

Common Cause RHODE ISLAND Report

PROVIDING A BLUEPRINT FOR BETTER GOVERNMENT SUMMER 2008

2007-2008 LEGISLATIVE SCORECARD EDITION

Governor and General Assembly fail to complete implementation of 2004 Separation of Powers and undermine 1994 judicial reforms.

In this eighth Common Cause Rhode Island Legislative Scorecard, lawmakers' scores fell below their 2006 level, which was the lowest on record. Although state officials were focused on addressing the budget crisis they still passed legislation that thwarts the voters' will on two major Constitutional reforms: Separation of Powers (SOP) and Judicial Merit Selection.

SEPARATION OF POWERS

Four full legislative sessions after voters approved the SOP amendment, the Rhode Island House of Representatives continues to push the state Supreme Court for an advisory opinion that would preserve its leverage on the Coastal Resources Management Council (CRMC). Common Cause commends the Senate for passing legislation in 2008 that would have reconfigured the CRMC to largely comply with Separation of Powers. The legislation was sent to the House but never received a hearing.

JUDICIAL REFORM

In 2007, Governor Donald L. Carcieri sought and received lawmakers' clearance for "look-back" lists that defy the central purpose of the 1994 Constitutional Amendment establishing Merit Selection of all Rhode Island judges. The "look-back" allows the governor to choose from all of the nominees presented for vacancies in the same court for up to five years past. Common Cause opposed the change arguing that longer lists enhance opportunities for well-connected candidates to defy the merit selection process. The provision has the potential to allow Rhode Island governors to enjoy a pool of thirty to forty candidates for some judicial vacancies instead of the more restrictive approach mandated by Rhode Island voters in 1994. The national model, supported by Common Cause, calls for 3-5

highly qualified candidates to be considered for each judicial vacancy.

This is not the first attempt to scuttle Merit Selection. Since 1994, the General Assembly has created 17 magistrate positions—all exempt from the merit selection process. In 2007, the General Assembly prospectively eliminated life tenure, unified terms, and required Senate confirmation for magistrates. However, the General Assembly did not require that magistrates be appointed through the merit selection process. Common Cause believes that magistrates performing the functions of judges should be selected through the public process endorsed by voters in 1994.

OPEN RECORDS

Common Cause was encouraged that the first significant Open Records bill since 1998 passed both the Senate and House after years of being stalled in committee. We were disappointed that Governor Carcieri vetoed this important legislation, claiming it might compromise public safety. Access RI, a coalition (including Common Cause) dedicated to improving access to public records, reached several compromises that addressed concerns about public safety while preserving the public's right to know. Common Cause hopes the General Assembly will override this veto and improve access to public records in Rhode Island.

Read more about these issues and what happened during the 2007-2008 legislative session inside the newsletter.

Our Mission

Common Cause Rhode Island is a nonpartisan organization whose mission is to promote representative democracy by ensuring open, ethical, accountable, effective government processes at local, state and national levels by educating and mobilizing the citizens of R.I.

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Computing Votes

■ NOTING ABSTENTIONS, ABSENCES, AND CONSIDERATIONS

Common Cause counted sixteen Senate votes (weight equals 22) and fourteen House votes (weight equals 22) from the Senate and House Journals in this two year scorecard. Our lobbying, testimony, printed communications, or emails laid out Common Cause positions on most of the issues. In some cases, amendments proposed on the floor of the House and Senate focused the issue more clearly than final votes. In these instances, a motion to amend (add to or change) or a motion to table (kill) the amendment is counted. Only votes on the House and Senate floors were counted. Because some votes showed blatant contempt for constitutional amendments approved by voters, this scorecard modifies the scoring weight in the following way:

1 POINT - ROUTINE PRO-VOTES OR ANTI-VOTES BASED ON POSITIONS ADVOCATED BY COMMON CAUSE;

2 POINTS - VOTES THAT UPHOLD OR ATTACK LONG-STANDING, CLEARLY ENUNCIATED COMMON CAUSE PRINCIPLES; AND

3 POINTS - VOTES THAT UPHOLD OR ATTACK PRINCIPLES OF GREAT PUBLIC INTEREST ADOPTED AS CONSTITUTIONAL AMENDMENTS SUPPORTED BY COMMON CAUSE.

We recognize that several tabulated votes were crammed into the chaotic last night of the legislative session when fatigue may have made it difficult for lawmakers or the public to recognize what was happening. Caught in the tsunami of last-night bills, some well-intentioned lawmakers unintentionally may have cast harmful votes. We hope they will support rules changes to end such overwhelming agendas.

