

## Rhode Island Constitutional Convention History

**1824:** *1<sup>st</sup> Convention Approved* - At the January Session, 1824, the General Assembly passed “*An Act to authorize the holding a Convention for the purpose of forming a written Constitution of Government for this State*”. The Convention convened at Newport (June 21 – July 3, 1824) and drafted a Constitution. On October 11, 1824, the Freemen electorate rejected the proposed State Constitution, *1,668 yeas to 3,206 nays*.

**1834:** *2<sup>nd</sup> Convention Approved* - At the June Session, 1834, the General Assembly passed an Act calling for a Convention to be held in Providence on the first Monday in September. This Convention adjourned without agreement on a draft Constitution.

**1841:** *3<sup>rd</sup> Convention Approved* - On February 6, 1841, the General Assembly approved an Act calling for a Constitutional Convention to convene in Providence on November 1, 1841. On February 19, 1842, this Convention adopted a Constitution that is referred to as the “*Landholder's Constitution*”. Between March 21 and March 23, 1842, the electorate voted on this Constitution and rejected it, *8,013 yeas to 8,689 nays*. (By this point in Rhode Island's history, only 40% of the free white men in the State were eligible to vote)

In October of 1841, the *Dorrites*, a suffrage movement led by Thomas Wilson Dorr, held an extralegal Convention and on November 18, approved a “*People's Constitution*”. During the period from December 27 – December 29, the “*People's Constitution*” was approved by a vote of *13,944 yeas to 52 nays*. An analysis of the voting shows that 4,960 Freemen voted for approval and 8,984 votes for approval were cast by persons ineligible to vote under the Charter government.

**1842:** *4<sup>th</sup> Convention Approved* - In June of 1842, the General Assembly, bowing to increasing unrest, met in Newport and passed an Act calling for a Constitutional Convention. In August, delegates are elected. In September, the Convention delegates meet and draft a Constitution. **This Constitution, after voting conducted on November 21 – 23, is approved by a vote of 7,032 yeas to 59 nays and goes into effect on May 2, 1843.**

**1853:** General Assembly proposal to hold a Constitutional Convention is rejected by a vote of *3,778 yeas to 7,618 nays* on June 28, 1853.

**1882:** Voters reject another call for a Constitutional Convention.

**1883:** The Rhode Island Supreme Court issues an advisory opinion (*In Re Constitutional Convention*, 19 RI 649), stating the the Rhode Island Constitution cannot be amended by a Constitutional Convention.

**1883 – 1934:** The Constitution is amended by separate amendments put to a vote of the electorate.

**1936:** At a special election held on March 10, voters reject a proposal for a Constitutional Convention, *88,401 yeas to 100,488 nays*.

**1944:** *5<sup>th</sup> Convention Approved* - On March 14, the voters approve holding a Limited Constitutional Convention by a vote of *15,683 yeas to 524 nays*. The Convention meets on March 28 at Rhode Island College in Providence, for the purpose of drafting an amendment relating to **voting rights for members of the armed forces and merchant marine**. Amendment subsequently approved by the

voters on April 11, 1944 by a vote of 7122 yeas to 119 nays.

**1951:** *6<sup>th</sup> Convention Approved* - On May 25, the voters approve the holding of a Limited Constitutional Convention by a vote of 16,737 yeas to 4,183 nays. The Convention meets from June 1 – 3, 1951 and approves the following proposals to be considered by the voters at a special election on June 28, 1951. Six of the eight ballot questions are approved by the voters.

- (1) **Poll Tax Repeal** (*Approved – 41,120 yeas to 15,075 nays*)
- (2) **General Assembly Pay Raise** (*Rejected – 18,979 yeas to 36,998 nays*)
- (3) **Home Rule for Cities and Towns** (*Approved – 48,638 yeas to 7,999 nays*)
- (4) **Permanent Registration of Voters** (*Approved – 48,314 yeas to 8,612 nays*)
- (5) **Veterans' Exemption** (*Approved – 44,754 yeas to 10,936 nays*)
- (6) **Increasing Borrowing Power of the State** (*Approved – 30,874 yeas to 24,438 nays*)
- (7) **Life Tenure for Supreme and Superior Court Judges** (*Rejected – 26,937 yeas to 28,949 nays*)
- (8) **Off-street Parking** (*Approved – 39,291 yeas to 16,844 nays*)

**1955:** *7<sup>th</sup> Convention Approved* – On June 9, 1955, the voters approve the holding of a Limited Constitutional Convention by a vote of 17,847 yeas to 14,060 nays. The Convention is held on June 20, 1955. Three amendments are approved for submission to the voters at a special election on July 12, 1955.

