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Journal of the Constitutional Convention, 1966 Jun 27

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State of Rhode Island and Providence Plantations

**JOURNAL OF THE
CONSTITUTIONAL CONVENTION**

Providence, Rhode Island

June 27, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:51 P.M., pursuant to the following written order:

"June 22, 1966

"To the Delegates to the Constitutional Convention:

"Pursuant to the provisions of Rule 56, as Chairman I am calling a meeting of the Delegates to the Convention for Monday, June 27, 1966, at 1:00 P.M. in the Chamber of the House of Representatives.

"There are attached hereto, copies of the General Orders for the Day and the Report of the Chairman.

"Again, I stress to you the necessity for attendance in order that we may continue with the work of the Convention.

"Sincerely,
(signed)

Dennis J. Roberts, Chairman

INVOCATION

The Chairman presented Reverend George Digel, Pastor of the Seventh Day Adventist Temple, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 72 present and 28 absent.

Absentees were Messrs. Baccari, Belhumeur, Bissonnette, Bride, Cannon, Champion, DiLuglio, Dodge, Gallagher, Gallogly, Gammino, Giguere, Gorham of Foster, Mrs. Hager, Messrs. Jordan, Kagan, Kanakry, Mrs. Lacroix, Messrs. LaFrance, LaSalle, Martin, McCabe, Moon, Mulligan, Murphy of Coventry, Parrillo, Pickard and Viall.

The names of the absentees were called.

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

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

On motion of Mr. Warren, seconded by Messrs. Sherry and O'Donnell, Mr. Ernest A. Foster was elected Secretary Pro Tempore in the absence of the Secretary of the Convention unanimously.

REPORTS OF STANDING COMMITTEES

Mr. Murray, for the Committee on Rules and Credentials, reported back that the sponsor of the following proposal had been determined to be a qualified elector and reported back for reference to committee the following proposal:

Qualified Elector Proposal No. 10026. The proposal was referred to the Committee on Local Government.

Mr. Stapleton for the Committee on Education reported back that, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 199 "Libraries"

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

Mr. Stapleton for the Committee on Education reported back that, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 184 "School Committees"

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

Mr. Stapleton for the Committee on Education reported back that, by a vote of 8 to 0, the Committee did not recommend the following proposal:

Proposal No. 189J "Article XII Of Education"

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

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposal:

Proposal No. 208, offered by Mrs. Pulner, entitled "Legislative Voting."

The proposal was read by title 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 Chairman of the Committee of the Whole for June 8, 1966, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Messrs. Dolbashian and Murphy of Tiverton, 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 June 8, 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 June 8, 1966, considered Proposal No. 192, "Article _____, Initiative and Referendum."

"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. Cochran and Principe, moved that the proposal be rejected.

On a division vote the motion prevailed, 40 delegates voting in the affirmative and 18 delegates voting in the negative.

Also, "The Committee considered Proposal No. 200, "Term of General Officers."

"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. Beauchemin, seconded by Mr. Lawrence, moved that the proposal be rejected.

On a division vote the motion prevailed, 39 delegates voting in the affirmative and 9 delegates voting in the negative, with more than 3 delegates present and not voting.

Also, "The Committee considered Proposal No. 203, "Election of General Officers."

"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. Lawrence, seconded by Messrs. Beauchemin and Cochran, moved that the proposal be rejected.

On a division vote the motion prevailed, 46 delegates voting in the affirmative and 4 delegates voting in the negative with more than 1 delegate present and not voting.

Also, "The Committee considered Proposal No. 23, "Of the Executive Power."

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

Mr. Lawrence, seconded by Mr. Cote, moved that the proposal be rejected.

On a division vote the motion prevailed, 37 delegates voting in the affirmative and 14 delegates voting in the negative.

Also, "The Committee considered Proposal No. 78, "Of the Executive Power."

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

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

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

Also, "The Committee considered Proposal No. 162, "Executive Budget."

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

Mr. Cochran, seconded by Messrs. Cote and Beauchemin, moved that the proposal be rejected.

On a division vote the motion prevailed, 37 delegates voting in the affirmative and 5 delegates voting in the negative with more than 9 delegates present and not voting.

Also, "The Committee considered Proposal No. 189F, "Article VII, Section 1 through Section 12."

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

Mr. Cochran, seconded by Mr. Doris, moved that the proposal be rejected.