Additionally, as Common Cause has done in the past, this scorecard also takes into consideration factors that contributed to the overall General Assembly activity. In 2007-2008, the General Assembly took steps toward addressing one of the most severe budget crises in state history. In recognition that the legislature and Governor attempted to make significant headway on Rhode Island's structural deficit, the Common Cause RI Governing Board credited each legislator with bonus points. This bonus equals one quarter of the total possible in each chamber. These bonus points are not an endorsement or criticism of the final budget passed but an acknowledgement of the work undertaken by the General Assembly as a whole.

Within issue areas, the number of pro-votes is divided by the total possible in that area (e.g. 3 pro-Common Cause votes out of 4 renders 75%). When a lawmaker abstains because of potential conflicts of interest, he/she is required by law to note the reason on a recusal statement in House and Senate Journals. In this scorecard the formulas have been adjusted so that recusal neither hurts nor helps that lawmaker's final score.

Half of each lawmaker's absences or failures to vote are factored into the final average under this formula:

$$\text{(PRO-VOTES)} / ((\text{PRO-VOTES} + \text{ANTI-VOTES}) + (\text{NONVOTING}/2)) = \text{(FINAL AVERAGE)}$$

As explained above, and as highlighted in the narrative, the Common Cause RI Governing Board weighed several votes more heavily because of their extraordinary importance. The full spreadsheet with individual votes is available online at: www.commoncauseri.org.

COMMON CAUSE NEVER ENDORSES CANDIDATES FOR ANY PUBLIC OFFICE. THIS SCORECARD REPORTS ONLY HOW MEMBERS OF THE GENERAL ASSEMBLY VOTED ON PARTICULAR BILLS OF CONCERN TO COMMON CAUSE. SCORING DOES NOT CONSTITUTE OPPOSITION OR ENDORSEMENT.

SOP & Gov. Oversight

In 1994, Common Cause RI established Separation of Powers (SOP) as its highest priority. After a decade-long battle, the General Assembly placed a constitutional amendment on the 2004 ballot. An unprecedented 78.3 percent majority of Rhode Island voters approved the amendment, thereby finally establishing Separation of Powers in the Rhode Island Constitution. Most of the boards and commissions where lawmakers exercised executive powers have been reconfigured to comply with the SOP Amendment, but several remain unchanged.

As reported in previous newsletters, Common Cause, and its allies, are awaiting a decision on the House of Representatives advisory question before the RI Supreme Court. Common Cause has also advocated for the General Assembly to conduct legislative oversight and was encouraged by the work of the Senate Government Oversight Committee, chaired by Senator J. Michael Lenihan, over the past two years.

- 07-H 6266 by Rep. John DeSimone repealed the entire Coastal Resources Management Council (CRMC) statute and re-established it almost exactly as currently structured with legislators serving on and appointing to the commission. The House barely approved the bill (33-31) on 6/22/07. At the end of the 2007 session, this legislation was “held of the desk” and never transmitted to the Senate. *Common Cause strongly opposes any further parliamentary moves to undercut the clearly expressed will of Rhode Island voters.*

- 07-H 6556 by Rep. DeSimone requested an advisory opinion from the RI Supreme Court on three questions specifically about the CRMC and a fourth on whether the SOP amendment was “self-executing,” meaning roughly does it take effect when the voters passed it or does it require legislative action. House voted (49-18) to request an advisory opinion on 6/22/07. The request only went to the Supreme Court on December 10, 2007, six months later. In response several amicus curiae briefs were filed, including on behalf of Governor Donald L. Carcieri, Attorney General Patrick C. Lynch, The Conservation Law Foundation, Save the Bay, League of Women Voters of Rhode Island, Rhode Island State Council of Churches, Common Cause RI and others. We eagerly anticipate a response from the Supreme Court in the fall.



Common Cause RI State Board members and staff wait to testify at a Senate Judiciary Hearing on Separation of Powers.

TO READ OUR TWO AMICUS BRIEFS, PLEASE GO TO WWW.COMMONCAUSERI.ORG.

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■ SOP CONTINUED...

- 07-S 0041 by Senator Stephen D. Alves lowered the thresholds (from five to three years and from \$500,000 to \$ 300,000 per year) for the state purchasing committee to receive approval from the General Assembly to sign a lease for state occupancy. Senate voted (31-5) on 6/13/07. S0041 was referred to the House Finance Committee and held for further study. *Common Cause believes the practice of requiring General Assembly approval for executive actions is a violation of Separation of Powers.*

- 08-S 2855 by Senator V. Susan Sosnowski re-configured the CRMC to comply generally with the SOP amendment. Senate voted (36-0) on 5/27/08. S2855 was referred to the House Separation of Powers Committee and never heard. *Common Cause favors this legislation that would implement the SOP Amendment for one of the most powerful boards.*