- (1) **General Assembly Pay Raise** (*Rejected – 15,385 yeas to 29,451 nays*)
- (2) **Life Tenure for Supreme and Superior Court Judges** (*Rejected – 13,126 yeas to 31,220 nays*)
- (3) **Redevelopment for Off-street Parking** (*Approved – 29,383 yeas to 14,968 nays*)

**1958:** *8<sup>th</sup> Convention Approved* – A Limited Constitutional Convention is approved by the voters on January 22, 1958, 12,476 yeas to 1903 nays. The Convention meets on January 31 and February 7, 1958, and approves two questions for submission to the voters at a special election held on February 27, 1958.

- (1) **Voting by Absentee and Disabled Voters** (*Approved – 17,973 yeas to 1,592 nays*)
- (2) **Repeal Biennial Census of Registered Voters** (*Approved – 16,087 yeas to 2,564 nays*)

**1964 – 1969:** *9<sup>th</sup> Convention Approved* - Convention authorized by Public Law 1963, Chapter 211, approved June 12, 1963: “**An Act Inviting the People to Assemble, by Their Delegates, in Special Convention for the Purpose of Revising, Altering, or Amending the Constitution, of Framing a New Constitution.**” Placed on the ballot at the general election held November 3, 1963, question approved by the voters, 158,241 yeas to 70,975 nays. Convention with 100 delegates convened at the Veterans’ Memorial Auditorium in Providence, December 8, 1964 with Dennis J. Roberts chosen as chairman and August P. LaFrance serving as permanent secretary. The convention with twelve committees met for a period of four years, approving a revised Constitution on December 4, 1967. Brought before the electorate at a special election held April 16, 1968, **proposed Constitution overwhelmingly rejected** by a vote of 17,615 yeas to 69,110 nays. The Convention officially adjourned on February 17, 1969.

**1973:** *10<sup>th</sup> Convention Approved* – The calling of a Limited Constitutional Convention is approved by the voters on August 7, 1973 by a vote of 21,302 yeas to 21,210 nays. The Convention meets during the period from September 4 – October 4, 1973. Nine ballot questions are submitted to the voters at a special election held on November 6, 1973.

- (1) **Suffrage** (*Approved – 72,065 yeas to 30,258 nays*)
- (2) **Qualifications for Office** (*Approved – 77,884 yeas to 24,720 nays*)
- (3) **Grand Jury** (*Approved – 60,400 yeas to 35,808 nays*)

- (4) **Lotteries** (*Approved – 83,757 yeas to 25,840 nays*)
- (5) **Amending the Constitution** (*Approved – 56,072 yeas to 34,953 nays*)
- (6) **Four Year Terms for General Officers** (*Rejected – 52,332 yeas to 55,998 nays*)
- (7) **General Assembly Pay Increase** (*Rejected – 50,310 yeas to 51,050 nays*)
- (8) **Industrial Building Authority** (*Approved – 77,152 yeas to 26,186 nays*)
- (9) **Recreational Building Authority** (*Approved – 69,007 yeas to 28,344 nays*)

Question 5 amended the Constitution to require that a ballot question calling for a convention to amend or revise the Rhode Island Constitution be placed on the ballot at least every ten (10) years. If the General Assembly fails to place the question on the ballot at some time during any period of ten years, then the Secretary of State must place the question on the ballot at the next general election after the expiration of the ten-year period. Question 5 also added the requirement that the General Assembly, prior to the electorate voting on the holding of a Constitutional Convention, create a bi-partisan preparatory commission to assemble information on constitutional questions for the electors. The Governor is authorized to create the commission if the General Assembly fails to act. (See 1994 entry).

**1983:** The General Assembly passes Resolution 255, creating a Bi-partisan Preparatory Commission to assemble information for a Constitutional Convention and placing the Constitutional Convention Question on the Ballot for November 6, 1984.

**1984:** The Bi-partisan Preparatory Commission issues its report on July 5, 1984. The Commission recommended that a Constitutional Convention be called to study the following issues: (1) **Four Year Terms for General Officers;** (2) **Governor and Lt. Governor Running as a Team;** (3) **Line-item Veto Power for the Governor;** (4) **Four Year Terms for General Assembly;** (5) **Legislative Compensation;** (6) **Size of the General Assembly;** (7) **Length of General Assembly Sessions;** (8) **Reapportionment of the General Assembly;** (9) **Equal Rights for Women and Handicapped Persons;** (10) **Voter Initiative and Referendum;** (11) **Manner of Selecting Supreme Court Justices.**

**1984:** *11<sup>th</sup> Convention Approved* - On November 6, 1984, the voters approve the holding of a Constitutional Convention by a vote of *159,801 yeas to 137,096 nays*.

