October 1967

Journal of the Constitutional Convention, 1967
Oct 23

August P. LaFrance

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The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:11 P.M.

The roll of delegates was called; there were 74 present and 24 absent.

Absentees were Mr. Appolonia, Mrs. Barber, Messrs. Beauchemin, Bride, Mmes. Capuano, Castiglia, Messrs. Colbert, DeCiantis, Dyl, Dodge, Fanning of Providence, Gallagher, Gorham of Foster, Gorham of Scituate, Mmes. Hager, Lacroix, Lambros, Messrs. Moon, Mulligan, Murphy of Warren, Murphy of Coventry, Parrillo, Stapleton and Tooilin.

The names of the absentees were called.

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

**COMMUNICATIONS**

The Chairman announced receipt of the following communications:

From the Women's Christian Temperance Union of Rhode Island Incorporated relative to retention of the ban on lotteries.

From the Cranston Democratic City Committee relative to amendments by the Convention concerning wire tapping, lottery ban, legislative pay, home rule, terms of elected state officials and date of special election.

The communications were read.

**UNFINISHED BUSINESS**

At adjournment of the previous session there was pending on reconsideration the following:

**CONSTITUTION OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

(Proposal No. 20, Substitute C; 25; 26, Substitute B; 27, Substitute B; 28; 29, Substitute B; 30, Substitute B; 31, Substitute B; 32, Substitute B; 33, Substitute B; 34, Substitute B; 35, Substitute C; 36; 37; 39, Substitute A; 41, Substitute B; 155, Substitute D; 171, Substitute C; 190, Substitute B)
Mr. Doris, on behalf of himself and several other delegates, offered a series of written motions to amend.

The Chairman suggested that other delegates also offer their written motions to amend and that all of such motions would be arranged for consideration in such order as their subject matter might bear to the order of the document.

Written motions to amend were offered by Messrs. Pickard, Nathanson, LaSalle, O'Donnell, Wexler, Fanning of Cumberland and Roberts.

The following written motion to amend was read:

"I move to amend Section 6 of Article I by changing the period at the end of the section to a semi-colon and adding the following:

'and no orders and warrants for such interceptions shall issue except for evidence of such criminal offenses as the general assembly shall authorize and in compliance with the conditions and procedures prescribed by law and on complaint in writing, upon probable cause, supported by oath or affirmation and particularly identifying the means of communication and the person or persons whose communications are to be intercepted.'"

John F. Doris
Eugene F. Cochran
Hugo L. Ricci
John P. Cooney
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier
Osias Cote

Mr. Doris, seconded by Messrs. Cote, Bizier, Cochran, Wrenn, McGrath, SaoBento, Foster, Murray, McCabe, Lallo, DiLuglio, and Cooney, moved passage of the motion.

The motion was debated.

Mr. Fanning of Cumberland, seconded by Messrs. LaSalle and Cunningham, moved that the motion to amend be committed to the Committee on Personal Liberties.

Mr. Doris, seconded by Messrs. Cote and Bizier, moved that the motion to commit be laid on the table.

On a division vote the motion to lay on the table prevailed, 63 delegates voting in the affirmative and 4 delegates in the negative.
The debate on the motion continued.

The motion to amend prevailed on a roll call vote, 67 delegates voting in the affirmative, 5 delegates voting in the negative and 26 delegates absent or not voting as follows:

<table>
<thead>
<tr>
<th>AYES -- 67</th>
<th>NOES -- 5</th>
<th>ABSENT OR NOT VOTING -- 26</th>
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<tbody>
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<td>Baccari - Providence</td>
<td>Greenhalgh - Glocester</td>
<td>Appolonia - West Warwick</td>
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<td>Belhumeur - Central Falls</td>
<td>Macari - Cranston</td>
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<td>Matzner - Providence</td>
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<td>Castiglia - Cranston</td>
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</table>
ABSENT OR NOT VOTING - 26 (Cont.)

Colbert - Cranston
DeCiantis - West Warwick
Dyl - Central Falls
Dodge - New Shoreham
Fanning - Providence
Gallagher - Jamestown
Gorham - Foster
Gorham - Scituate
Hager - Cranston
Lacroix - Lincoln
Lambros - Providence
Martin - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Warren
Murphy - Coventry
O'Donnell - Providence
Parrillo - Providence
Stapleton - Little Compton
Toolin - Richmond

The following written motion to amend was read:

"I move to amend Section 2 of Article II by deleting the words 'for absentee voting', and substituting therefor the words 'for absentee and shut-in voting'."

John F. Doris
Eugene F. Cochran
Hugo L. Ricci
John P. Cooney
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier

Mr. Doris, seconded by Mr. Cochran, moved passage of the motion.

The motion was debated.

