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September 1965

## Journal of the Constitutional Convention, 1965 Sep 13

August P. LaFrance

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LaFrance, August P., "Journal of the Constitutional Convention, 1965 Sep 13" (1965). *Journals of the 1964-1969 Constitutional Convention of Rhode Island*. 83.

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State of Rhode Island and Providence Plantations

**JOURNAL OF THE  
CONSTITUTIONAL CONVENTION**

Providence, Rhode Island

September 13, 1965

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:15 P.M.

INVOCATION

The Chairman presented the Rev. Birger Johnson, Pastor of the Gloria Dei Lutheran Church, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 71 present, 29 absent. A quorum was present.

Absentees were Messrs. Appolonia, Belhumeur, Bissonnette, Bride, Canna, Mme. Capuano, Castiglia and Miss Colaneri, Messrs. Cote, Delehanty, DeCiantis, Dodge, Gallagher, Gammino, Gates, Giguere, Jordan, Kenyon, Kiernan, Mrs. Lacroix, Messrs. Lallo, LaSalle, Martin, McCabe, Moon, Murphy of Coventry, Nathanson, Pickard, Prince.

The names of the absentees were called.

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

On motion of Mr. Cannon, seconded by Messrs. Viall and Chaharyn, the reading of the Journal of the previous day was dispensed, on a voice vote.

REPORTS OF STANDING COMMITTEES

Mr. Cannon for the Committee on Administration of the Convention reported back Resolution No. 6 as amended with recommendation of adoption as amended.

CONSTITUTIONAL CONVENTION OF RHODE ISLAND  
RESOLUTION

Resolution No. 6

Date February 15, 1965

Submitted by Delegate William J. Champion, Jr. Referred to:

Delegates to the Convention will be reimbursed for travel, from the district which they represent, to meetings of the Convention, or to meetings of Committees of which they are a member, at a rate of 8¢ per mile for each meeting of the Convention, or a Committee thereof, actually attended, including travel for the opening session and all other sessions prior to the date of adoption of this resolution. Reimbursement will be on a round trip basis. This allowance will be permitted for one round trip a day. Delegates will submit claims at regular intervals, but not oftener than every two months.

COMMITTEE ON ADMINISTRATION  
MEETING OF SEPTEMBER 13, 1965  
VOTED TO RECOMMEND ADOPTION AS  
AMENDED.

Stephen A. Fanning, Ch.  
J. M. Cannon, Secretary

The resolution as amended was read.

On motion of Mr. Doris, seconded by Messrs. Wrenn, Bizier, Fontaine, Toolin and McGrath the resolution was adopted as amended on a division vote, 33 delegates voting in the affirmative; 24 delegates voting in the negative.

#### INTRODUCTION OF PROPOSALS

The Chairman announced receipt of the following proposals:

Proposal No. 10023 offered by a qualified elector, Chandler W. Johnson, of Providence. The proposal was referred to the Committee on Rules and Credentials.

Proposal No. 10024 offered by a qualified elector, John P. Vivieros, Jr. of Pawtucket. The proposal was referred to the Committee on Rules and Credentials.

#### REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for August 23, 1965, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Messrs. Matzner and DiSandro 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 August 23, 1965, presented the report of the Committee of the Whole to the Convention; and action was taken thereon as follows:

"The Committee of the Whole meeting on August 23, 1965, considered Proposal No. 112, "General Treasurer".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a division vote, with a majority of the delegates voting, a motion to recommend the adoption of Proposal 112 was defeated."

Mr. Fanning of Cumberland, seconded by Messrs. Toolin, Matzner and McKiernan moved that the proposal be adopted.

The roll of delegates was called and the motion failed of passage, 33 delegates voting in the affirmative, 34 delegates voting in the negative and 33 delegates absent as follows:

