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August P. LaFrance

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The Convention was called to order by Mr. Dennis J. Roberts, Chairman, at 2:25 P.M.

The roll of delegates was called; there were 70 present and 28 absent.

Absentees were Mr. Appolonia, Mrs. Barber, Mr. Bissonnette, Mmes. Capuano, Castiglia, Messrs. Colbert, Cunningham, DeCiantis, Dodge, Gallagher, Gallogly, Gmelin, Giguere, Gorham of Foster, Gorham of Scituate, Mmes. Lacroix, Lambros, Messrs. Martin, McKinnon, Moon, Mulligan, Murphy of Warren, Murphy of Coventry, O'Donnell, Stapleton, Steere, Toolin and Warren.

The names of the absentees were called.

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

The Chairman welcomed as guest at the Convention session Mr. Josep Tický, member of the Editorial Board of Mladá Fronta, (Daily newspaper fro Prague, Czechoslovakia).

COMMUNICATIONS

The Chairman announced receipt of communication from the Rhode Island State Grange transmitting a resolution opposing ratification of the proposed constitution.

The communication was read.

UNFINISHED BUSINESS

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

The Convention proceeded with consideration of written motions to amend previously offered.

The following written motion to amend was read:

"I propose to amend the proposed constitution by adding to the article on the Judiciary the following:

"The general assembly may provide by law for verdicts to be returned by juries in civil and criminal cases on the concurrence of ten members of a jury."

Stephen A. Fanning

The motion was debated.

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

"I move to amend the amendment of Stephen A. Fanning by deleting the words 'and criminal' therefrom."

Edward B. Corcoran

The motion was read.

The motion was debated.

Mr. Wexler recognized on a point of order submitted that the motion was out of order because it was introduction of new material which had not had consideration in committee and through the general convention procedure.

The Chairman ruled that the motion was in order.

Mr. LaSalle, seconded by Mr. Cochran, moved that the motion to amend the motion to amend be laid on the table.

The motion to lay on the table prevailed on a division vote, 44 delegates voting in the affirmative and 12 delegates voting in the negative.

Mr. LaSalle, seconded by Mr. Cote, moved that the motion to amend be laid on the table.

The motion to lay on the table prevailed on a division vote, 48 delegates voting in the affirmative and 7 delegates voting in the negative.

The following written motion to amend was read:

"I move to amend Article XI by striking out Sec. 2 and substituting
therefore the following:

'Sec. 2. Every city or town may incur obligations and may issue bonds or other evidences of indebtedness, except that no obligation for the payment of money shall be incurred for current expenses unless such obligation is in anticipation of current revenues and is limited to one year. No obligations for the payment of money for a period of more than one year shall be incurred by any city or town unless it is approved by a majority of those local electors voting thereon at a general election. The General Assembly may by general law regulate the incurring of obligations for the payment of money and the issuance of bonds and other evidences of indebtedness by cities and towns, and may provide for special elections for the approval of such obligations.'

Dennis J. Roberts

At 3:03 P.M. the Chairman yielded the rostrum to Mr. Robert F. Pickard, Second Vice Chairman.

Mr. Roberts, seconded by Messrs. Bride, Kenyon and Mrs. Pulner, moved passage of the motion.

The motion was debated.

The motion to amend did not prevail on a roll call vote, 18 delegates voting in the affirmative and 48 delegates voting in the negative and 32 delegates absent or not voting as follows:

**AYES -- 18**

Bride - Warwick  
DiSandro - Narragansett  
Dolbashian - Portsmouth  
Fanning - Cumberland  
Foster - North Kingstown  
Gates - South Kingstown  
Greenhalgh - Glocester  
Cannon - Providence  
Crandall - Hopkinton

Hager - Cranston  
Kenyon - West Greenwich  
LaSalle - Warwick  
Murphy - Tiverton  
Nathanson - Warwick  
Pickard - East Greenwich  
Pulner - Cranston  
Roberts - Providence  
Willey - Barrington

