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Journal of the Constitutional Convention, 1966 Oct 10

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State of Rhode Island and Providence Plantations

**JOURNAL OF THE
CONSTITUTIONAL CONVENTION**

Providence, Rhode Island

October 10, 1966

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:02 P.M.

INVOCATION

The Chairman presented Reverend Albert Q. Perry, minister of the Church of the Mediator, Universalist-Unitarian, 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. Belhumeur, Dodge, Fanning of Cumberland, Gallagher, Giguere, Gorham of Scituate, Jordan, Lallo, LaSalle, Martin, Moon, Mulligan, Mrs. Pell, Messrs. Pucci, Stapleton, Steere and Viall.

The names of the absentees were called.

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

INTRODUCTION AND FIRST READING OF PROPOSALS

The Chairman announced receipt of the following proposal:

Proposal No. 10027, offered by a qualified elector, Richard J. Casey, of Providence. The proposal was referred to the Committee on Rules and Credentials.

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

REFERENCE OF PROPOSALS AFTER SECOND READING

The Chairman announced that the following proposals were referred to the Committee on Style and Drafting after second reading and vote on passage by the Convention at its session on September 26, 1966:

<u>Proposal No. 29, Substitute B</u>	"Of the Legislative Power"
<u>Proposal No. 30, Substitute B</u>	"Of the House of Representatives"
<u>Proposal No. 31, Substitute B</u>	"Of the Senate"
<u>Proposal No. 35, Substitute C</u>	"Of the Judicial Power"

RECONSIDERATION

Mr. Doris, seconded by Messrs. Cote and Bizier, moved that the Convention reconsider the following proposal which failed of passage on second reading at the previous session of the Convention:

Proposal No. 20, Substitute C "Term and Election of General Officers"

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

On reconsideration, on a division vote, on motion of Mr. Doris, seconded by Messrs. Bizier and Cochran, the proposal was laid on the table, 52 delegates voting in the affirmative and 17 delegates voting in the negative.

GENERAL ORDERS

Mr. Doris, seconded by Messrs. Cote and Wexler, 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.

MOTION

Mr. Doris, seconded by Messrs. Foster, Bizier, and McGrath, moved that the following proposal be taken from the table:

Proposal No. 20, Substitute C "Term and Election of General Officers"

On a division vote the motion to take from the table prevailed, 55 delegates voting in the affirmative and 0 delegates voting in the negative.

After reconsideration, the proposal had been placed in order for Second Reading and vote on passage.

Mr. Doris, seconded by Messrs. Cote and Bizier, moved that Proposal No. 20, Substitute C, be adopted.

On a roll call vote the motion to adopt prevailed, 54 delegates voting in the affirmative, 26 delegates voting in the negative and 20 delegates absent or not voting as follows:

AYES - 54

Felix A. Appolonia-West Warwick
Vincent J. Baccari-Providence
Roger A. Beauchemin-Pawtucket
Joseph A. Bevilacqua-Providence

Norman E. Bizier-Central Falls
Adrien Bissonnette-Woonsocket
Domenic C. Canna-Bristol
Jeremiah H. Cannon-Providence

AYES - Cont.

Mrs. Claire Capuano-Woonsocket
 Mrs. Aurora Castiglia-Cranston
 Orist D. Chaharyn-Woonsocket
 William J. Champion, Jr.-Newport
 Eugene F. Cochran-Providence
 Miss Elaine C. Colaneri-Providence
 Kevin K. Coleman-Woonsocket
 John P. Cooney, Jr.-Providence
 Osias Cote-Pawtucket
 Matthew C. Cunningham-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
 Stephen A. Fanning, Jr.-Providence
 William A. Feeney-East Providence
 Paul A. Fontaine-Woonsocket
 Ernest A. Foster-Pawtucket
 Fulda E. Geoffroy-West Warwick
 Anthony Giangiacomo-Providence
 Samuel C. Kagan-Providence