- 08-S 2941 by Charles J. Levesque accelerated the timeline for state agencies to review and update their rules and regulations under the Administrative Procedures Act. Senate voted (37-0) on 5/27/08 and the House voted (56-0) on 6/21/08. Became law without the Governor's signature on 7/8/08. *Common Cause supports legislative oversight and requirements that agencies review their procedures regularly.*

- 08-S 2948 by Sen. Sosnowski strengthened rules on the required paper trail regarding state purchasing and clearly identified documentation as public record. Senate voted (34-0) on 5/27/08. S2948 was referred to the House Finance Committee and never heard. *Common Cause supports increasing transparency in government purchases.*

Judicial Reform

■ JUDICIAL REFORM CONTINUED (MAGISTRATES)

• 07-Article 3AA of H 5300 of the state budget re-structured magistrate positions throughout the courts as described in the cover story. However, the proposal did not require judicial merit selection for magistrates. Representative Carol A. Mumford requested that a separate vote be taken on the sections (4-10) of Article 3AA that dealt specifically with appointments of magistrates. The House voted (57-15) to pass sections (4-10) on 6/15/07. There is no recorded vote by the Senate on this separate article. *Common Cause opposes most legislation that restructures magistrates duties without requiring appointments to be made through the merit selection process.*

• 08-H 7006 by Rep. Steven M. Costantino made some technical changes to Article 3AA passed in 2007. It also moved the appointment of Traffic Tribunal Magistrates from the Chief Traffic Tribunal Magistrate to the Chief Justice of the Supreme Court. On the House floor, Representative Rene R. Menard offered an amendment to require that Traffic Tribunal magistrates be selected under judicial merit selection rather than be appointed by the Chief Justice. House Majority Leader Gordon Fox moved to lay the amendment on the table and thereby stop it. The House voted to kill the amendment (48-20) on 1/9/08. After a failed attempt to recommit the bill (17-50), the House passed it. The Senate approved the bill (22-9 with 4 abstentions) on 1/22/08. *Common Cause supports efforts to mandate that magistrates be appointed through the merit selection process.*

An astonishing number of news stories about judicial and magistrate appointments connected to the General Assembly show how far Merit Selection of all Rhode Island judges has been debased. In addition, the selection of magistrates occurs behind closed doors.

In 1994, after the second judicial scandal in a decade in which the Chief Justice of the Rhode Island Supreme Court was forced to resign under a cloud of pending impeachment, Rhode Island voters approved judicial merit selection by an overwhelming 70 percent. The central principle of merit selection was that an independent, nonpartisan Judicial Nominating Commission (JNC) would provide a list of 3-5 highly qualified candidates for each judicial vacancy. The governor would be required to select one person from that list for confirmation by the Senate.

Almost immediately, lawmakers and governors sought ways to provide these coveted positions without the public scrutiny of the JNC. The General Assembly began creating magistrate positions with judicial duties but without scrutiny by the Judicial Nominating Commission. The number of magistrates mushroomed from two in 1994 to nineteen in 2008. Governors Almond and Carcieri both pushed in various ways to enlarge the lists of judicial candidates provided by the JNC.

• 07-S 0892 Aaa by Senator Leo R. Blais and 07-H 6324A by Representative Robert A. Watson allowed any person whose name was publicly submitted to the Governor by the Judicial Nominating Commission for a judicial vacancy, to be eligible for a subsequent nomination by the governor for a period of five years (the "look-back"). A "sunset" amendment was added to end the "look back" on July 1, 2008. Senate voted (30-2) on 6/7/07 and the House voted (55-7) on 6/22/07 to continue the look-back. The Governor signed it into law. *Common Cause opposes these assaults on the core principle of the 1994 Merit Selection Amendment.*

• 08-H 7829 by Representative Donald J. Lally, Jr., at the request of Common Cause, would have repealed the five year "look-back" for judicial nominations. On Saturday, June 21, the last day of the legislative session, 08-H 7829 was replaced with 08-H 7829 Substitute A that extended the sunset for another year. 08-H 7829 SubA was never listed on the committee schedule for hearing, but Common Cause staff was present during the hearing in anticipation that such a last-minute effort would be made. After the legislation was steamrolled into passage by the House Judiciary Committee and then on the House floor, we found an error in the substitute version that would have eliminated the entire judicial merit selection process in 2009. After informing legislative leadership and the Governor's office, the error was corrected. The House voted (43-6) on 6/21/2008 and the Senate voted (31-0) on 6/21/08 to extend the sunset by one year. The Governor signed it into law. *Common Cause opposes the "look-back" as a dismantling of the merit selection process and indicates little regard for a constitutional amendment. (Note -Sponsor of H 7829 and House Judiciary Committee Chairman Donald J. Lally was not present during the session on Saturday, June 21.)*