**NOES -- 48**

Baccari - Providence  
Beauchemin - Pawtucket  
Belhumeur - Central Falls  
Bevilacqua - Providence  
Bizier - Central Falls  
Canna - Bristol  
Chaharyn - Woonsocket  
Cochran - Providence  
Colaneri - Providence  
Colbert - Cranston  
Coleman - Woonsocket

Gammino - Providence  
Cooney - Providence  
Cote - Pawtucket  
Delehanthy - Newport  
DiLuglio - Johnston  
Dyl - Central Falls  
Doris - Woonsocket  
Fanning - Providence  
Feeney - East Providence  
Fontaine - Woonsocket  
Foster - Pawtucket
The following written motion to amend was read:

"I move to amend the second sentence of Section 2 of Article XI by deleting the period and adding thereto the following:

'or unless otherwise provided by its charter adopted with the approval of the local electors.'"

John F. Doris
Eugene P. Cochran
Hugo L. Ricci
John P. Cooney, Jr.
Paul F. Murray
Thomas R. DiLuglio
Kevin K. Coleman
Samuel C. Kagan
Thomas D. Pucci
Norman E. Bizier
Mr. Coleman, seconded by Mr. Doris, moved passage of the motion.

The motion was debated.

The motion to amend prevailed on a roll call vote, 62 delegates voting in the affirmative, 4 delegates voting in the negative and 32 delegates absent or not voting as follows:

**AYES -- 62**

Baccari - Providence  
Beauchemin - Pawtucket  
Belhumeur - Central Falls  
Bevilacqua - Providence  
Bizer - Central Falls  
Bride - Warwick  
Canna - Bristol  
Cannon - Providence  
Chaharyn - Woonsocket  
Cochran - Providence  
Coleman - Woonsocket  
Cooney - Providence  
Corcoran - Middletown  
Cote - Pawtucket  
Crandall - Hopkinton  
DiLugio - Johnston  
DiSandro - Narragansett  
Dyl - Central Falls  
Dolbashian - Portsmouth  
Doris - Woonsocket  
Panning - Cumberland  
Panning - Providence  
Feeney - East Providence  
Fontaine - Woonsocket  
Poster - Pawtucket  
Poster - North Kingstown  
Gammino - Providence  
Gates - South Kingstown  
Geoffroy - West Warwick  
Giangiacomo - Providence  
Colaneri - Providence

Greenhalgh - Glocester  
Hager - Cranston  
Kagan - Providence  
Kanakry - Pawtucket  
LaFrance - Pawtucket  
Lallo - Westerly  
Laporte - Burrillville  
Lawrence - Providence  
Manning - Cumberland  
McCabe - Pawtucket  
McGrath - Providence  
McKiernan - Providence  
Merolla - Providence  
Murphy - Tiverton

Murray - Newport  
Nathanson - Warwick  
Ortoleva - Providence  
Parrillo - Providence  
Pickard - East Greenwich  
Prince - Woonsocket  
Principe - Bristol  
Pucci - Providence  
Pulner - Cranston  
Ricci - Providence  
SaoBento - East Providence

**NOES - 4**

LaSalle - Warwick  
Matzner - Providence  
Roberts - Providence  
Willey - Barrington

**ABSENT OR NOT VOTING - 32**

Appolonia - West Warwick  
Barber - Westerly  
Bissonnette - Woonsocket  
Capuano - Woonsocket  
Castiglia - Cranston  
Colbert - Cranston  
Cunningham - Pawtucket  
Delehanty - Newport  
DeCiantis - West Warwick  
Dodge - New Shoreham
ABSENT OR NOT VOTING - Continued

Gallagher - Jamestown
Gallogly - Providence
Gmelin - Charlestown
Giguere - Woonsocket
Gorham - Foster
Gorham - Scituate
Kenyon - West Greenwich
Lacroix - Lincoln
Lambros - Providence
Macari - Cranston
Martin - Pawtucket
McKinnon - Pawtucket
Mulligan - Central Falls
Moon - Exeter
Murphy - Warren
Murphy - Coventry
O'Donnell - Providence
Pell - Newport
Stapleton - Little Compton
Steere - East Providence
Too1in - Richmond
Warren - North Providence

(During the roll call vote Mr. LaSalle explained his vote.)