AYES - 33

Vincent J. Baccari - Providence	John W. Laporte - Burrillville
Roger A. Beauchemin - Pawtucket	Frederick A. Lawrence - Providence
Jeremiah H. Cannon - Providence	William I. Matzner - Providence
Orist D. Chaharyn - Woonsocket	Vincent P. McKinnon - Pawtucket
David J. Colbert, Jr. - Cranston	Donald E. McKiernan - Providence
Lloyd R. Crandall - Hopkinton	Arthur Merolla - Providence
Harry J. Dyl - Central Falls	Edward J. Mulligan - Central Falls
Edward M. Dolbashian - Portsmouth	James E. Murphy - Warren
Stephen A. Fanning - Cumberland	William F. Murphy - Tiverton
Stephen A. Fanning, Jr. - Providence	Thomas D. Pucci - Providence
Paul A. Fonatine - Woonsocket	Mrs. Theresa F. Pulner - Cranston
William J. Gmelin - Charlestown	Howard R. Smart, Jr. - Lincoln
Bradford Gorham - Foster	Alfred B. Stapleton - Little Compton
John Gorham - Scituate	John J. Toolin - Richmond
Mrs. A. Marion Hager - Cranston	Mrs. Charlotte H. Webster - E.Prov.
Samuel J. Kanakry - Pawtucket	Edmund Wexler - Providence
Grafton H. Willey, III - Barrington	

NOES - 34

Mrs. Jane H. Barber - Westerly	Mrs. Millicent S. Foster - No.Kingstn
Joseph A. Bevilacqua - Providence	Edward P. Gallogly - Providence
Norman E. Bizier - Central Falls	Fulda E. Geoffroy - West Warwick
William J. Champion, Jr. - Newport	Anthony Giangiacomo - Providence
Eugene F. Cochran - Providence	George D. Greenhalgh - Glocester
Kevin K. Coleman - Woonsocket	August P. LaFrance - Pawtucket
John P. Cooney, Jr. - Providence	Mrs. Demetra Lambros - Providence
Edward B. Corcoran - Middletown	Epifanio F. Macari - Cranston
Matthew C. Cunningham - Pawtucket	Edward P. Manning - Cumberland
Thomas R. DiLuglio - Johnston	Thomas F. McGrath - Providence
Domenic A. DiSandro, Jr. - Narra.	Paul F. Murray - Newport
John F. Doris - Woonsocket	Mrs. Nuala O'D. Pell - Newport
William A. Feeney - East Prov.	Anthony F. Principe - Bristol
Ernest A. Foster - Pawtucket	Dennis J. Roberts - Providence
Robert S. Ortocleva - Providence	Owen V. Sherry - North Smithfield

NOES - Cont.

Anthony Vacca - Smithfield      David D. Warren - North Providence  
Charles C. Viall - East Providence      John J. Wrenn - Providence

ABSENT - 33

Felix A. Appolonia - West Warwick	Raymond E. Jordan - Pawtucket
Arthur A. Belhumeur - Central Falls	Samuel C. Kagan - Providence
Adrien Bissonnette - Woonsocket	Bradford H. Kenyon - West Greenwich
Thomas H. Bride - Warwick	James H. Kiernan - Providence
Domenic C. Canna - Bristol	Mrs. Jeannette M. Lacroix - Lincoln
Mrs. Claire Capuano - Woonsocket	John F. Lallo - Westerly
Mrs. Aurora Castiglia - Cranston	A. Norman LaSalle - Warwick
Miss Elaine C. Colaneri - Providence	Frank A. Martin, Jr. - Pawtucket
Osias Cote - Pawtucket	Francis H. McCabe - Pawtucket
Robert J. Delehanty - Newport	Edwin J. Moon - Exeter
Michael DeCiantis - West Warwick	James F. Murphy - Coventry
John C. Dodge - New Shoreham	Charles Nathanson - Warwick
James A. Gallagher - Jamestown	Dr. John A. Parrillo - Providence
Michael A. Gammino, Jr. - Providence	Robert F. Pickard - East Greenwich
Robert B. Gates - South Kingstown	Antonio Prince - Woonsocket
Noel A. Giguere - Woonsocket	Hugo L. Ricci - Providence
August W. SaoBento - East Providence	

Also, "The Committee considered Proposal No. 53, "Protection of Salt Water Resources".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a division vote, with a majority of the delegates so voting, a motion to reject Proposal 53 was passed."

On suggestion of Mr. Champion, by unanimous consent action thereon was postponed to the next session of the Convention as unfinished business.

Also "The Committee considered Proposal No. 43, "Merit System".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a division vote, with a majority of the delegates voting, a motion to recommend the adoption of Proposal 43 was defeated."

Mrs. Foster, seconded by Mrs. Webster, Messrs. Warren, DiSandro, Toolin and Vacca, moved that the proposal be adopted.