• 08-S 2726 by Senator James C. Sheehan limited terms of members on the Judicial Nominating Commission (JNC) to one term. Senate voted (27-2) on 6/5/2008 and House voted (46-15) on 6/19/08. 08-S2726 became law without the Governor's signature. *Common Cause supported this effort to clarify the intent to limit participation on the JNC to one term.*

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Rhode Island State Senate

FIRST NAME	LAST NAME	CITY and ZIP	DISTRICT	PARTY	Addressing structural deficit in state budget	Campaigns and Elections (2 votes)	Judicial Reform (5 votes/weight = 8)	Media and Open Government (5 votes/weight = 6)	Separation of Powers & Gov. Oversight (4 votes / weight =6)	Pro-CC Votes	Anti-CC Votes	Not Voting	Final Score
Joseph A.	Montalbano	N.Providence 02904	17	D	100%	50%	13%	67%	83%	17	7	2	67%
Dennis L.	Algiere	Westerly 02891	38	R	100%	50%	38%	83%	100%	21	7	0	75%
Stephen D.	Alves	W. Warwick 02893	32	D	100%	50%	0%	50%	67%	14	9	5	54%
David E.	Bates	Barrington 02806	09	R	100%	0%	25%	67%	100%	18	8	2	66%
Leo R.	Blais	Coventry 02816	24	R	100%	0%	25%	83%	100%	19	9	0	67%
Kevin A.	Breene	W.Greenwich 02817	34	R	100%	0%	25%	33%	100%	16	5	7	65%
Frank A.	Ciccone, III	Providence 02909	03	D	100%	50%	0%	50%	83%	15	7	6	59%
Daniel P.	Connors	Cumberland 02864	19	D	100%	50%	13%	67%	83%	17	8	3	64%
Marc A.	Cote	Woonsocket 02895	21	D	100%	0%	38%	67%	83%	18	9	1	65%
Daniel	DaPonte	E.Providence 02914	14	D	100%	50%	0%	50%	83%	15	10	3	56%
James E.	Doyle, II	Pawtucket 02861	08	D	100%	0%	13%	83%	0%	12	7	9	50%
Walter S.	Felag, Jr.	Warren 02885	10	D	100%	50%	13%	83%	83%	18	10	0	64%
Paul W.	Fogarty	Harmony 02829	23	D	100%	50%	0%	50%	83%	15	9	4	57%
Hanna M.	Gallo	Cranston 02920	27	D	100%	50%	13%	83%	83%	18	10	0	64%
June N.	Gibbs	Middletown 02842	12	R	100%	50%	38%	83%	100%	21	7	0	75%
Maryellen	Goodwin	Providence 02908	01	D	100%	50%	0%	83%	83%	17	10	1	61%
Daniel J.	Issa	Central Falls 02863	16	D	100%	50%	13%	83%	83%	18	9	1	65%
Paul	Jabour	Providence 02903	05	D	100%	50%	13%	83%	83%	18	7	1	70%
Beatrice A.	Lanzi	Cranston 02921	26	D	100%	50%	13%	83%	67%	17	8	3	64%
J. Michael	Lenihan	E. Greenwich 02818	35	D	100%	0%	88%	83%	83%	23	3	2	85%
Charles J.	Levesque	Portsmouth 02871	11	D	100%	50%	13%	67%	83%	17	9	2	62%
Christopher B.	Maselli	Johnston 02919	25	D	100%	50%	13%	83%	83%	18	10	0	64%
John F.	McBurney, III	Pawtucket 02860	15	D	100%	50%	0%	17%	83%	13	6	9	54%
Michael J.	McCaffrey	Warwick 02889	29	D	100%	50%	13%	83%	83%	18	3	5	76%
Harold M.	Metts	Providence 02907	06	D	100%	50%	13%	50%	83%	16	5	7	65%
Joshua	Miller	Cranston 02905	28	D	100%	50%	13%	83%	83%	18	10	0	64%
Paul E.	Moura	East Providence 02916	18	D	100%	50%	13%	83%	83%	18	10	0	64%
M. Teresa	Paiva-Weed	Newport 02840	13	D	100%	50%	13%	83%	83%	18	10	0	64%
Rhoda E.	Perry	Providence 02906	03	D	100%	50%	13%	67%	83%	17	7	4	65%
Roger A.	Picard	Woonsocket 02895	20	D	100%	50%	17%	67%	83%	17	1	0	74%*
Juan M.	Pichardo	Providence 02907	02	D	100%	50%	13%	83%	83%	18	9	1	65%
Leonidas P.	Raptakis	Coventry 02816	33	D	100%	50%	25%	33%	17%	12	8	8	49%
John C.	Revens, Jr.	Warwick 02886	31	D	100%	50%	0%	50%	83%	15	7	4	62%
Dominick J.	Ruggerio	Providence 02904	04	D	100%	50%	13%	83%	83%	18	10	0	64%
James C.	Sheehan	N. Kingstown 02852	36	D	100%	50%	88%	67%	83%	23	2	3	87%
V. Susan	Sosnowski	W. Kingston 02892	37	D	100%	50%	13%	83%	83%	18	10	0	64%
John J.	Tassoni, Jr.	Smithfield 02917	22	D	100%	50%	13%	83%	83%	18	10	0	64%
William A.	Walaska	Warwick 02889	30	D	100%	50%	13%	83%	83%	18	9	1	65%
TOTAL VOTES/AVERAGE PERCENTAGES:					100%	42%	18%	70%	81%	638	295	94	64%