The following written motion to amend was read:

"I move to amend Section 5 of Article XI by deleting the period, substituting a semi-colon and adding thereto the following:

'provided that no such incorporation, merger, dissolution or alteration of boundaries shall be effective without the approval of the local electors.'"

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

Mr. Coleman, seconded by Messrs. Bizier, Cote, McGrath, Doris, Viall and Vacca, moved passage of the motion.

The motion was debated.

The motion to amend prevailed on a roll call vote, 54 delegates voting in the affirmative, 10 delegates voting in the negative and 34 delegates absent or not voting as follows:

AYES -- 54

Baccari - Providence
Beauchemin - Pawtucket
Bevilacqua - Providence
Bizier - Central Falls
Canna - Bristol
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Coleman - Woonsocket
Cooney - Providence
Corcoran - Middletown
Cote - Pawtucket
Crandal1 - Hopkinton
Delehanty - Newport
AYES - Continued

DiLuglio - Johnston  Lawrence - Providence
DiSandro - Narragansett Manning - Cumberland
Dyl - Central Falls McCabe - Pawtucket
Dolbashian - Portsmouth McGrath - Providence
Doris - Woonsocket Merolla - Providence
Feeney - East Providence Murphy - Tiverton
Fontaine - Woonsocket Murray - Newport
Foster - Pawtucket Nathanson - Warwick
Foster - North Kingstown Ortolena - Providence
Gates - South Kingstown Parrillo - Providence
Geoffroy - West Warwick Principe - Bristol
Giangiacomo - Providence Pulner - Cranston
Greenhalgh - Glocester Ricci - Providence
Hager - Cranston Roberts - Providence
Kagan - Providence SaoBento - East Providence
Kanakry - Pawtucket Sherry - North Smithfield
LaFrance - Pawtucket Vacca - Smithfield
Lallo - Westerly Viall - East Providence
Laporte - Burrillville Wexler - Providence
LaSalle - Warwick Wrenn - Providence

NOES -- 10

Fanning - Cumberland Belhumeur - Central Falls
Fanning - Providence Bride - Warwick
Kenyon - West Greenwich Cannon - Providence
Matztner - Providence Smart - Lincoln
Pickard - East Greenwich Willey - Barrington

ABSENT OR NOT VOTING -- 34

Appolonia - West Warwick Lambros - Providence
Barber - Westerly Macari - Cranston
Bissonnette - Woonsocket Martin - Pawtucket
Capuano - Woonsocket McKinnon - Pawtucket
Castiglia - Cranston McKiernan - Providence
Colbert - Cranston Moon - Exeter
Cunningham - Pawtucket Mulligan - Central Falls
Racroix - Lincoln Murphy - Warren
DeCiantis - West Warwick Murphy - Coventry
Dodge - New Shoreham O'Donnell - Providence
Gallagher - Jamestown Pell - Newport
Gallogly - Providence Prince - Woonsocket
Gammino - Providence Pucci - Providence
Gmelin - Charlestown Stapleton - Providence
Giguere - Woonsocket Steere - East Providence
Gorham - Foster Toolin - Richmond
Gorham - Scituate Warren - North Providence

(During the roll call vote Mr. Dolbashian explained his vote.)
Mr. Doris, seconded by Messrs. LaSalle, Kagan, Cote and Foster, moved that the Convention reconsider the following motion to amend which had failed at the previous session of the Convention:

"I move to amend Article VI by inserting as section 3 the following:

'Sec. 3. The Justices of the supreme court shall give their written opinion upon any question of law whenever requested by the governor or by either house of the general assembly.

And by renumbering section 3 and each of the succeeding sections of said article as the next highest number.'"

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

The motion to amend was read.

The motion to reconsider prevailed on a voice vote.

On reconsideration, Mr. Doris, seconded by Messrs. McGrath, Bizier, Cote and Fontaine, moved passage of the motion to amend.