Mrs. Foster, seconded by Mrs. Webster, offered the following written motion to amend:

"I propose the following or its substance as part of the Proposal No. 43:

Insert the following at the end of the first sentence: "which shall comprise both a classified and unclassified service."

Substitute the following for the second sentence: "Appointments and promotions in the classified service shall be based on merit and fitness demonstrated by examination or by other evidence of competence."

The motion was debated.

On motion of Mr. DiLuglio seconded by Messrs. Gallogly, Dolbashian, Sherry, Cannon and Fanning of Cumberland further consideration was postponed to the next session of the Convention as unfinished business, on a division vote, 58 delegates voting in the affirmative; 0 delegates voting in the negative.

Also "The Committee considered Proposal No. 121, "Attorney General".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a motion and voice vote the Committee of the Whole recommended recommitment of the proposal to the Committee on the Judiciary."

By unanimous consent the recommendation of the Committee of the Whole was adopted and the proposal was recommitted to the Committee on Judiciary.

Also "The Committee considered Proposal No. 134, "Governor's Mansion".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a division vote the majority of the delegates so voting, a motion to recommend the adoption of Proposal 134 was defeated."

Mr. Viall, seconded by Mr. Cochran moved that the Committee recommendation be adopted and that the proposal not be adopted.

The roll of delegates was called and the motion passed, 61 delegates voting in the affirmative; 4 delegates voting in the negative and 35 delegates absent as follows:

AYES - 61

Vincent J. Baccari - Providence	Eugene F. Cochran - Providence
Mrs. Jane H. Barber - Westerly	David J. Colbert, Jr. - Cranston
Roger A. Beauchemin - Pawtucket	Kevin K. Coleman - Woonsocket
Joseph A. Bevilacqua - Providence	John P. Cooney, Jr. - Providence
Norman E. Bizier - Central Falls	Edward B. Corcoran - Middletown
Jeremiah H. Cannon - Providence	Lloyd R. Crandall - Hopkinton
Orist D. Chaharyn - Woonsocket	Thomas R. DiLuglio - Johnston
William J. Champion, Jr. - Newport	Domenic A. DiSandro, Jr. - Narra

AYES - Cont.

Harry J. Dyl - Central Falls	William I. Matzner - Providence
Edward M. Dolbashian - Portsmouth	Thomas F. McGrath - Providence
John F. Doris - Woonsocket	Donald E. McKiernan - Providence
Stephen A. Fanning, Jr. - Providence	Arthur Merolla - Providence
William A. Feeney - East Providence	James E. Murphy - Warren
Paul A. Fontaine - Woonsocket	William F. Murphy - Tiverton
Ernest A. Foster - Pawtucket	Paul F. Murray - Newport
Mrs. Millicent S. Foster - No. Kingstn.	Robert S. Ortoleva - Providence
James A. Gallagher - Jamestown	John A. Parrillo - Providence
William J. Gmelin - Charlestown	Mrs. Nuala C.D. Pell - Newport
Fulda E. Geoffroy - West Warwick	Mrs. Theresa F. Pulner - Cranston
Anthony Giangiacomo - Providence	Dennis J. Roberts - Providence
Bradford Gorham - Foster	Owen V. Sherry - North Smithfield
John Gorham - Scituate	Howard R. Smart, Jr. - Lincoln
George D. Greenhalgh - Gloucester	Alfred B. Stapleton - Little Compton
Mrs. A. Marion Hager - Cranston	John J. Toolin - Richmond
Samuel J. Kanakry - Pawtucket	Anthony Vacca - Smithfield
Mrs. Demetra Lambros - Providence	Charles C. Viall - E. Providence
John W. Laporte - Burrillville	David D. Warren - North Providence
Frederick A. Lawrence - Providence	Mrs. Charlotte H. Webster - E. Prov.
Epifanio F. Macari - Cranston	Edmund Wexler - Providence
Edward P. Manning - Cumberland	Grafton H. Willey, III - Barrington
John J. Wrenn - Providence	

Noes - 4

Edward P. Gallogly - Providence	Anthony F. Principe - Bristol
August P. LaFrance - Pawtucket	Thomas D. Pucci - Providence