*Senator Roger A. Picard served in both the House of Representatives and the Senate during the 2007-2008 legislative session. Senator Picard's final score is an average of his House and Senate final scores.

Rhode Island House of Representatives

FIRST NAME	LAST NAME	CITY and ZIP	DISTRICT	PARTY	Addressing structural deficit in state budget	Campaigns & Elections (1 vote)	Judicial Reform (6 votes/weight =9)	Media & Open Government (4 votes/weight =6)	SOP & Gov. Oversight (3 votes/weight=6)	Pro-CC Votes	Anti-CC Votes	Not Voting	Final Score
William J.	Murphy	W. Warwick 02893	26	D	100%	0%	11%	33%	17%	10	15	3	37%
Edith H.	Ajello	Providence 02904	3	D	100%	100%	44%	100%	17%	18	5	5	70%
Joseph S.	Almeida	Providence 02905	12	D	100%	100%	44%	67%	67%	19	8	1	69%
Joseph N.	Amaral	Tiverton 02878	70	R	100%	0%	44%	67%	50%	17	3	8	70%
Lisa	Baldelli-Hunt	Woonsocket 02895	49	D	100%	0%	11%	67%	50%	14	10	4	53%
Todd R.	Brien	Woonsocket 02895	50	D	100%	0%	11%	67%	17%	12	16	0	42%
David A.	Caprio	Narragansett 02882	34	D	100%	0%	11%	67%	50%	14	12	2	51%
Kenneth	Carter	Saunderstown 02874	31	D	100%	100%	11%	67%	17%	13	9	5	52%
Raymond C.	Church	N. Smithfield 02896	48	D	100%	100%	44%	100%	17%	18	10	1	63%
Steven John	Coaty*	Newport 02840	75	R	100%	0%	0%	100%	0%	10	2	2	76%
Elaine A.	Coderre	Pawtucket 02860	60	D	100%	100%	11%	50%	17%	12	15	1	43%
Arthur J.	Corvese	N. Providence 02904	55	D	100%	100%	11%	67%	17%	13	15	0	46%
Steven M.	Costantino	Providence 02909	8	D	100%	100%	11%	67%	17%	13	15	0	46%
Elizabeth M.	Dennigan	E. Providence 02916	62	D	100%	100%	44%	50%	67%	18	7	3	67%
John J.	DeSimone	Providence 02904	5	D	100%	100%	0%	33%	17%	10	15	3	37%
Grace	Diaz	Providence 02905	11	D	100%	100%	11%	33%	17%	11	9	8	45%
Laurence W.	Ehrhardt	N. Kingstown 02852	32	D	100%	0%	56%	67%	100%	21	7	0	75%
Deborah A.	Fellela	Johnston 02919	43	D	100%	100%	22%	100%	50%	18	5	5	70%
Frank	Ferri*	Warwick 02889	22	D	100%	100%	50%	50%	100%	11	3	0	78%
Robert E.	Flaherty	Warwick 02886	23	D	100%	0%	22%	0%	0%	8	0	20	43%
Gordon D.	Fox	Providence 02906	4	D	100%	100%	11%	67%	17%	13	15	0	46%
Douglas W.	Gablinske	Bristol 02809	68	D	100%	100%	11%	67%	100%	18	10	0	64%
Raymond E.	Gallison, Jr.	Bristol 02809	69	D	100%	100%	11%	67%	17%	13	13	2	47%
Al	Gemma	Warwick 02886	20	D	100%	0%	22%	67%	17%	13	15	0	46%
Joanne M.	Giannini	Providence 02908	7	D	100%	100%	11%	50%	17%	12	11	5	46%
Nicholas	Gorham	Greene 02827	40	R	100%	0%	44%	67%	100%	20	7	1	72%
Arthur	Handy	Cranston 02910	18	D	100%	100%	11%	83%	100%	19	8	1	69%
J. Russell	Jackson	Newport 02840	73	D	100%	100%	11%	67%	50%	15	7	4	62%
Robert B.	Jacquard	Cranston 02910	17	D	100%	100%	0%	67%	17%	12	9	7	48%
Brian P.	Kennedy	Ashaway 02804	38	D	100%	0%	11%	100%	17%	14	13	1	50%
Peter F.	Kilmartin	Pawtucket 02861	61	D	100%	100%	44%	33%	17%	14	12	2	51%
Donald J.	Lally, Jr.	Narragansett 02882	33	D	100%	100%	11%	67%	0%	12	14	2	43%
Peter L.	Lewiss	Westerly 02891	37	D	100%	100%	0%	67%	67%	15	11	2	55%
Charlene M.	Lima	Cranston 02920	14	D	100%	0%	11%	50%	17%	11	15	2	40%
Bruce J.	Long	Middletown 02842	74	R	100%	100%	44%	83%	100%	22	5	1	80%
John J.	Loughlin, Jr,	Tiverton 02878	71	R	100%	100%	56%	67%	100%	22	6	0	78%
Jan P.	Malik	Warren 02885	67	D	100%	100%	11%	67%	100%	18	10	0	64%
Nicholas A.	Mattiello	Cranston 02921	15	D	100%	100%	11%	67%	17%	13	14	1	46%
John J.	McCauley, Jr.	Providence 02908	01	D	100%	100%	11%	67%	17%	13	12	3	48%
William J.	McManus	Lincoln 02865	46	R	100%	0%	44%	67%	83%	19	7	2	70%

