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December 1965

## Journal of the Constitutional Convention, 1965 Dec 06

August P. LaFrance

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State of Rhode Island and Providence Plantations

JOURNAL OF THE  
CONSTITUTIONAL CONVENTION

Providence, Rhode Island

December 6, 1965

The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 1:35 P.M., pursuant to the following written order:

"December 3, 1965

"To all Delegates:

"The next Convention session is scheduled for Monday, December 6, 1965, at 1:00 P.M. in the Chamber of the House of Representatives.

"As you know, our last session was canceled because we did not have a quorum. Will you please make every effort to be in attendance at this meeting so that we may proceed with the business at hand.

"Your cooperation will be greatly appreciated.

"Very truly yours,  
(signed)

Dennis J. Roberts, Chairman"

INVOCATION

The Chairman presented the Reverend Daniel M. O'Grady, Assistant Chancellor of the Diocese of Providence, for the purpose of giving the Invocation. The Invocation was given.

The roll of delegates was called; there were 72 present, 28 absent. A quorum was present.

Absentees were Mr. Appolonia, Mrs. Barber, Messrs. Bissonnette, Bride, Canna, Chaharyn, Colbert, Coleman, Dodge, Fanning of Cumberland, Feeney, Gallagher, Gallogly, Gorham of Scituate, Jordan, Kiernan, Lallo, LaSalle, Martin, McCabe, Moon, Dr. Parrillo, Mrs. Pulner, Messrs. SaoBento, Sherry, Stapleton, Toolin and Viall.

The names of the absentees were called.

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

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

REPORTS OF STANDING COMMITTEES

Mr. Murray, for the Committee on Rules and Credentials, reported that in consideration of Proposal No. 189 the Committee had divided the proposal into sections identified alphabetically, each of such sections containing one or more sections numerically identified in the original proposal, and reported back with recommendation of recommendation of the following alphabetically identified sections to the following committees:

Proposal No. 189 "CONSTITUTION"

Section A (Article I, Preamble and Section 1 through Section 23) to Committee on Personal Liberties.

Section B (Article II, Section 1 through Section 3) to the Committee on Elections and Right to Vote.

Section C (Article III) to Committee on Resolutions.

Section D (Article IV, Section 1 through Section 23) to the Committee on the Legislative Department.

Section E (Article V, Sections 1 and 2 and Article VI, Section 1 through Section 4) to the Committee on the Legislative Department.

Section F (Article VII, Section 1 through Section 12) to the Committee on the Executive Department.

Section G (Article VIII, Section 1 through Section 3) to the Committee on Elections and Right to Vote.

Section H (Article IX, Section 1 through Section 6) to the Committee on Elections and Right to Vote.

Section I (Article XI, Section 1 through Section 3) to the Committee on the Legislative Department.

Section J (Article XII, Sections 1 and 2) to the Committee on Education.

Section K (Article XIII, Section 1 through Section 12) to the Committee on Local Government.

Section L (Article XIV, Section 1 through Section 4) to the Committee on the Executive Department.

Section M (Article XV, Section 1 through Section 4) to the Committee on the Legislative Department.

Section N (Article XVI, Sections 1 and 2) to the Committee on Elections and Right to Vote.

By unanimous consent the report was accepted and the recommittals were made in accordance with the committee recommendation.

Mrs. Foster announced that the Committee on Resolutions would meet at the rising of the Convention.

#### COMMUNICATIONS

The Chairman announced receipt of a communication relative to Proposal No. 182. The communication was referred to the Committee on Style and Drafting.

#### REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman announced that he would present the report of the Committee of the Whole for November 22, 1965, a copy of which was on the desk of each delegate.

On motion of Mr. Wexler, seconded by Mr. Dolbashian, 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 November 22, 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 November 22, 1965, considered Proposal No. 34-Substitute A, "Of Qualifications for Office".

"The Committee on Elections and Right to Vote recommended adoption of the substitute proposal. The Committee of the Whole recommended adoption of the substitute proposal as amended in the Committee of the Whole."

The proposal was referred to the Committee on Style and Drafting.

Also, "The Committee considered Proposal No. 92, "Secretary of State".

"The Committee on Elections and Right to Vote did not recommend. On a division vote, with a majority of the delegates so voting, a motion to reject the proposal prevailed."