ABSENT - 35

Felix A. Appolonia - West Warwick	Raymond E. Jordan - Pawtucket
Arthur A. Belhumeur - Central Falls	Samuel C. Kagan - Providence
Adrien Bissonnette - Woonsocket	Bradford H. Kenyon - W. Greenwich
Thomas H. Bride - Warwick	James H. Kiernan - Providence
Domenic C. Canna - Bristol	Mrs. Jeannette M. Lacroix - Lincoln
Mrs. Claire Capuano - Woonsocket	John F. Lallo - Westerly
Mrs. Aurora Castiglia - Cranston	A. Norman LaSalle - Warwick
Miss Elaine C. Colaneri - Providence	Frank A. Martin, Jr. - Pawtucket
Osias Cote - Pawtucket	Francis H. McCabe - Pawtucket
Matthew C. Cunningham - Pawtucket	Vincent P. McKinnon - Pawtucket
Robert J. Delehanty - Newport	Edwin J. Moon - Exeter
Michael DeCiantis - West Warwick	Edward J. Mulligan - Central Falls
John C. Dodge - New Shoreham	James F. Murphy - Coventry
Stephen A. Fanning - Cumberland	Charles Nathanson - Warwick
Michael A. Gammino, Jr. - Providence	Robert F. Pickard - East Greenwich
Robert B. Gates - So. Kingstown	Antonio Prince - Woonsocket
Noel A. Giguere - Woonsocket	Hugo L. Ricci - Providence
August W. SaoBento - East Providence	

Also, "The Committee considered Proposal 158, "Attorney General".

"The Committee on the Executive Department recommended that the proposal not be adopted. On a division vote, with a majority of the delegates so voting, a motion to recommend adoption of Proposal 158 was defeated."

Mr. Chaharyn seconded by Messrs. Beauchemin and Parrillo, moved that the Committee recommendation be adopted and that the proposal not be adopted.

The roll of delegates was called and the motion passed, 63 delegates voting in the affirmative; 1 delegate voting in the negative and 36 delegates absent as follows:

AYES - 63

Vincent J. Baccari - Providence	Samuel C. Kagan - Providence
Mrs. Jane H. Barber - Westerly	Samuel J. Kanakry - Pawtucket
Roger A. Beauchemin - Pawtucket	August P. LaFrance - Pawtucket
Joseph A. Bevilacqua - Providence	Mrs. Demetra Lambros - Providence
Norman E. Bizier - Central Falls	John W. Laporte - Burrillville
Jeremiah H. Cannon - Providence	Frederick A. Lawrence - Providence
Orist D. Chaharyn - Woonsocket	Epifanio F. Macari - Cranston
Eugene F. Cochran - Providence	Edward P. Manning - Cumberland
David J. Colbert, Jr. - Cranston	William I. Matzner - Providence
Kevin K. Coleman - Woonsocket	Thomas F. McGrath - Providence
John P. Cooney, Jr. - Providence	Donald E. McKiernan - Providence
Edward B. Corcoran - Middletown	Arthur Merolla - Providence
Lloyd R. Crandall - Hopkinton	James E. Murphy - Warren
Thomas R. DiLuglio - Johnston	William F. Murphy - Tiverton
Domenic A. DiSandro, Jr. - Narra.	Paul F. Murray - Newport
Harry J. Dyl - Central Falls	Robert S. Ortoleva - Providence
Edward M. Dolbashian - Portsmouth	John A. Parrillo - Providence
John F. Doris - Woonsocket	Nuala O'D. Pell - Newport
Stephen A. Fanning, Jr. - Providence	Anthony F. Principe - Bristol
William A. Feeney - East Providence	Thomas D. Pucci - Providence
Paul A. Fontaine - Woonsocket	Dennis J. Roberts - Providence
Ernest A. Foster - Pawtucket	Owen V. Sherry - North Smithfield
Mrs. Millicent S. Foster - No. Kingstn.	Howard R. Smart, Jr. - Lincoln
Edward P. Gallogly - Providence	Alfred B. Stapleton - Little Compton
William J. Gmelin - Charlestown	John J. Toolin - Richmond
Fulda E. Geoffroy - West Warwick	Anthony Vacca - Smithfield
Anthony Giangiacomo - Providence	Charles C. Viall - E. Providence
Bradford Gorham - Foster	David D. Warren - North Providence
John Gorham - Scituate	Charlotte H. Webster - E. Providence
George D. Greenhalgh - Gloucester	Edmund Wexler - Providence
A. Marion Hager - Cranston	Grafton H. Willey, III
	John J. Wrenn - Providence