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.

REFERENCE OF PROPOSALS AFTER SECOND READING

The Chairman announced that the following proposal was referred to the Committee on Style and Drafting after second reading and vote on passage by the Convention at its session of June 8, 1966:

Proposal No. 37 "Of Education"

GENERAL ORDERS

Mr. Cochran, seconded by Mr. Doris, 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 on the rostrum at 3:34 P.M. called the Convention to order.

ADJOURNMENT

At 3:36 P.M., on motion of Mr. Principe, seconded by Mr. O'Donnell, the Convention adjourned to meet on Monday, July 11, 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

June 27, 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. 205 "Term of Office of Representatives"

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

The proposal was read.

Mr. Murphy of Warren, seconded by Messrs. Gorham of Scituate, Nathanson and Corcoran, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote the motion to recommend adoption of the proposal prevailed, 32 delegates voting in the affirmative and 28 delegates voting in the negative.

Proposal No. 204 "Term of Office of Senators"

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

The proposal was read.

Mr. Murphy of Warren, seconded by Messrs. Gorham of Scituate, Willey and Dolbashian, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion to recommend adoption of the proposal failed, 31 delegates voting in the affirmative and 32 delegates voting in the negative.

Proposal No. 202 "Term of Members of the House of Representatives"

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

The proposal was read.

Mr. Murphy of Warren, seconded by Mr. O'Donnell, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion to recommend adoption of the proposal prevailed, 34 delegates voting in the affirmative and 31 delegates voting in the negative.

Proposal No. 201 "Term of Members of the Senate"

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

The proposal was read.

Mr. Murphy of Warren, seconded by Messrs. Toolin, Willey, Corcoran, and Nathanson, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote the motion to recommend adoption of the proposal failed, 33 delegates voting in the affirmative and 35 delegates voting in the negative.

Proposal No. 47 "Municipal Elections

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

The proposal was read.

Mr. DiSandro, seconded by Messrs. Principe, Gates and Greenhalgh, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion did not prevail, 20 delegates voting in the affirmative and 45 delegates voting in the negative.

Mr. Fanning of Cumberland recognized on a point of order inquired concerning the status of the proposal, a motion for rejection having failed and whether a motion to recommend adoption would be in order.

The Chairman ruled that if nothing further took place with respect to the proposal, he would report the action to the Convention but that a motion to recommend adoption would be in order.

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

The motion was debated.

On a division vote the motion failed, 26 delegates voting in the affirmative and 32 delegates voting in the negative.

Proposal No. 61 "Of The Legislative Power"

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

The proposal was read.

Mr. McKiernan, seconded by Mr. Cochran, moved that the Committee of the Whole recommend rejection of the proposal.

On a division vote the motion prevailed, 27 delegates voting in the affirmative and 0 delegates voting in the negative with more than 24 delegates present and not voting.

Proposal No. 183 "Bond Referenda"

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

The proposal was read.

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

On a division vote the motion prevailed, 47 delegates voting in the affirmative and 2 delegates voting in the negative with more than 2 delegates present and not voting.

Proposal No. 186 "Of the Senate"

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

The proposal was read.

Mr. Willey, seconded by Messrs. Nathanson, Toolin and Kenyon, moved that the Committee of the Whole recommend adoption of the proposal.

On a division vote the motion failed, 26 delegates voting in the affirmative and 31 delegates voting in the negative.

Proposal No. 206 "Prohibition of Lotteries"

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

The proposal was read.

Mr. O'Donnell, seconded by Messrs. McKiernan, Nathanson and Willey, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote the motion failed, 29 delegates voting in the affirmative and 35 delegates voting in the negative.

At 3:22 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice-Chairman.

Proposal No. 198 "Property taken for Public Use"

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

The proposal was read.

Mr. Doris, seconded by Mr. Cochran, moved that the Committee of the Whole recommend recommittal to the Committee on the Legislative Department.

The motion prevailed on a voice vote.

Proposal No. 165, Substitute A "Legislative Auditor"

(The Committee on the Legislative Department recommends adoption.)

Mr. Roberts, seconded by Messrs. Wrenn and Doris, moved that the Committee of the Whole recommend adoption of the proposal.

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

Mr. Wexler, seconded by Messrs. Dolbashian and Sherry, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.