FIRST NAME	LAST NAME	CITY and ZIP	DISTRICT	PARTY	Addressing structural deficit in state budget	Campaigns & Elections (1 vote)	Judicial Reform (6 votes/weight =9)	Media & Open Government (4 votes/weight =6)	SOP & Gov. Oversight (3 votes/weight=6)	Pro-CC Votes	Anti-CC Votes	Not Voting	Final Score
Joseph M.	McNamara	Warwick 02888	19	D	100%	100%	11%	67%	17%	13	15	0	46%
Helio	Melo	E. Providence 02914	64	D	100%	100%	11%	67%	67%	16	12	0	56%
Rene R.	Menard	Manville 02838	45	D	100%	0%	56%	67%	83%	20	4	4	77%
Victor G.	Moffitt	Coventry 02816	28	R	100%	0%	33%	67%	100%	19	7	2	70%
Carol A.	Mumford	Hope 02831	41	R	100%	0%	56%	67%	100%	21	7	0	75%
Eileen S.	Naughton	Warwick 02889	21	D	100%	100%	11%	83%	17%	14	11	3	52%
J. Patrick	O'Neill	Pawtucket 02860	59	D	100%	100%	11%	67%	0%	12	14	2	43%
Edwin R.	Pacheco	Pascoag 02859	47	D	100%	100%	11%	67%	17%	13	15	0	46%
Peter G.	Palumbo	Cranston 02920	16	D	100%	100%	0%	50%	17%	11	2	15	53%
Peter J.	Petrarca	Lincoln 02865	44	D	100%	100%	11%	100%	0%	14	12	2	51%
Amy G.	Rice	Portsmouth 02871	72	D	100%	100%	0%	67%	67%	15	11	2	55%
Henry C.	Rose	E. Providence 02915	63	D	100%	100%	11%	50%	17%	12	14	2	43%
William	San Bento, Jr.	Pawtucket 02860	58	D	100%	0%	0%	17%	17%	8	12	8	32%
John A.	Savage	E. Providence 02915	65	R	100%	100%	44%	100%	100%	23	2	3	87%
Gregory J.	Schadone	N. Providence 02911	54	D	100%	100%	0%	33%	0%	9	12	7	35%
Joseph H.	Scott	Exeter 02822	39	D	100%	100%	11%	33%	0%	10	9	9	41%
David A.	Segal	Providence 02906	2	D	100%	100%	11%	67%	67%	16	12	0	56%
Patricia A.	Serpa	W. Warwick 02890	27	D	100%	100%	11%	67%	17%	13	15	0	46%
John P.	Shanley	S. Kingstown 02879	35	D	100%	100%	0%	67%	50%	14	12	2	51%
Agostinho F.	Silva	Central Falls 02863	56	D	100%	100%	11%	67%	17%	13	15	0	46%
Richard W.	Singleton	Cumberland 02864	52	R	100%	0%	33%	33%	83%	16	5	7	65%
Thomas C.	Slater	Providence 02907	10	D	100%	0%	33%	100%	17%	16	11	1	57%
Steven F.	Smith	Providence 029n9	13	D	100%	0%	0%	0%	17%	7	9	12	30%
Susan A.	Story	Barrington 02806	66	R	100%	0%	44%	100%	100%	22	6	0	78%
Raymond J.	Sullivan, Jr.	Coventry 02816	29	D	100%	100%	11%	67%	17%	13	12	3	48%
Joseph A.	Trillo	Warwick 02888	24	R	100%	0%	56%	67%	100%	21	7	0	75%
Steven R.	Ucci	Johnston 02919	42	D	100%	100%	22%	67%	67%	17	10	1	61%
Kenneth A.	Vaudreuil	Central Falls 02864	57	D	100%	100%	11%	100%	17%	15	12	1	54%
Donna M.	Walsh	Charlestown 02813	36	D	100%	100%	78%	100%	50%	23	4	1	83%
Peter N.	Wasylyk	Providence 02909	6	D	100%	100%	22%	0%	0%	9	3	16	44%
Robert A.	Watson	E. Greenwich 028n8	30	R	100%	0%	56%	50%	100%	20	7	1	72%
Anastasia P.	Williams	Providence 02909	9	D	100%	100%	11%	67%	17%	13	6	9	54%
Timothy A.	Williamson	W. Warwick 02893	25	D	100%	100%	0%	17%	0%	8	11	9	33%
Thomas J.	Winfield	Smithfield 02828	53	D	100%	100%	22%	67%	100%	19	5	4	73%
TOTAL VOTES/AVERAGE PERCENTAGES:						69%	21%	64%	42%	1067	725	233	56%