The motion to amend prevailed on a roll call vote, 70 delegates voting in the affirmative, 0 delegates voting in the negative and 28 delegates absent or not voting as follows:

AYES -- 70

Baccari - Providence
Belhumeur - Central Falls
Bevilacqua - Providence
Bizer - Central Falls
Bissonnette - Woonsocket
Canna - Bristol
Cannon - Providence
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown
Cote - Pawtucket
Crandall - Hopkinton
Cunningham - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
DiSandro - Narragansett
Dolbashian - Portsmouth
Doris - Woonsocket
Fanning - Cumberland
Fontaine - Woonsocket
Foster - Pawtucket
Foster - North Kingstown
Gallogly - Providence
AYES - 70 (Cont.)

Cammino - Providence  
Gates - South Kingstown  
Geoffroy - West Warwick  
Giangiacomo - Providence  
Giguere - Woonsocket  
Greenhalgh - Glocester  
Kagan - Providence  
Kanakry - Pawtucket  
Kenyon - West Greenwich  
LaFrance - Pawtucket  
Lallo - Westerly  
Laporte - Burrillville  
LaSalle - Warwick  
Lawrence - Providence  
Macari - Cranston  
Manning - Cumberland  
Matzner - Providence  
McCabe - Pawtucket  
McGrath - Providence  
McKinnon - Pawtucket  
McKiernan - Providence  
Merolla - Providence  

Murphy - Tiverton  
Murray - Newport  
Nathanson - Warwick  
Ortoleva - Providence  
Pell - Newport  
Pickard - East Greenwich  
Prince - Woonsocket  
Principe - Bristol  
Pucci - Providence  
Pulner - Cranston  
Ricci - Providence  
Roberts - Providence  
Sassoento - East Providence  
Sherry - North Smithfield  
Smart - Lincoln  
Steere - East Providence  
Vacca - Smithfield  
Viali - East Providence  
Warren - North Providence  
Wexler - Providence  
Willey - Barrington  
Wrenn - Providence  

ABSENT OR NOT VOTING -- 28

Appolonia - West Warwick  
Barber - Westerly  
Beauchemin - Pawtucket  
Bride - Warwick  
capuano - Woonsocket  
Castiglia - Cranston  
Colbert - Cranston  
DeCiantis - West Warwick  
Dyl - Central Falls  
Dodge - New Shoreham  
Fanning - Providence  
Fenney - East Providence  
Gallagher - Jamestown  
Gmelin - Charlestown  
Gorham - Foster  
Gorham - Scituate  
Hager - Cranston  
Lacroix - Lincoln  
Lambros - Providence  
Martin - Pawtucket  
Moon - Exeter  
Mulligan - Central Falls  
Murphy - Warren  
Murphy - Coventry  
O'Donnell - Providence  
Parrillo - Providence  
Stapleton - Little Compton  
Toolin - Richmond

The following written motion to amend was read:

"I hereby move to amend Article IV by adding thereto the following section:

Sec. 23. The General Assembly shall have no power to authorize any lottery without the express consent of the people."

John F. Doris  
Eugene F. Cochran  
(continued)
Mr. Doris, seconded by Messrs. Cochran, Ricci, Wrenn, Bizier, McGrath, Lawrence, Lallo, Wexler, and McKinnon, moved passage of the motion.

At 3:23 P.M. the Chairman yielded the rostrum to Mr. David D. Warren, First Vice Chairman.

The motion was debated.

Mr. Fanning of Cumberland, seconded by Mr. Roberts, offered the following written motion to amend:

"I move to amend the amendment by striking the following words 'without the express consent of the people'."

Stephen A. Fanning

Mr. Doris, recognized on a point of order, submitted that the motion to amend an amendment was out of order.

The Chairman ruled that the motion was in order.

Mr. Doris, seconded by Messrs. Cote and Ricci, moved that the motion to amend be laid on the table.

The motion to lay on the table prevailed on a voice vote.

The motion to amend, offered by Mr. Doris and several other delegates, prevailed on a roll call vote, 52 delegates voting in the affirmative, 13 delegates voting in the negative and 33 delegates absent or not voting as follows:

AYES -- 52

Baccari - Providence
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Canna - Bristol
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Doris - Woonsocket

Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown
Cote - Pawtucket
Cunningham - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
Disandro - Narragansett
Dolbashian - Portsmouth
AYES -- 52 (Cont.)