NO - 1

Mrs. Theresa F. Pulner - Cranston

ABSENT - 36

Felix A. Appolonia - West Warwick	Noel A. Giguere - Woonsocket
Arthur A. Belhumeur - Central Falls	Raymond E. Jordan - Pawtucket
Adrien Bissonnette - Woonsocket	Bradford H. Kenyon - West Greenwich
Thomas H. Bride - Warwick	James H. Kiernan - Providence
Domenic C. Canna - Bristol	Mrs. Jeannette M. Lacroix - Lincoln
Mrs. Claire Capuano - Woonsocket	John F. Lallo - Westerly
Mrs. Aurora Castiglia - Cranston	A. Norman LaSalle - Warwick
William J. Champion, Jr. - Newport	Frank A. Martin, Jr. - Pawtucket
Miss Elaine C. Colaneri - Providence	Francis H. McCabe - Pawtucket
Osias Cote - Pawtucket	Vincent P. McKinnon - Pawtucket
Matthew C. Cunningham - Pawtucket	Edwin J. Moon - Exeter
Robert J. Delehanty - Newport	Edward J. Mulligan - Central Falls
Michael DeCiantis - West Warwick	James F. Murphy - Coventry
John C. Dodge - New Shoreham	Charles Nathanson - Warwick
Stephen A. Fanning - Cumberland	Mr. Robert P. Pickard - E. Greenwich
James A. Gallagher - Jamestown	Antonio Prince - Woonsocket
Michael A. Gammino, Jr. - Providence	Hugo L. Ricci - Providence
Robert B. Gates - S. Kingstown	Augusto W. SaoBento - E. Providence

#### GENERAL ORDERS

Mrs. Pell, seconded by Mr. Viall 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.

Mr. Coleman announced that the Committee on Local Government would meet at the rising of the Convention.

#### ADJOURNMENT

At 4:45 P.M. on motion of Mr. Doris, seconded by Mr. Gorham of Foster, the Convention adjourned to meet on Monday, September 20, 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

September 13, 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. 57 "Of Education"

(The Committee on Education does not recommend)

The proposal was read.

Mr. Chaharyn, seconded by Mrs. Pell and Mr. 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, 10 delegates voting in the affirmative; 52 delegates voting in the negative.

Proposal No. 63 "Of Education"

(The Committee on Education does not recommend.)

The proposal was read.

Mr. Chaharyn, seconded by Mr. Warren 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, 1 delegate voting in the affirmative; 62 delegates voting in the negative.

Proposal No. 83 "Of Education"

(The Committee on Education does not recommend.)

The proposal was read.

Mr. Beauchemin, seconded by Mrs. Barber and Mr. Foster, moved that the Committee of the Whole recommend rejection of the proposal.

The motion was debated.

On a division vote the motion prevailed, 61 delegates voting in the affirmative; 0 delegates voting in the negative.

Proposal No. 124 "Education"

(The Committee on Education does not recommend.)

The proposal was read.

Mr. Baccari, seconded by Mr. Gallogly, moved that the Committee of the Whole recommend rejection of the proposal.

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

Proposal No. 138 "Education"

(The Committee on Education does not recommend.)

The proposal was read.

Mr. Wexler, seconded by Messrs. Gallogly, Toolin, Cannon and Roberts, 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, 7 delegates voting in the affirmative; 59 delegates voting in the negative.

Proposal No. 10004 "Civil Rights"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

Mr. Murphy of Warren, seconded by Messrs. Dolbashian, Parrillo, and Cannon, moved that the proposal be recommitted to the Committee on Personal Liberties.

The motion was debated.

On a voice vote the motion prevailed.

Proposal No. 146 "Basic Rights"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

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

On a division vote the motion prevailed, 56 delegates voting in the affirmative; 1 delegate voting in the negative.

Proposal No. 9 "Zoning Ordinances"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

Mr. Champion, seconded by Messrs. Doris 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 of passage, 9 delegates voting in the affirmative, 46 delegates voting in the negative.

Proposal No. 58 "Of Elections"

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

The proposal was read.

Mr. Lawrence, seconded by Mmes. Hager and Webster and Mr. DiLuglio 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, 14 delegates voting in the affirmative; 41 delegates voting in the negative.

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

August P. LaFrance  
Secretary  
Constitutional Convention