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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

August 2, 1965

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:14 P.M.

INVOCATION

The Chairman presented the Reverend Charles A. Baldwin, Chaplain of Brown University, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 82 present, 18 absent. A quorum was present.

Absentees were Messrs. Appolonia, Bride, Cote, DeCiantis, Dyl, Dodge, Fanning of Providence, Kiernan, Mrs. Lacroix, Messrs. Lallo, Manning, Martin, Matzner, McCabe, McKiernan, Moon, SaoBento and Sherry.

The names of the absentees were called.

The chairman noted the presence of Honorable Claiborne Pell, United States Senator from Rhode Island and appointed Messrs. Murray and Fontaine as a committee to escort Senator Pell to the rostrum.

The Chairman announced that he had consulted with the First Vice Chairman and the Second Vice Chairman on an appointment to fill the vacancy on the Committee on Education caused by the death of Mr. Anthony Tarro and therefore submitted the following appointment for Convention approval:

COMMITTEE ON EDUCATION

Miss Elaine C. Colaneri

On motion of Mr. Dolbashian, seconded by Mr. Cannon, the reading of the journal of the previous day was dispensed, on a voice vote.

REPORTS OF STANDING COMMITTEES

Mr. Stapleton, for the Committee on Education, reported back that the Committee had prepared for distribution a memorandum on the action of the Committee on all proposals referred to it and had also prepared a limited number of copies of material considered by the Committee, which would be made available for reference. The report was accepted.

Mrs. Pell, for the Committee on Education, reported back that, after a duly advertised public hearing was held thereon, by a vote of 10 to 0 the Committee recommended the following proposal:

Proposal No. 37 "Education"

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

Mr. Smart, for the Committee on Education, 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. 56 "Of Education"

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

Mr. Belhumeur, for the Committee on Education, 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. 57 "Of Education"

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

Mr. Gammino, for the Committee on Education, 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. 63 "Of Education"

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

Mr. Gammino, for the Committee on Education, 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. 83 "Of Education"

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

Mrs. Barber, for the Committee on Education, 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. 124 "Education"

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

Mr. Baccari, for the Committee on Education 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. 138 "Education"

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

Mr. Belhumeur, for the Committee on Education, reported back that by a vote of the majority of the committee members the Committee recommended the recommitment to the Committee on Local Government of the following proposal:

Proposal No. 149 "Education"

The report of the Committee was accepted and the proposal was recommitted to the Committee on Local Government on motion of Mr. Belhumeur, seconded by Mr. Cochran, on a voice vote.

Mr. Murphy of Warren, for the Committee on Personal Liberties, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0 the Committee did not recommend the following proposal:

Proposal No. 10004 "Civil Rights"

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

Mr. Beauchemin, for the Committee on Personal Liberties, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0 the Committee did not recommend the following proposal:

Proposal No. 146

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

Mr. Dolbashian, for the Committee on Personal Liberties, reported back that, after a duly advertised public hearing was held thereon, by

a vote of 9 to 0 the Committee did not recommend the following proposal:

Proposal No. 9 "Zoning Ordinances"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, reported back, together with a minority report thereon, that, after a duly advertised public hearing was held thereon, by a vote of 8 to 2 the Committee did not recommend the following proposal:

Proposal No. 58 "Of Elections"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, 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. 59 "Of Suffrage"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, 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. 68 "Of Elections"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, 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. 74 "Of the Qualifications of Electors"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, 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. 80 "Of Qualifications for Office"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, 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. 106 "Disclosures"

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

Mr. DiSandro, for the Committee on Elections and Right to Vote, reported back that, after a duly advertised hearing was held thereon, by a vote of 10 to 0 the Committee recommended the following proposal:

Proposal No. 118 "Suffrage"

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, after a duly advertised public hearing was held thereon, by a vote of 12 to 0 the committee recommended the following proposal:

Proposal No. 171 Substitute A "Of Amendments"

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

Mr. Vacca, for the Committee on Resolutions, 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. 86 "Of Amendments"

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

Mr. Crandall, for the Committee on Personal Liberties, reported

back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0 the committee did not recommend the following proposal:

Proposal No. 99 "Personal Liberties"

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

Mr. Lawrence, for the Committee on Public Information, reported back the progress of the committee. The report was accepted.

On suggestion of Mr. Cochran, the delegates extended to Reverend Charles A. Baldwin a rising vote of appreciation for his kindness in giving the Invocation.

COMMUNICATIONS

The Chairman announced receipt of a communication relative to compensation for governmental violation of constitutional rights and the communication was referred to the Committee on Personal Liberties.

INTRODUCTION OF PROPOSALS

The Chairman announced receipt of the following proposals:

Proposal No. 173 offered by Mr. Kanakry, entitled "Leasehold Rights". The proposal was read by title and referred to the Committee on Personal Liberties.

Proposal No. 174 offered by Mr. Cote, entitled "Use of Motor Vehicle Tax Revenue". The proposal was read by title and referred to the Committee on Executive Department.

Proposal No. 175 offered by Mr. Champion, entitled "Protection of Salt Water Resources". The proposal was read by title and referred to the Committee on Executive Department.

Proposal No. 176 offered by Mrs. Pulner, entitled "Reorganization of the Executive Branch". The proposal was read by title and referred to the Committee on Executive Department.

Proposal No. 177 offered by Mrs. Pulner, entitled "Passage of Bills". The proposal was read by title and referred to the Committee on Legislative Department.

Proposal No. 10018 offered by a qualified elector, Allan M. Shine, of Providence. The proposal was referred to the Committee on Rules and Credentials.