Feeney - East Providence
Fontaine - Woonsocket
Foster - Pawtucket
Galgly - Providence
Gammino - Providence
Gates - South Kingstown
Geoffroy - West Warwick
Giangiacomo - Providence
Giguere - Woonsocket
Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Laporte - Burrillville
Lawrence - Providence
Macari - Cranston
Manning - Cumberland

Matzner - Providence
McCath - Providence
McKinnon - Pawtucket
Mckieranan - Providence
Merolla - Providence
Murphy - Tiverton
Murray - Newport
Orteleva - Providence
Prince - Woonsocket
Principe - Bristol
Pucci - Providence
Ricci - Providence
SaoBento - East Providence
Sherry - North Smithfield
Viall - East Providence
Wexler - Providence
Wrenn - Providence

NOES -- 13

Crandall - Hopkinton
Foster - North Kingstown
Greenhalgh - Glocester
Kenyon - West Greenwich
Lasalle - Warwick
Nathanson - Warwick

Pell - Newport
Pickard - East Greenwich
Roberts - Providence
Smart - Lincoln
Steere - East Providence
Warren - North Providence

Wiley - Barrington

AESENT OR NOT VOTING -- 33

Appolonia - West Warwick
Barber - Westerly
Beauchemin - Pawtucket
Bissonnette - Woonsocket
Bride - Warwick
Cannon - Providence
Capuano - Woonsocket
Castiglia - Cranston
Colbert - Cranston
DeCiantis - West Warwick
Dyl - Central Falls
Dodge - New Shoreham
Fanning - Cumberland
Fanning - Providence
Gallagher - Jamestown
Gmelin - Charlestown

Gorham - Foster
Gorham - Scituate
Lacroix - Lincoln
Lambros - Providence
Martin - Pawtucket
McCabe - Pawtucket
Moon - Exeter
Mulligan - Central Falls
Murphy - Warren
Murphy - Coventry
O'Donnell - Providence
Parrillo - Providence
Pulver - Cranston
Stapleton - Little Compton
Toolin - Richmond
Vacca - Smithfield

Hager - Cranston
(During the roll call Mr. Matzner explained his vote.)
The following written motion to amend was read:

"I move to amend Article IV by adding thereto the following new section:

Section 23. All lotteries shall be prohibited in this state."

Francis P. O'Donnell

Mr. Roberts, seconded by Mr. Gates, moved passage of the motion.

Mr. Doris, seconded by Messrs. Cote, Foster, Bizier and Gallogly, moved that the motion to amend be laid on the table.

Mr. Gates requested a roll call vote on the motion to lay on the table.

The Chairman inquired whether there was sufficient number of delegates desiring a roll call vote thereon.

There was a sufficient number so desiring.

The motion to lay on the table prevailed on a roll call vote, 48 delegates voting in the affirmative, 17 delegates voting in the negative and 33 delegates absent or not voting as follows:

**AYES -- 48**

Baccari - Providence  
Belhumeur - Central Falls  
Bevilacqua - Providence  
Bizier - Central Falls  
Bissonnette - Woonsocket  
Canna - Bristol  
Chaharyn - Woonsocket  
Cochran - Providence  
Colaneri - Providence  
Coleman - Woonsocket  
Cooney - Providence  
Cote - Pawtucket  
Delehanty - Newport  
DiLuglio - Johnston  
DiSandro - Narragansett  
Dolbashian - Portsmouth  
Doris - Woonsocket  
Feeney - East Providence  
Fontaine - Woonsocket  
Foster - Pawtucket  
Gammino - Providence  
Geoffroy - West Warwick  
Giangiacomo - Providence  
Giguere - Woonsocket  
Kagan - Providence  
Kanakry - Pawtucket  
LaFrance - Pawtucket  
Lallo - Westerly  
Laporte - Burrillville  
LaSalle - Warwick  
Lawrence - Providence  
Macari - Cranston  
Manning - Cumberland  
McGrath - Providence  
McKiernan - Providence  
Merolla - Providence  
Murphy - Tiverton  
Murray - Newport  
Ortoleva - Providence  
Prince - Woonsocket  
Principe - Bristol  
Pucci - Providence  
Ricci - Providence  
Sao Bento - East Providence  
Sherry - North Smithfield  
Viall - East Providence  
Wexler - Providence  
Wrenn - Providence
The following written motion to amend was read:

"I propose the following amendment to the proposed new constitution:

ARTICLE IV
OF THE LEGISLATIVE POWER

Sec. 5. Add 'decennial' after the word 'new' in line 2."

Edmund Wexler

Mr. Wexler, seconded by Mr. Principe, moved passage of the motion.

At 4:00 P.M. the Chairman again took the rostrum.

The motion was debated.

Mr. Doris, seconded by Mr. Cochran, moved that the motion to amend be laid on the table.
The motion to lay on the table prevailed on a division vote, 53 delegates voting in the affirmative and 7 delegates voting in the negative.

**ADJOURNMENT**

At 4:06 P.M., on motion of Mr. Doris, seconded by Mr. Cochran, the Convention adjourned to meet on Monday, October 30, 1967, 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