The motion to amend did not prevail, a majority of all the delegates elected to the Convention not having voted in favor of passage, on a roll call vote, 45 delegates voting in the affirmative, 19 delegates voting in the negative and 34 delegates absent or not voting as follows:

AYES -- 45

Baccari - Providence
Beauchemin - Pawtucket
Belhumeur - Central Falls
Bevilacqua - Providence
Bizier - Central Falls
Canna - Bristol
Chaharyn - Woonsocket
Cochran - Providence
Colaneri - Providence
Cote - Pawtucket
Delehanty - Newport
DiLuglio - Johnston
Dyl - Central Falls
Dolbashian - Portsmouth
McCabe - Pawtucket
McGrath - Providence

Doris - Woonsocket
Fontaine - Woonsocket
Feeney - East Providence
Foster - Pawtucket
Gates - South Kingstown
Geoffroy - West Warwick
Giangiacomo - Providence
Greenhalgh - Glocester
Kagan - Providence
Kanakry - Pawtucket
LaFrance - Pawtucket
Lallo - Westerly
Laporte - Burrrillville
LaSalle - Warwick
Lawrence - Providence
Matzner - Providence
The following written motion to amend was read:

"I move to amend Article XI, Section 9 as follows:

'Change period at end of sentence to a comma and add the following:

"unless said charter specifically provides for the submission of all amendments and revisions to the qualified electors of said city or town for approval. In such instances, with the approval of the general
assembly, the proposed amendments to or revision of said charter shall be submitted to the qualified electors at the next general election or at a special election called for said purposes with publication of the change as set forth in Section 7 of this article."

Charles Nathanson

Mr. Nathanson, seconded by Mr. Willey, moved passage of the motion.

The motion was debated.

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

The motion to amend did not prevail on a roll call vote, 17 delegates voting in the affirmative, 41 delegates voting in the negative and 40 delegates absent or not voting as follows:

**AYES -- 17**

Baccari - Providence  
Bride - Warwick  
Cochran - Providence  
Coleman - Woonsocket  
Crandall - Hopkinton  
DiSandro - Narragansett  
Feeney - East Providence  
Foster - North Kingstown  
Gates - South Kingstown  
Hager - Cranston  
Kenyon - West Greenwich  
Nathanson - Warwick  
Pickard - East Greenwich  
Pulner - Cranston  
Roberts - Providence  
Willey - Barrington

**NOES -- 41**

Beauchemin - Pawtucket  
Belhumeur - Central Falls  
Bevilacqua - Providence  
Bizier - Central Falls  
Canna - Bristol  
Chaharyn - Woonsocket  
Colaneri - Providence  
Cooney - Providence  
Corcoran - Middletown  
Cote - Pawtucket  
Delehanty - Newport  
Dyl - Central Falls  
Dolbashian - Portsmouth  
Doris - Woonsocket  
Fanning - Providence  
Fontaine - Woonsocket  
Foster - Pawtucket  
Geoffroy - West Warwick  
Giangiacomo - Providence  
Kagan - Providence  
Kanakry - Pawtucket  
Lallo - Westerly  
Laporte - Burrillville  
Manning - Cumberland  
Matzner - Providence  
McCabe - Pawtucket  
McGrath - Providence  
McKiernan - Providence  
Merolla - Providence  
Murphy - Tiverton  
Murray - Newport  
Ortoleva - Providence  
Parrillo - Providence  
Prince - Woonsocket  
Principe - Bristol  
Ricci - Providence  
Sherry - North Smithfield  
Viall - East Providence  
Wexler - Providence  
Sao Bento - East Providence  
Wrenn - Providence
The following written motion to amend was read:

"I move to amend ARTICLE XI - OF LOCAL GOVERNMENT - by deleting section 9 thereof."

A. Norman LaSalle

Mr. LaSalle, seconded by Mr. Nathanson, moved passage of the motion.

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

The motion to lay on the table prevailed, on a division vote, 38 delegates voting in the affirmative and 10 delegates voting in the negative with more than 3 delegates present and not voting.