On motion of Mr. Cochran, seconded by Mr. Murphy of Warren, the proposal was rejected on a division vote, 56 delegates voting in the affirmative and 0 delegates voting in the negative.

GENERAL ORDERS

Mr. Warren, seconded by Messrs. Foster, Cochran, DeCiantis and Murphy of Warren, 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. Cannon announced that the Committee on Administration of the Convention would meet at the rising of the Convention.

Mr. Kagan announced that the Committee on Elections and Right to Vote would meet in Room 203 at the State House on Tuesday, December 14, 1965 at 7:30 P.M.

Mr. Wexler announced that the Committee on Style and Drafting would meet Thursday, December 9, 1965 at 7:30 P.M. in Convention Headquarters.

ADJOURNMENT

At 2:35 P.M., on motion of Mr. Wexler, seconded by Messrs. Cochran, Doris and McGrath, the Convention adjourned to meet on Monday, December 13, 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

December 6, 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.

Mr. Murphy of Warren, seconded by Messrs. Warren, Beauchemin and Dolbashian, moved that Proposal Nos. 98, 97, 105, 107, 108, 109, 110, 116, and 143 be placed in that order last on the calendar of General Orders.

The motion prevailed on a voice vote.

Proposal No. 129 "Wiretapping"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

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

On a division vote, the motion prevailed, 58 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 130 "Capital Punishment"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

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

On a division vote, the motion prevailed, 55 delegates voting in the affirmative and 2 delegates voting in the negative.

Proposal No. 170 "Religious Freedom"

(The Committee on Personal Liberties does not recommend.)

The proposal was read.

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

On a division vote, the motion prevailed, 54 delegates voting in the affirmative and 0 delegates voting in the negative.

Proposal No. 132 "Creating a Property Owners Bill of Rights"  
(The Committee on Personal Liberties does not recommend.)

Mr. Cunningham, seconded by Messrs. Cochran and Murphy of Warren, moved that the proposal be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Proposal No. 135 "Capital Punishment"  
(The Committee on Personal Liberties does not recommend.)

The proposal was read.

Mr. Beauchemin, seconded by Mr. Cochran, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

On a division vote, the motion did not prevail, 2 delegates voting in the affirmative and 56 delegates voting in the negative.

Proposal No. 154 "Freedom of Political Activity"  
(The Committee on Personal Liberties does not recommend.)

The proposal was read.

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

The motion prevailed on a voice vote.

Mr. Kagan, seconded by Messrs. Cote and Cannon, moved that Proposal No. 27-Substitute A be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Mr. Cochran, seconded by Mr. Bizier, moved that Proposal No. 101 be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Proposal No. 157 "Executive Amendment" (Conditional Veto)  
(The Committee on the Executive Department does not recommend.)

The proposal was read.

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

The motion prevailed on a voice vote.

Mr. Murphy of Warren, seconded by Messrs. Wexler and Dolbashian, moved that Proposal Nos. 160 and 161 be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Mr. Pucci, seconded by Messrs. Principe and Cannon, moved that Proposal No. 133 be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Mr. Cochran, seconded by Mr. Cannon, moved that Proposal No. 172 be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Mrs. Webster, seconded by Messrs. Cochran and Warren, moved that Proposal No. 176 be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.

Proposal No. 10013 "Powers of the Governor"

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

The proposal was read.

Mr. Warren, seconded by Messrs. Cochran, Doris and Ricci, 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 and 0 delegates voting in the negative.

Proposal No. 10022-Substitute A "Natural Resources"

(The Committee on the Executive Department recommends adoption of the Substitute Proposal.)

The proposal was read.

Mrs. Webster, seconded by Messrs. Warren, Matzner and Kenyon, moved that the Committee of the Whole recommend adoption of the proposal.

The motion was debated.

The motion was withdrawn.

Mr. DiLuglio, seconded by Messrs. Principe and Cochran, moved that the proposal be placed last on the calendar of General Orders.

The motion prevailed on a voice vote.



On motion of Mr. DiLuglio, seconded by Messrs. Pickard, Warren, Lawrence and Murphy of Warren, the delegates extended a rising vote of appreciation to the League of Women Voters for their kindness in providing refreshments.

Mr. Wexler, seconded by Messrs. Principe and Cannon, moved that the Committee of the Whole rise.

The motion prevailed on a voice vote.

August P. LaFrance  
Secretary  
Constitutional Convention