**Representatives Steven John Coaty and Frank Ferri were sworn into office in the RI House of Representatives in 2008. Both Representatives were only scored on the votes taken after joining the legislature.*

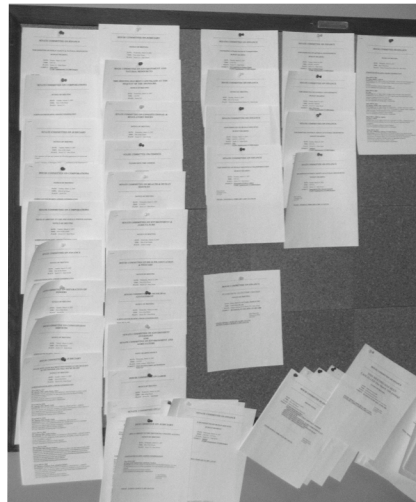
Campaigns and Elections

Common Cause has placed a high value on fair elections with full disclosure of campaign fundraising and expenditures and the preservation of long standing transparency measures. We have been involved in creating and updating Rhode Island's laws for voter registration, election process, ballot advocacy, and campaign finance reform.

- 08-S 2081 by Senator Rhoda Perry and 08-H 7106 by Representative Edwin R. Pacheco allowed voter pre-registration of 16 and 17-year-olds. Senate voted (32-4) on 5/27/2008 and House voted (51-11) on 5/8/2008. The Governor vetoed these bills. *Common Cause supported these bills.*

- 07- S 0190 by Senator Michael J. McCaffrey eliminated the requirement that a candidate file nominating papers when there is no other declared candidate for that office. The Senate passed (33-0) on 5/9/2007 and the House Judiciary Committee held it for further study. *Common Cause opposed this proposal and believes that anyone seeking elective office should be required to file nomination papers as part of the nomination process regardless of whether they have a declared opponent.*

Media and Open Government



House and Senate Committee hearing schedules posted on bulletin boards in the State House.

Common Cause has always seen access to government meetings and records as essential if citizens are to understand what their government is doing and to help shape its decisions. Common Cause RI helped win passage of Rhode Island's Access to Public Records Law and Open Meetings Law in the 1970s and has lobbied regularly for improvements ever since.

- 08-S 2963Aaa by Senator J. Michael Lenihan and 08-H 7422 by Representative Edith Ajello included a comprehensive package of amendments to the Access to Public Records Act that were proposed by Access RI, an open government coalition that includes Common Cause.

The legislation included, but was not limited to, reducing the time to receive copies of public records, specifying that copies of public records may be sent by mail and/or electronically, requiring certification of staff training, and reducing the time to access arrest information. Senate voted (30-0) on 6/5/08 and House voted (51-9) on 6/20/08. The Governor vetoed the legislation. *Common Cause strongly supports improving access to public records.*

(Continue on next page)

■ WHAT COMMON CAUSE MEMEBRS ARE SAYING

During the year we receive emails, phone calls, and notes from the public about our work. Below are some comments about Common Cause.

"I AM SO VERY GLAD YOU ALL ARE ON SITE FINDING OUT WHAT IS REALLY GOING ON AND LETTING THE REST OF US KNOW. GOVERNMENT HAS BECOME VERY HARD TO FOLLOW EVEN IN LITTLE RHODY"

"WE GREATLY APPRECIATE THE WORK OF COMMON CAUSE.... WITH THE UPCOMING LEGISLATIVE SESSION FOCUSED ON THE BUDGET DEFICIT, THERE WILL LIKELY BE MORE ATTEMPTS TO ROLL BACK SEPARATION OF POWERS AND OTHER CRITICAL GAINS THAT COMMON CAUSE HAS ACHIEVED DURING THESE MANY YEARS. KEEP UP THE GREAT WORK!"