The following written motion to amend was read:

"I move to amend ARTICLE XI in its entirety by substituting therefor the provisions of ARTICLE XXVIII - 'Home Rule for Cities and Towns' - as it appears in the present constitution of the State of Rhode Island and Providence Plantations."

A. Norman LaSalle

Mr. LaSalle moved passage of the motion. The Chairman inquired whether there was a second to the motion. The Chairman ruled that the motion failed of a second.
The following written motion to amend was read:

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

"Article XIII
OF AMENDMENTS

Section 1. Line 9 Substitute 'three-fifths' for 'a majority'."

Edmund Wexler

Mr. Wexler, seconded by Messrs. Corcoran and LaSalle, moved passage of the motion.

Mr. Pickard questioned the advisability of proceeding when 51 votes were necessary for passage and the number of delegates present was so close to 51.

ADJOURNMENT

At 4:26 P.M. on motion of Mr. Wexler, seconded by Mr. Cochran, the Convention adjourned to meet on Monday, November 20, 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
AMENDMENT

I move to amend Article XI by striking out Sec. 2 and substituting therefore the following:
Sec. 2 Every city or town may incur obligations and may issue bonds or other evidences of indebtedness, except that no obligation for the payment of money shall be incurred for current expenses unless such obligation is in anticipation of current revenues and is limited to one year. No obligations for the payment of money for a period of more than 1 year shall be incurred by any city or town unless it is approved by a majority of those local electors voting thereon at a general election. The General Assembly may by general law regulate the incurring of obligations for the payment of money and the issuance of bonds and other evidences of indebtedness by cities and towns, and may provide for special elections for the approval of such obligations.

Dennis J. Roberts

AMENDMENT

I move to amend the second sentence of Section 2 of Article XI by deleting the period and adding thereto the following:
" or unless otherwise provided by its charter adopted with the approval of the local electors."


AMENDMENT

I move to amend Section 5 of Article XI by deleting the period, substituting a semi-colon and adding thereto the following:
"provided that no such incorporation, merger, dissolution or alteration of boundaries shall be effective without the approval of the local electors."


AMENDMENT

I move to amend Article XI, Sec. 9 as follows: Change period at end of sentence to a comma and add the following:
"unless said charter specifically provides for the submission of all amendments and revisions to the qualified electors of said city or town for approval. In such instances, with the approval of the general assembly, the proposed amendments to or revision of said charter shall be submitted to the qualified electors at the next general election or at a special election called for said purposes with publication of the change as set forth in Section 7 of this Article."

Charles Nathanson

AMENDMENT

I move to amend Article XI - Of Local Government - by deleting Section 9 thereof.

A. Norman LaSalle
AMENDMENT
I move to amend Article XI in its entirety by substituting therefor the provisions of Article XXVIII - "Home Rule for Cities and Towns" - as it appears in the present constitution of the State of Rhode Island and Providence Plantations.

A. Norman LaSalle

AMENDMENT
I propose the following amendment to the proposed new Constitution: Article XIII - "Of Amendments"

Section 1. Line 9 Substitute "three-fifths" for "a majority".

Edmund Wexler

AMENDMENT
I move to amend Article XIII, Section 1, by striking out the words "a majority" in the second sentence of that section, and substituting therefore the words "three-fifths".

Robert F. Pickard

AMENDMENT
I move to amend Article XIII - Of Amendments - by striking out the words "a majority" in Section 1 and inserting the words "three-fifths" in place thereof.

A. Norman LaSalle

AMENDMENT
I move to amend section 4 of Article XIV by deleting the figure 6 and substituting therefor the figure 7.

John F. Doris, Hugo L. Ricci,

AMENDMENT
I move to amend Section 1 of Article XIV to read as follows:

Section 1. This constitution shall become effective upon approval by the people. The first election for general officers and members of the general assembly under this constitution shall be held on the Tuesday next after the first Monday in November, 1968.

John F. Doris, Hugo L. Ricci,