**1985:** The General Assembly enacts 1985 Chapter 326, calling for the election of delegates to a Constitutional Convention and regulating their proceedings. 100 delegates, based on the 100 Representative districts, are elected on November 5, 1985.

**1986:** Beginning on January 6, the Constitutional Convention meets. 288 Resolutions proposing amendments are introduced. The Convention Committees eventually reduce these resolutions into fourteen (14) ballot questions to be decided by the voters on November 4, 1986.

- (1) **Rewrite of the Present Constitution** (*Approved – 188,082 yeas to 96,453 nays*)
- (2) **Judicial Selection and Discipline** (*Rejected – 126,542 yeas to 147,578 nays*)
- (3) **Legislative Pay and Mileage** (*Rejected – 98,845 yeas to 178,775 nays*)
- (4) **Four-Year Terms and Recall** (*Rejected – 116,379 yeas to 166,777 nays*)
- (5) **Voter Initiative** (*Rejected – 129,309 yeas to 139,314 nays*)
- (6) **Ethics in Government** (*Approved – 143,973 yeas to 125,964 nays*)
- (7) **Budget Powers and Executive Session** (*Approved – 173,010 yeas to 92,435 nays*)
- (8) **Rights of the People** (*Approved – 160,137 yeas to 115,730 nays*)
- (9) **Shore Use and Environmental Protection** (*Approved – 183,021 yeas to 88,046 nays*)
- (10) **Felon Office Holding and Voting** (*Approved – 164,863 yeas to 101,262 nays*)
- (11) **Libraries** (*Approved – 182,931 yeas to 87,494 nays*)

**(12) Bail** (*Approved – 177,977 yeas to 96,896 nays*)

**(13) Home Rule** (*Rejected – 84,757 yeas to 182,002 nays*)

**(14) Paramount Right to Life / Abortion** (*Rejected – 102,633 yeas to 197,520 nays*)

Question 1 provided for the re-writing of the Constitution to include all of the constitutional amendments approved since 1843.

**1994:** Secretary of State Barbara Leonard places a Constitutional Convention question on the November 8, 1994 Ballot as Question Number 4. Governor Bruce Sundlun issues Executive Order 20 on November 7, 2004. This Order would have created a Bi-partisan Preparatory Commission to Assemble Information on Constitutional Issues. Ballot Question Number 4, calling for a Constitutional Convention, is rejected on November 8, 1994 by a vote of *118,545 yeas to 173,693 nays*.

**2004:** The General Assembly enacts 2004 Resolutions 286 and 287, providing for a Bi-partisan Preparatory Commission and placing the Constitutional Convention question on the November 2, 2004 Ballot. The Bi-partisan Preparatory Commission issues a ten page report on the following constitutional issues: (1) **Judicial Selection, Performance and Budgetary Control;** (2) **Voter Initiative;** (3) **Abolish Term Limits for General Officers;** (4) **Term Limits for Legislators;** (5) **Bracket Election of Governor and Lt. Governor;** (6) **Constitutional Reapportionment Commission;** (7) **Voter Qualifications / Felon Voting Rights;** (8) **Line-Item Veto for Governor;** (9) **Full-time General Assembly with Term Limits;** (10) **Make General Assembly Subject to Open Meetings Law;** (11) **Gambling;** (12) **Define Marriage;** (13) **Increase Majority Required to Ratify Constitutional Amendments;** (14) **Create General Office of Auditor/Inspector General;** (15) **Clarify Certain Citizen's Rights.** Ballot Question Number 2, calling for a Constitutional Convention, is rejected on November 2, 2004 by a vote of *162,296 yeas to 175,601 nays*.

**2013:** Senate Bill 107, calling for the creation of a Bi-partisan Preparatory Commission, is introduced by Senator Paul Fogarty (D) and is held for further study in the Senate Special Legislation and Veterans Affairs Committee.

**2014:** 2014 Senate Bill 2357 A, providing for a Bi-partisan Preparatory Commission: Became 2014 [Resolution 391](#). 2014 House Bill 8061, providing for a Bi-partisan Preparatory Commission: Became 2014 [Resolution 392](#). The Bi-partisan Preparatory Commission issued its [Report](#) on September 3, 2014. Question will appear on the November 4, 2014 Ballot.