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JOURNAL OF THE CONSTITUTIONAL CONVENTION

Providence, Rhode Island

November 3, 1965

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 7:45 P.M.

INVOCATION

The Chairman presented Father Walter J. Heath, O.P., Chaplain of Providence College, Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 67 present, 33 absent. A quorum was present.

Absentees were Mr. Appolonia, Mrs. Barber, Messrs. Beauchemin, Belhumeur, Bride, Champion, Miss Colaneri, Messrs. Coleman, Corcoran, DeCiantis, Dyl, Dodge, Fanning of Cumberland, Feeney, Fontaine, Mrs. Foster, Messrs. Gallagher, Gallogly, Gmelin, Jordan, Kiernan, Mrs. Lacroix, Messrs. LaFrance, Lallo, LaSalle, Martin, Merolla, Moon, Mulligan, Ricci, SaoBento, Sherry and Stapleton.

On nomination of Mr. DiLuglio, seconded by Messrs. Murphy of Tiverton and Cochran, Mr. Ernest A. Foster was elected Secretary Pro Tem in the absence of the Secretary of the Convention, unanimously.

The Chairman welcomed as a guest at the Convention a visiting newspaperman from Japan, Mr. Akira Yasukochi of the Fukunichi Newspaper, Fukuoka City.

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

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

REPORTS OF STANDING COMMITTEES

Mr. Murray, for the Committee on Rules and Credentials, reported back that the Committee recommended adoption of the following resolution:

Resolution No. 18, Substitute A

The Resolution was read.

On motion of Mr. Murray, seconded by Messrs. Cooney, Pickard, Dolbashian, Willey and Wexler, the resolution was adopted on a division vote, 61 delegates voting in the affirmative and 1 delegate voting in the negative.

Mr. Murray, for the Committee on Rules and Credentials, reported back that the Committee recommended adoption of the following resolution:

Resolution No. 23

The resolution was read.

On motion of Mr. Murray, seconded by Messrs. Cooney, Pickard, Murphy of Tiverton and Lawrence, the resolution was adopted on a division vote, 60 delegates voting in the affirmative and 2 delegates voting in the negative.

Mrs. Webster, for the Committee on the Executive Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 39 "Government During Emergency"

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

Mrs. Webster, for the Committee on the Executive Department, reported back that, after a duly advertised public hearing was held thereon, by a vote of 9 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 55 "Line of Succession to Governorship"

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

Mrs. Webster, for the Committee on the Executive Department, 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. 103 "General Officers"

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

Mrs. Webster, for the Committee on the Executive Department, 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. 150 "Executive Power"

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

Mrs. Webster, for the Committee on the Executive Department, reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 174 "Use of Motor Vehicle Tax Revenue"

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

Mrs. Webster, for the Committee on the Executive Department, reported back that, by a vote of 8 to 1, the Committee did not recommend the following proposal:

Proposal No. 175 "Protection of Salt Water Resources"

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

Mrs. Webster, for the Committee on the Executive Department, reported back that, by a vote of 9 to 0, the Committee did not recommend the following proposal:

Proposal No. 182 "Interest"

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

Mr. Kagan, 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 12 to 0, the Committee recommended adoption of the following proposal:

Proposal No. 34-Substitute A "Of Qualifications for Office"

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

Mr. Kagan, 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 13 to 0, the Committee did not recommend the following proposal:

Proposal No. 92 "Secretary of State"

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

Mr. Kagan, for the Committee on Elections and Right to Vote, reported back that the Committee recommended recommitment to the Committee on Legislative Department, with a memorandum attached, of the following proposal:

Proposal No. 186 "Of The Senate"

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

INTRODUCTION OF PROPOSALS

The Chairman announced receipt of the following proposal:

Proposal No. 187, offered by Mr. Fanning of Cumberland, entitled "Of Amendments".

The proposal was read by title and referred to the Committee on Resolutions.

GENERAL ORDERS

Mr. DiLuglio, seconded by Messrs. Dolbashian, Cochran, Dr. Parrillo and Mr. 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.

ADJOURNMENT

At 10:13 P.M., on motion of Mr. Murray, seconded by Messrs. Wexler and Cannon, the Convention adjourned to meet on Monday, November 8, 1965 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

November 3, 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. 152 "Land Court"

(The Committee on Judiciary does not recommend.)

The proposal was read.

On motion of Mr. Chaharyn, seconded by Mr. Cooney, the Committee of the Whole recommended rejection of the proposal, on a division vote, 63 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 153 "District Court"

(The Committee on Judiciary does not recommend.)

The proposal was read.

On motion of Mr. Chaharyn, seconded by Mr. Cooney, the Committee of the Whole recommended rejection of the proposal, on a division vote, 63 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 166 "Judicial Power"

(The Committee on Judiciary does not recommend.)

The proposal was read.

Mr. Manning, seconded by Mr. Pickard, 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, 12 delegates voting in the affirmative and 49 delegates voting in the negative.

Proposal No. 167 "Judicial Power"

(The Committee on Judiciary does not recommend.)

The proposal was read.

Mr. Manning, seconded by Mr. Pickard, 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, 4 delegates voting in the affirmative and 60 delegates voting in the negative.

Proposal No. 10003 "Legal Remedy"

(The Committee on Judiciary does not recommend.)

The proposal was read.