Samuel J. Kanakry-Pawtucket
 Mrs. Jeannette M. Lacroix-Lincoln
 August P. LaFrance-Pawtucket
 Mrs. Demetra Lambros-Providence
 John W. Laporte-Burrillville
 Frederick A. Lawrence-Providence
 Edward P. Manning-Cumberland
 Francis H. McCabe-Pawtucket
 Thomas F. McGrath-Providence
 Arthur Merolla-Providence
 James F. Murphy-Coventry
 Paul F. Murray-Newport
 Robert S. Ortoleva-Providence
 John A. Parrillo-Providence
 Antonio Prince-Woonsocket
 Anthony F. Principe-Bristol
 Mrs. Theresa F. Pulner-Cranston
 Hugo L. Ricci-Providence
 Dennis J. Roberts-Providence
 Augusto W. SaoBento-East Providence
 Anthony Vacca-Smithfield
 David D. Warren-North Providence
 John J. Wrenn-Providence

NOES - 26

Mrs. Jane H. Barber-Westerly
 Thomas H. Bride-Warwick
 David J. Colbert, Jr.-Cranston
 Edward B. Corcoran-Middletown
 Lloyd R. Crandall-Hopkinton
 Domenic A. DiSandro, Jr.-Narra.
 Millicent S. Foster-No. Kingstown
 Michael A. Gammino, Jr.-Providence
 Robert B. Gates-South Kingstown
 William J. Gmelin-Charlestown
 Bradford Gorham-Foster
 George D. Greenhalgh-Glocester
 Mrs. A. Marion Hager-Cranston

Bradford H. Kenyon-West Greenwich
 Epifanio F. Macari-Cranston
 William I. Matzner-Providence
 Vincent P. McKinnon-Pawtucket
 Donald E. McKiernan-Providence
 James E. Murphy-Warren
 William F. Murphy-Tiverton
 Charles Nathanson-Warwick
 Francis P. O'Donnell-Providence
 Howard R. Smart, Jr.-Lincoln
 John J. Toolin-Richmond
 Edmund Wexler-Providence
 Grafton H. Willey, III-Barrington

ABSENT OR NOT VOTING-20

Arthur A. Belhumeur-Central Falls
 John C. Dodge-New Shoreham
 Stephen A. Fanning-Cumberland
 James A. Gallagher-Jamestown
 Edward P. Gallogly-Providence
 Noel A. Giguere-Woonsocket
 John Gorham-Scituate
 Raymond E. Jordan-Pawtucket
 John F. Lallo-Westerly
 A. Norman LaSalle-Warwick

Frank A. Martin, Jr.-Pawtucket
 Edwin J. Moon-Exeter
 Edward J. Mulligan-Central Falls
 Mrs. Nuala O'D. Pell-Newport
 Robert F. Pickard-East Greenwich
 Thomas D. Pucci-Providence
 Owen V. Sherry-North Smithfield
 Alfred B. Stapleton-Little Compton
 Bradley L. Steere-East Providence
 Charles C. Viall-East Providence

GENERAL ORDERS

Mr. Doris, seconded by Mr. Foster, 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.

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 majority vote, the Committee did not recommend the following proposal:

Proposal No. 38 "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 majority vote, 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 majority vote, the Committee did not recommend the following proposal:

Proposal No. 189, Section K "Of Local Government"

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

ADJOURNMENT

At 4:15 P.M., on motion of Mr. Doris, seconded by Messrs. Cote, Sherry, and Toolin, the Convention adjourned to meet on Monday, October 24, 1966, at 1:30 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

October 10, 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. 155, Substitute C "Of Local Government"

(The Committee on Local Government recommends the adoption of the Substitute Proposal)

By unanimous consent, the Committee of the Whole dispensed with reading the proposal in its entirety.

Section 1 of the proposal was read.

Mr. Coleman, seconded by Messrs. Cannon, Lawrence, Kenyon, Gorham of Foster, and Prince, moved that the Committee of the Whole recommend adoption of the section.

The motion was debated.

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

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

(For proceedings in Convention and resolving into a Committee of the Whole again, see Journal.)

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 continued consideration of Proposal No. 155, Substitute C.