Proposal No. 10019 offered by a qualified elector, Chandler W. Johnson, of Providence. The proposal was referred to the Committee on Rules and Credentials.

GENERAL ORDERS

On motion of Mr. Cochran, seconded by Messrs. Belhumeur, Murphy of Tiverton and Toolin, the Convention resolved into a Committee of the Whole upon the General Orders of the Day, 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

Mr. Doris, seconded by Messrs. Belhumeur and Bizier, moved that, when the Convention adjourn today, it adjourn to meet on September 13, 1965, at 2:00 P.M.

Mr. Canna, seconded by Mrs. Foster, moved that, when the Convention adjourns today, it adjourn to meet on August 23, 1965, at 2:00 P.M.

On a division vote, the motion to adjourn until September 13 failed to prevail, 22 delegates voting in the affirmative and 33 delegates voting in the negative.

On a division vote, the motion to adjourn until August 23 prevailed, 43 delegates voting in the affirmative, 5 delegates voting in the negative.

At 5:33 P.M. on motion of Mr. Canna, seconded by Mr. Wrenn, the Convention adjourned to meet on Monday, August 23, 1965, at 2:00 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

August 2, 1965

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. 18 "Abolishment of City and Town Governments"
(The Committee on Local Government does not recommend.)

The proposal was read. The Chairman ruled that the proposal did not contain more than one section.

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

On a division vote the motion prevailed; 77 delegates voting in the affirmative; 1 delegate voting in the negative.

Proposal No. 101 "Alcoholic Beverages"
(The Committee on Local Government does not recommend.)

The proposal was read. Section A of the proposal was read. Mr. Cannon, seconded by Mr. Belhumeur, moved that the Committee of the Whole recommend rejection of Section A of the proposal.

Mr. Fanning of Cumberland, recognized on a point of order, submitted that because the motion was negative it was not in order.

The Chairman ruled that the motion was positive in nature.

The motion was debated.

Mr. Coleman, seconded by Messrs. Chaharyn and Murphy of Warren moved that the Committee of the Whole recommend recommittal of the proposal to the Committee on Local Government. The motion prevailed on a voice vote.

Proposal No. 122 "Personal Liberty"
(The Committee on Local Government does not recommend.)

The proposal was read.

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

The motion was debated.

Mr. Murphy of Coventry, seconded by Messrs. Toolin and DiLuglio, offered the following written motion to amend:

"I move that Proposal No. 122 be amended to read as follows: 'Any inhabitant of any town or city of the age of 21 years or over may bring and maintain a suit to enjoin the treasurer of said town or city from making any illegal payment.'"

"Respectfully submitted,
James F. Murphy, Coventry"

The motion was debated.

On a division vote the motion fails of passage, 7 delegates voting in the affirmative, 67 delegates voting in the negative.

Mr. Gallogly, seconded by Messrs. Murphy of Coventry and Toolin, moved that the proposal be recommitted to the Committee on Local Government.

Mr. Pickard, recognized on a point of order, submitted that a motion to recommit is not in order in the Committee of the Whole.

The Chairman ruled that although the motion to recommit was not in order in the Committee of the Whole, the motion was construed as a motion to recommend that the proposal be recommitted.

The motion to recommit was withdrawn.

On a division vote the motion that the Committee of the Whole recommend rejection of the proposal was adopted, 71 delegates voting in the affirmative, 3 delegates voting in the negative.

Proposal No. 102 "Information from Holders of Alcoholic Beverage Licences"

(The Committee on Local Government does not recommend.)

The proposal was read.

Mr. Fanning of Cumberland, seconded by Messrs. Murphy of Coventry and Toolin, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote the motion failed of adoption, 4 delegates voting in the affirmative, 62 delegates voting in the negative.

Proposal No. 6 "Of Suffrage"

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

The proposal was read.

Mrs. Pulner, seconded by Mr. Dolbashian, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

Mr. Dolbashian, seconded by Messrs. DiLuglio and Warren offered the following written motion to amend:

"I move to amend Proposal No. 6 by deleting all that portion of the proposal following (2)"

"E. M. Dolbashian"

On a voice vote, the motion fails of passage.

On a division vote, the motion that the Committee of the Whole recommend adoption of the proposal fails of passage, 10 delegates voting in the affirmative, 58 delegates voting in the negative.

Proposal No. 17 "Means Qualifications"

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

The proposal was read.

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

On a division vote the motion prevailed; 67 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 22 "Of the Qualifications of Electors"

(The Committee on Elections and Right to Vote does recommend.)

The proposal was read.

Mr. DiSandro, seconded by Messrs. DiLuglio, Vacca, Lawrence, Gallogly, Cannon, Foster, Viall, Bizier, Kagan, Wrenn, Prince and Mrs. Pulner, moved that the Committee of the Whole recommend adoption of the proposal. On a division vote the motion prevailed, 63 delegates voting in the affirmative, 4 delegates voting in the negative.

Proposal No. 49 "Restricting Candidates to One Place for Each Office on Any Ballot"

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

The proposal was read.

Mr. DiSandro, seconded by Messrs. Bizier, Kagan, Viall, Foster and Lawrence, moved that the Committee of the Whole recommend rejection of the proposal. On a division vote the motion prevailed, 69 delegates voting in the affirmative, 0 delegates voting in the negative.

Proposal No. 111 "General Auditor"

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

The proposal was read.

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

The motion was debated.

On a division vote the motion failed of passage, 15 delegates voting in the affirmative, 39 delegates voting in the negative.

Mr. Doris, seconded by Mr. Cannon, moved that the Committee of the Whole rise. The motion prevailed on a voice vote.

August P. LaFrance, Secretary
Constitutional Convention