On motion of Mr. Cooney, seconded by Messrs. Matzner and Murray, the Committee of the Whole recommended rejection of the proposal, on a division vote, 64 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 36 "Impeachments"

(The Committee on Judiciary recommends recommitment to the Committee on the Legislative Department.)

The proposal was read.

On motion of Mr. Cooney, seconded by Mr. Cochran, the Committee of the Whole recommended that the proposal be recommitted to the Committee on the Legislative Department, on a voice vote.

Proposal No. 21 "Election of General Officers"

(The Committee on Elections and Right to Vote recommends the adoption.)

The proposal was read.

Mr. Cochran, seconded by Mr. Kagan, Mrs. Pell, Messrs. Viall, Bizier, Foster, Dolbashian, Vacca, Lawrence and DiLuglio, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

Mr. Gates, seconded by Messrs. Pickard and Nathanson, offered the following written motion to amend:

"I move that the proposal be amended by striking out the words, 'Secretary of State' and 'General Treasurer'."

Robert B. Gates

Mr. Cochran, recognized on a point of order, submitted that the amendment was not in order because it would so change the proposal as to constitute an entirely new proposal.

The Chairman ruled that the amendment was not so substantial a change as to amount to a new proposal and was, therefore, in order.

The motion to amend was read.

The motion was debated.

Mr. Cochran, seconded by Messrs. Bizier, Viall, Wrenn, Kagan, Cunningham, Chaharyn, Prince and Cannon, moved that the motion to amend be laid on the table.

On a division vote the motion prevailed, 51 delegates voting in the affirmative and 12 delegates voting in the negative.

The motion to recommend adoption of the proposal was further debated.

On a division vote, the Committee of the Whole recommended adoption of the proposal, 55 delegates voting in the affirmative and 11 delegates voting in the negative.

Proposal No. 47 "Municipal Elections"

(The Committee on Elections and Right to Vote recommends the adoption.)

The proposal was read.

Mr. Kagan, seconded by Messrs. Viall, Wrenn, Prince, Cote, Foster, Cochran and Lawrence, moved that the Committee of the Whole recommend recommitment of the proposal to the Committee on Elections and Right to Vote.

The motion was debated.

The motion prevailed on a voice vote.

Proposal No. 180 "Property Qualifications"

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

The proposal was read.

On motion of Mr. Kagan, seconded by Mr. Lawrence, Mrs. Pulner, Messrs. Warren, Cochran, Mrs. Hager, Messrs. Prince and Viall, the Committee of the Whole recommended rejection of the proposal, on a division vote, 59 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 27-Substitute A "Of Suffrage"

(The Committee on Elections and Right to Vote recommends the adoption of the Substitute Proposal.)

The proposal was read.

Section 1 (a) of the proposal was read.

Mr. Kagan, seconded by Mr. Viall, moved that the Committee of the Whole recommend adoption of of Section 1 (a).

Mr. Gates, seconded by Messrs. Gorham of Foster, Nathanson, Willey, Gammino, Bizier, Viall, and Foster, offered the following written motion to amend:

"I move that Section 1 (a) of the Committee on Elections and Right to Vote Suffrage Proposal be amended so as to read 'of the age of 21 years' instead of 'of the age of 20 years'."

Robert B. Gates

The motion was read.

The motion was debated.

On a division vote the motion to amend prevailed, 45 delegates voting in the affirmative and 20 delegates voting in the negative.

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

"I move that portion of Section 1 (a) - line 2 - of Proposal #27, Substitute A be amended to read 'age of 18 years'."

Edward M. Dolbashian

The motion was read.

The motion was debated.

On a division vote the motion failed of passage, 15 delegates voting in the affirmative and 45 delegates voting in the negative.

Mrs. Pell, seconded by Mrs. Hager, Messrs. Warren and Toolin, offered the following written motion to amend:

"I propose the following amendment to Proposal No. 27-Substitute A. Substitute in the third line of Section 1 (a) the word 'three' for the word 'six'."

Nuala O'D. Pell

The motion was read.

The motion was debated.

On a division vote the motion did not prevail, 23 delegates voting in the affirmative and 37 delegates voting in the negative.

Mr. Cooney, seconded by Messrs. Gates, Gorham of Foster, Murray and Mrs. Webster, offered the following written motion to amend:

"I move to amend Section 1 (a) by inserting in Line 3 after the word 'months' where it first appears in said line, the words 'next preceding the time of voting'."

John P. Cooney, Jr.

The motion was read.

On a division vote, the motion prevailed, 62 delegates voting in the affirmative and 0 delegates voting in the negative.

Mr. Gorham of Foster, seconded by Messrs. Lawrence, Nathanson, Kagan and Mrs. Pell, offered the following written motion to amend:

"I move to amend Proposal 27, Substitute A Section 1 (a) by striking the words 'except as to age' in the sixth and seventh lines'."

Bradford Gorham

The motion was read.

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

The Committee of the Whole recommended adoption of Section 1(a) as amended, on a division vote, 59 delegates voting in the affirmative and 0 delegates voting in the negative.

By unanimous consent from the General Orders of the Day was taken:

Proposal No. 20-Substitute A "Term and Election of General Officers"
(The Committee on Elections and Right to Vote recommends adoption of the Substitute Proposal.)

On motion of Mr. Cochran, seconded by Mr. Kagan, the Committee of the Whole recommended recommitment of the proposal to the Committee on Elections and Right to Vote, on a voice vote.

Mr. Murray, 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