Debate on the motion to recommend adoption of section 1 continued.

At 2:57 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice Chairman.

On a division vote the motion prevailed, 57 delegates voting in the affirmative and 4 delegates voting in the negative.

Section 2 of the proposal was read.

Mr. Coleman, seconded by Mr. Cannon, moved that the Committee of the Whole recommend adoption of the section.

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.

Section 3 of the proposal was read.

Mr. Coleman, seconded by Mr. Cannon, moved that the Committee of the Whole recommend adoption of the section.

On a division vote the motion prevailed, 49 delegates voting in the affirmative and 1 delegate voting in the negative with more than 1 delegate present and not voting.

Section 4 of the proposal was read.

Mr. Coleman, seconded by Mr. Cannon and Lawrence, moved that the Committee of the Whole recommend adoption of the section.

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

Section 5 of the proposal was read.

Mr. Coleman, seconded by Messrs. Cannon, Lawrence and Bizier, moved that the Committee of the Whole recommend adoption of the section.

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

On suggestion of Mrs. Foster, by unanimous consent, the Committee of the Whole dispensed with reading of Section 6.

Mr. Coleman, seconded by Messrs. Cannon and Lawrence, moved that the Committee of the Whole recommend adoption of the section.

The motion was debated.

On a division vote the motion prevailed, 42 delegates voting in the affirmative and 4 delegates voting in the negative with more than 5 delegates present and not voting.

Section 7 of the proposal was read.

Mr. Coleman, seconded by Messrs. Cannon and Lawrence, moved that the Committee of the Whole recommend adoption of the section.

On a division vote the motion prevailed, 43 delegates voting in the affirmative and 2 delegates voting in the negative with more than 6 delegates present and not voting.

Mr. Coleman, seconded by Messrs. Cannon, Lawrence, Roberts and Gorham of Foster, moved that the Committee of the Whole recommend adoption of Proposal No. 155, Substitute C.

On a division vote the motion prevailed, 58 delegates voting in the affirmative and 1 delegate voting in the negative.

At 3:47 P.M. The Chairman again took the rostrum.

Proposal No. 117 "JURY TRIALS"
(The Committee on the Judiciary does not recommend adoption.)

The proposal was read.

Mr. Cooney, seconded by Messrs. Vacca, Matzner and Murray, moved that the Committee of the Whole recommend that the proposal be rejected.

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

Proposal No. 121 "ATTORNEY GENERAL"
(The Committee on the Judiciary does not recommend adoption.)

The proposal was read.

Mr. Cooney, seconded by Messrs. Wexler, Vacca and Lawrence, moved that the Committee of the Whole recommend 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.

Proposal No. 123 "JUDICIAL POWER"
(The Committee on the Judiciary does not recommend adoption.)

The proposal was read.

Mr. Cooney, seconded by Messrs. Dolbashian, and Vacca, moved that the Committee of the Whole recommend 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.

Proposal No. 198 "PROPERTY TAKEN FOR PUBLIC USE"

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

The proposal was read.

Mr. Manning, seconded by Messrs. Doris, Parrillo and Murphy of Coventry, moved that the Committee of the Whole recommend that the proposal be recommitted to the Committee on the Legislative Department.

The motion prevailed on a voice vote.

Proposal No. 208 "LEGISLATIVE VOTING"

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

The proposal was read.

Mrs. Pulner, seconded by Mrs. Foster and Mr. McKiernan, moved that the Committee of the Whole recommend that the proposal be adopted.

On a division vote the motion prevailed, 28 delegates voting in the affirmative and 26 delegates voting in the negative.

Proposal No. 209 "REAPPORTIONMENT"

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

The proposal was read.

Mr. Manning, seconded by Mr. Cochran, moved that the Committee of the Whole recommend that the proposal be rejected.

On a division vote the motion prevailed, 48 delegates voting in the affirmative and 2 delegates voting in the negative with more than 1 delegate present and not voting.

Mr. Warren, seconded by Messrs. Cooney and Coleman, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention