in writing, to the general assembly, which shall enter his objections in full upon its journal and proceed to reconsider it within five legislative days thereafter. If, after such reconsideration, three-fifths of the members present and voting shall vote to pass the measure, it shall become operative in the same manner as if the governor had approved it, but in such cases the vote shall be determined by ayes and nays and the names of the members voting for and against the measure shall be entered upon the journal. If the measure shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, the same shall become operative unless the general assembly, by adjournment, prevents its return, in which case it shall become operative unless transmitted by the governor to the secretary of state, with the disapproval in writing, within thirty days after such adjournment. Notwithstanding the foregoing, a majority of the general assembly may decide, on division vote of those present and voting, not to reconsider the action of the Governor. In such case the vetoed measure, vote, or resolution shall remain inoperative."

/s/ Dennis J. Roberts

The motion was read in part.

By unanimous consent, further reading of the motion was dispensed.

Mr. Roberts 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 so requesting.

The roll was called.

On a roll call vote, the motion to amend did not prevail, 36 delegates voting in the affirmative, 36 delegates voting in the negative and 28 delegates absent or not voting as follows:

AYES - 36

Mrs. Jane H. Barber - Westerly	Stephen A. Fanning - Cumberland
Thomas H. Bride - Warwick	Stephen A. Fanning, Jr. - Prov.
Domenic C. Canna - Bristol	Mrs. Millicent S. Foster - No.Kngstn.
David J. Colbert, Jr. - Cranston	William J. Gmelin - Charlestown
Kevin K. Coleman - Woonsocket	Bradford Gorham - Foster
Edward B. Corcoran - Middletown	John Gorham - Scituate
Lloyd R. Crandall - Hopkinton	George D. Greenhalgh - Gloucester
Robert J. Delehanty - Newport	Mrs. A. Marion Hager - Cranston
Thomas R. DiLuglio-Johnston	Bradford H. Kenyon - W.Greenwich
Domenic A. DiSandro-Narragansett	Michael A. Gammino, Jr.-Providence

AYES - Cont.

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

NOES - 36

Arthur A. Belhumeur - Central Falls	Raymond E. Jordan - Pawtucket
Joseph A. Bevilacqua - Providence	Samuel C. Kagan - Providence
Norman E. Bizier - Central Falls	Samuel J. Kanakry - Pawtucket
Adrien Bissonnette - Woonsocket	August P. LaFrance - Pawtucket
Jeremiah H. Cannon - Providence	John W. Laporte - Burrillville
Orist D. Chaharyn - Woonsocket	Frederick A. Lawrence - Providence
Eugene F. Cochran - Providence	Epifanio F. Macari - Cranston
Miss Elaine C. Colaneri - Providence	Edward P. Manning - Cumberland
John P. Cooney, Jr. - Providence	Thomas F. McGrath - Providence
Osias Cote - Pawtucket	James E. Murphy - Warren
Michael DeCiantis - West Warwick	Robert S. Ortoleva - Providence
Harry J. Dyl - Central Falls	Anthony F. Principe - Bristol
Edward M. Dolbashian - Portsmouth	Thomas D. Pucci - Providence
John F. Doris - Woonsocket	Hugo L. Ricci - Providence
William A. Feeney - East Providence	Augusto W. SaoBento - East Providence
Paul A. Fontaine - Woonsocket	Anthony Vacca - Smithfield
Ernest A. Foster - Pawtucket	Charles C. Viall - E. Providence
Anthony Giangiacomo - Providence	John J. Wrenn - Providence

ABSENT OR NOT VOTING - 28

Felix A. Appolonia - West Warwick	John F. Lallo - Westerly
Vincent J. Baccari - Providence	Mrs. Demetra Lambros - Providence
Roger A. Beauchemin - Pawtucket	Frank A. Martin, Jr. - Pawtucket
Mrs. Claire Capuano - Woonsocket	Francis H. McCabe - Pawtucket
Mrs. Aurora Castiglia - Cranston	Arthur Merolla - Providence
William J. Champion, Jr. - Newport	Edwin J. Moon - Exeter
Matthew C. Cunningham - Pawtucket	James F. Murphy - Coventry
John C. Dodge - New Shoreham	John A. Parrillo - Providence
James A. Gallagher - Jamestown	Mrs. Nuala O'D. Pell - Newport
Edward P. Gallogly - Providence	Antonio Prince - Woonsocket
Robert B. Gates - So. Kingstown	Mrs. Theresa F. Pulner - Cranston
Fulda E. Geoffroy - West Warwick	Owen V. Sherry - No. Smithfield
Noel A. Giguere - Woonsocket	Alfred B. Stapleton - Little Compton
Mrs. Jeannette M. Lacroix - Lincoln	Mrs. Charlotte H. Webster - E. Prov.

Mr. Roberts requested a roll call vote on the motion to adopt the proposal.

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

There was a sufficient number so requesting.

The roll was called.

On a roll call vote, the motion to adopt did not prevail, 34 delegates voting in the affirmative, 36 delegates voting in the negative and 30 delegates absent or not voting as follows:

AYES - 34

Mrs. Jane H. Barber - Westerly	Mrs. A. Marion Hager - Cranston
Thomas H. Bride - Warwick	Bradford H. Kenyon - West Greenwich
Domenic C. Canna - Bristol	A. Norman LaSalle - Warwick
Kevin K. Coleman - Woonsocket	William I. Matzner - Providence
Edward B. Corcoran - Middletown	Vincent P. McKinnon - Pawtucket
Lloyd R. Crandall - Hopkinton	Edward J. Mulligan - Central Falls
Robert J. Delehanty - Newport	William F. Murphy - Tiverton
Thomas R. DiLuglio - Johnston	Paul F. Murray - Newport
Domenic A. DiSandro, Jr. - Narra.	Charles Nathanson - Warwick
Stephen A. Fanning - Cumberland	Francis P. O'Donnell - Providence
Stephen A. Fanning, Jr. - Prov.	Robert F. Picakrd - East Greenwich
Mrs. Millicent S. Foster - No.Kgstn.	Dennis J. Roberts - Providence
Michael A. Gammino, Jr.-Providence	Howard R. Smart, Jr. - Lincoln
William J. Gmelin - Charlestown	John J. Toolin - Richmond
Bradford Gorham - Foster	David D. Warren - No. Providence
John Gorham - Scituate	Edmund Wexler - Providence
George D. Greenhalgh - Gloucester	Grafton H. Willey, III - Barrington

NOES - 36

Arthur A. Belhumeur - Central Falls	Raymond E. Jordan - Pawtucket
Joseph A. Bevilacqua - Providence	Samuel C. Kagan - Providence
Norman E. Bizier - Central Falls	Samuel J. Kanakry - Pawtucket
Adrien Bissonnette - Woonsocket	August P. LaFrance - Pawtucket
Jeremiah H. Cannon - Providence	John W. Laporte - Burrillville
Orist D. Chaharyn - Woonsocket	Frederick A. Lawrence - Providence
Eugene F. Cochran - Providence	Epifanio F. Macari - Cranston
Miss Elaine C. Colaneri - Providence	Edward P. Manning - Cumberland
John P. Cooney, Jr. - Providence	Thomas F. McGrath - Providence
Osias Cote - Pawtucket	James E. Murphy - Warren
Michael DeCiantis - West Warwick	Robert S. Ortoleva - Providence
Harry J. Dyl - Central Falls	Anthony F. Principe - Bristol
Edward M. Dolbashian - Portsmouth	Thomas D. Pucci - Providence
John F. Doris - Woonsocket	Hugo L. Ricci - Providence
William A. Feeney - E. Providence	Augusto W. SaoBento - E. Providence
Paul A. Fontaine - Woonsocket	Anthony Vacca - Smithfield
Ernest A. Foster - Pawtucket	Charles C. Viall - East Providence
Anthony Giangiacomo - Providence	John J. Wrenn - Providence

ABSENT OR NOT VOTING - 30

Felix A. Appolonia - West Warwick	Mrs. Aurora Castiglia - Cranston
Vincent J. Baccari - Providence	William J. Champion, Jr. - Newport
Roger A. Beauchemin - Pawtucket	David J. Colbert, Jr. - Cranston
Mrs. Claire Capuano - Woonsocket	Matthew C. Cunningham - Pawtucket

ABSENT OR NOT VOTING - Cont.

John C. Dodge - New Shoreham	Donald E. McKiernan - Providence
James A. Gallagher - Jamestown	Arthur Merolla - Providence
Edward P. Gallogly - Providence	Edwin J. Moon - Exeter
Robert B. Gates - South Kingstown	James F. Murphy - Coventry
Fulda E. Geoffroy - West Warwick	Dr. John A. Parrillo - Providence
Noel A. Giguere - Woonsocket	Mrs. Nuala O'D. Pell - Newport
Mrs. Jeannette M. Lacroix - Lincoln	Antonio Prince - Woonsocket
John F. Lallo - Westerly	Mrs. Theresa F. Pulner - Cranston
Mrs. Demetra Lambros - Providence	Owen V. Sherry - No. Smithfield
Frank A. Martin, Jr. - Pawtucket	Alfred B. Stapleton - Little Compton
Francis H. McCabe - Pawtucket	Mrs. Charlotte H. Webster - E.Prov.

Also, "The Committee considered Proposal No. 7, "Article IV, Of the Legislative Power."

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

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

The motion was debated.

Mr. Roberts requested a roll call vote on the motion for adoption of the proposal.

Mr. Doris requested that the proposal be read.

The proposal was read.

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

There was a sufficient number so requesting.

The roll was called.

On a roll call vote the motion for adoption of the proposal did not prevail, 29 delegates voting in the affirmative, 40 delegates voting in the negative and 31 delegates absent or not voting as follows:

AYES - 29

Mrs. Jane H. Barber - Westerly	Mrs. Millicent S. Foster - No. Kingstown
Thomas H. Bride - Warwick	Michael A. Gammino, Jr. - Providence
Edward B. Corcoran - Middletown	William J. Gmelin - Charlestown
Lloyd R. Crandall - Hopkinton	Bradford Gorham - Foster
Robert J. Delehanty - Newport	John Gorham - Scituate
Thomas R. DiLuglio - Johnston	George D. Greenhalgh - Gloucester
Domenic A. DiSandro - Narragansett	Mrs. A. Marion Hager - Cranston
Stephen A. Fanning - Cumberland	Bradford H. Kenyon - West Greenwich

AYES - Cont.

A. Norman LaSalle - Warwick	Francis P. O'Donnell - Providence
William I. Matzner - Providence	Dennis J. Roberts - Providence
Vincent P. McKinnon - Pawtucket	Howard R. Smart, Jr. - Lincoln
Edward J. Mulligan - Central Falls	John J. Toolin - Richmond
Paul F. Murray - Newport	David D. Warren - No. Providence
Charles Nathanson - Warwick	Edmund Wexler - Providence
Grafton H. Willey, III - Barrington	

NOES - 40

Arthur A. Belhumeur - Central Falls	Samuel C. Kagan - Providence
Joseph A. Bevilacqua - Providence	Samuel J. Kanakry - Pawtucket
Norman E. Bizier - Central Falls	August P. LaFrance - Pawtucket
Adrien Bissonnette - Woonsocket	John W. Laporte - Burrillville
Domenic C. Canna - Bristol	Frederick A. Lawrence - Providence
Jeremiah H. Cannon - Providence	Epifanio F. Macari - Cranston
Orist D. Chaharyn - Woonsocket	Edward P. Manning - Cumberland
Eugene F. Cochran - Providence	Thomas F. McGrath - Providence
Miss Elaine C. Colaneri - Providence	Donald E. McKiernan - Providence
John P. Cooney, Jr. - Providence	James E. Murphy - Warren
Osias Cote - Pawtucket	William F. Murphy - Tiverton
Michael DeCiantis - WestWarwick	Robert S. Ortoleva - Providence
Harry J. Dyl - Central Falls	John A. Parrillo - Providence
Edward M. Dolbashian - Portsmouth	Anthony F. Principe - Bristol
John F. Doris - Woonsocket	Thomas D. Pucci - Providence
William A. Feeney - East Providence	Hugo L. Ricci - Providence
Paul A. Fontaine - Woonsocket	Augusto W. SaoBento - E. Providence
Ernest A. Foster - Pawtucket	Anthony Vacca - Smithfield
Anthony Giangiacomo - Providence	Charles C. Viall - E. Providence
Raymond E. Jordan - Pawtucket	John J. Wrenn - Providence

ABSENT OR NOT VOTING - 31

Felix A. Appolonia - West Warwick	Noel A. Giguere - Woonsocket
Vincent J. Baccari - Providence	Mrs. Jeannette M. Lacroix - Lincoln
Roger A. Beauchemin - Pawtucket	John F. Lallo - Westerly
Mrs. Claire Capuano - Woonsocket	Mrs. Demetra Lambros - Providence
Mrs. Aurora Castiglia - Cranston	Frank A. Martin, Jr. - Pawtucket
William J. Champion, Jr. - Newport	Francis H. McCabe - Pawtucket
David J. Colbert, Jr. - Cranston	Arthur Merolla - Providence
Kevin K. Coleman - Woonsocket	Edwin J. Moon - Exeter
Matthew C. Cunningham - Pawtucket	James F. Murphy - Coventry
John C. Dodge - New Shoreham	Mrs. Nuala O'D. Pell - Newport
Stephen A. Fanning, Jr. - Prov.	Robert F. Pickard - E. Greenwich
James A. Gallagher - Jamestown	Antonio Prince - Woonsocket
Edward P. Gallogly - Providence	Mrs. Theresa F. Pulner - Cranston
Robert B. Gates - So. Kingstown	Owen V. Sherry - North Smithfield
Fulda E. Geoffroy - West Warwick	Alfred B. Stapleton - Little Compton
Mrs. Charlotte H. Webster - E. Providence	

Also, "The Committee considered Proposal No. 136, "Referendum on Legislation".

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

Mr. Wexler, seconded by Messrs. LaSalle, Roberts, Corcoran, Matzner and Bride, moved that the proposal be adopted.

On a division vote the motion did not prevail, 17 delegates voting in the affirmative and 44 delegates voting in the negative.

Also, "The Committee considered Proposal No. 139, "Legislative Initiative."

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

Mr. Wexler, seconded by Messrs. Roberts, Bride, Matzner, Toolin, LaSalle and Mmes. Hager and Foster, moved that the proposal be adopted.

On a division vote the motion did not prevail, 17 delegates voting in the affirmative and 37 delegates voting in the negative.

Also, "The Committee considered Proposal No. 24, "Article VIII, Of Elections."

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

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

On a division vote the motion prevailed, 34 delegates voting in the affirmative, 9 delegates voting in the negative, with more than 8 delegates present and not voting.

Also, "The Committee considered Proposal No. 66, "Article II, Of Suffrage."

"The Committee on Elections and Right to Vote did not recommend. 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, 46 delegates voting in the affirmative, 0 delegates voting in the negative with more than 5 delegates present and not voting.

Also, "The Committee considered Proposal No. 137, "Recall of Public Officers."

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

Mr. Wexler, seconded by Messrs. Corcoran, Bride, LaSalle and Mrs. Foster, moved that the proposal be adopted.

On a division vote the motion did not prevail, 13 delegates voting in the affirmative, 33 delegates voting in the negative with more than 5 delegates present and not voting.

GENERAL ORDERS

Mr. Wexler, seconded by Messrs. Principe and Murphy of Tiverton, 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.

By unanimous consent, on suggestion of Mr. Coleman, the Convention referred back to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mr. Coleman, for the Committee on Local Government, reported back that, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 8 "Local Elections"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 38 "Of Local Government"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 46 "Of Local Government"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 52 "Of Local Government"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 84 "Of Local Government"

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

Mr. Coleman, for the Committee on Local Government, reported back that, by a vote of 12 to 0, the Committee did not recommend the following proposal.

Proposal No. 113 "Town and City Treasurers"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 149 "Fiscal Independence for Local School Committees"

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

Mr. Coleman, for the Committee on Local Government, reported back that, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 159 "Local Debt"

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

Mr. Coleman, for the Committee on Local Government, reported back that, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 189K "Of Local Government"

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

Mr. Coleman, for the Committee on Local Government, reported back that, by a vote of 11 to 0, the Committee did not recommend the following proposal:

Proposal No. 193 "Publication of Local Charters and Amendments Thereto"

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

Mr. Coleman, for the Committee on Local Government, reported back that, after a duly advertised public hearing was held thereon, by a vote of 8 to 3, the Committee recommended adoption of the following proposal:

Proposal No. 155-Substitute A "Of Local Government"

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

ADJOURNMENT

At 3:56 P.M. on motion of Mr. Doris, seconded by Mr. Cochran, the Convention adjourned to meet on Monday, April 25, 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 XJournal of the Committee of the Whole

April 18, 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. 36 "Article XI, Impeachments"

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

The proposal was read.

Mr. Cooney, seconded by Messrs. Foster, Cannon and O'Donnell, moved that the Committee of the Whole recommend adoption of the proposal.

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

Proposal No. 75 "Of the Legislative Power"

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

On motion of Mr. Doris, seconded by Mr. Dolbashian, the reading of the proposal was dispensed by unanimous consent.

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

On a division vote the motion prevailed, 41 delegates voting in the affirmative, 0 delegates voting in the negative with more than 10 delegates present and not voting.

Proposal No. 76 "Of the House of Representatives"

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

Mr. Dolbashian moved that the reading of the proposal be dispensed.

Mr. LaSalle objects.

The proposal was read.

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

On a division vote the motion prevailed, 46 delegates voting in the affirmative, 0 delegates voting in the negative with more than 5 delegates present and not voting.

Proposal No. 77 "Of the Senate"

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

By unanimous consent, reading of the proposal was dispensed.

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

On a division vote the motion prevailed, 42 delegates voting in the affirmative, 0 delegates voting in the negative with more than 9 delegates present and not voting.

Proposal No. 82 "Of Impeachments"

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

By unanimous consent, reading of the proposal was dispensed.

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

On a division vote the motion prevailed, 41 delegates voting in the affirmative, 0 delegates voting in the negative with more than 10 delegates present and not voting.

Proposal No. 189I "Article XI, Of Impeachments"

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

By unanimous consent, reading of the proposal was dispensed.

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

On a division vote the motion prevailed, 39 delegates voting in the affirmative, 0 delegates voting in the negative with more than 12 delegates present and not voting.

Proposal No. 85 "Of Continuity of Government During an Emergency"

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

By unanimous consent, reading of the proposal was dispensed.

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

The motion was debated.

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

Proposal No. 191 "Article IV, Of the Legislative Power"
(The Committee on the Legislative Department does not recommend.)

The proposal was read.

Mr. Gorham of Scituate, seconded by Messrs. Greenhalgh and Toolin, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On suggestion of Mr. Gorham of Scituate, the proposal was divided into parts at the semi colon.

The first portion of the proposal was read.

On a division vote the motion to recommend adoption of the first part did not prevail, 6 delegates voting in the affirmative and 50 delegates voting in the negative.

At 3:50 P.M. the Chairman again took the rostrum.

The second part of the proposal was read.

Mr. Gorham of Scituate, seconded by Mr. Gorham of Foster, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion did not prevail, 7 delegates voting in the affirmative, 41 delegates voting in the negative with more than 3 delegates present and not voting.

Mr. Cannon, seconded by Messrs. Warren and Principe, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance
Secretary
Constitutional Convention