"THERE ARE MANY IMPORTANT ISSUES FOR PUBLIC DISCUSSION, COMMON CAUSE IS FOCUSED ON BUILDING THE PUBLIC STAGE FOR THOSE DISCUSSIONS TO TAKE PLACE ON- A LEVEL, STURDY, OPEN, PUBLIC STAGE."

■ SIGN UP FOR E-ALERTS!

We encourage all Rhode Islanders to sign up and receive special email bulletins from Common Cause RI about breaking news, legislative developments, and upcoming events. E-Alerts have proven to be an important tool for Common Cause RI. The wider and faster we can spread information about key issues, the more we can help to influence public officials to act in the public interest.

TO SIGN UP, GO TO OUR WEBSITE WWW.COMMONCAUSERI.ORG AND ENTER YOUR EMAIL ADDRESS IN THE BOX TO THE UPPER LEFT. THANKS!

- 08-S 2989- Floor amendment LC2834/2 by Representative Nicholas Gorham required voter approval before approving a future appropriation for the proposed Blackstone Valley Courthouse. The House rejected Gorham's amendment (25-37) on 6/21/08 and passed the bill. Common Cause included this vote as part of the scorecard because Article VI, Section 16 of the RI Constitution states that "The general assembly shall have no powers, without the express consent of the people, to incur state debts to an amount exceeding fifty thousand dollars, except in time of war, or in case of insurrection or invasion; nor shall it in any case, without such consent, pledge the faith of the state for the payment of the obligations of others." The proposed amendment would have prevented an evasion of public approval.



Rhode Island State House

- 07-S 0958 by Daniel P. Connors was a rules change that would allow the Senate to expand the types of bills that could be included on the consent calendar. The consent calendar has been used by the Senate to bundle bills that were not "public bills" (acknowledgements, etc.) and pass them with one vote. Common Cause opposed this rule change with concerns that allowing public bills to be included on the consent calendar would provide an opportunity for the Senate to bundle bills that should be considered, debated, and voted on separately. In the 1980's the consent calendar was used by the Senate to pass several important pension bills with one single vote. Senate voted (34-0) on 5/3/07. *Common Cause urges the Senate to change this rule next session.*

- 07-S 470 by Senator John F. McBurney, III and 07-H 5525 by Representative Donald J. Lally, Jr. required that Supreme Court opinions be posted electronically and available on the court website. Senate voted (33-0) on 5/9/07 and House voted (65-0) on 4/24/07. Became law without the Governor's signature. *Common Cause supports improving transparency in court decisions and providing public information online.*

- 07-S 295 by Senator Daniel P. Connors and 07-H 5326 by Representative Donna L. Walsh required agencies proposing to replace a rule under the Administrative Procedures Act to provide an explanation for the difference between the existing rule and the proposed change. Senate voted (35-0) on 6/20/07 and the House voted (65-1) on 5/22/2007. Became law without the Governor's signature. *Common Cause supports requiring agencies to provide explanations for regulations changes and hopes that requirements to make these explanations available online are passed into law.*

- 07-S 0196 by Leo R. Blais required that a regulation change under the Administrative Procedures Act, with exceptions, would not go into effect until "made available to the public electronically." Senate voted (36-0) on 5/2/07 and the bill was referred to the House Judiciary Committee and held for further study. *Common Cause supports giving the public notice of regulations changes online before they go into effect.*

■ INTERNSHIP OPPORTUNITIES

If you would like to intern with Common Cause RI, or know someone who would, please contact us to find out more about upcoming volunteer internships and special project opportunities.

PLEASE CALL OUR OFFICE AT 401-861-2322 OR EMAIL US AT CONTACT@COMMONCAUSERI.ORG

■ SPECIAL THANK YOU

We would like to extend a particular thanks to the following people for their leadership and commitment to Common Cause:

2008 FUND DRIVE COMMITTEE

Cathy Speer, *Chair*

Phil & Mudge Anderson, Vickie Cummings

Joseph Dowling, Jr., Patricia Fuller

Doree Goodman, Tory McCagg

James C. Miller, Tom Quill,

Nancy Rhodes, and Helen Sebesta

■ HELP BUILD A BRIGHT FUTURE FOR COMMON CAUSE RI

We are especially grateful for contributions to fund the Common Cause RI of tomorrow. Contributions to the Phil West Spirit of Common Cause RI endowment fund will help support our education, research, and outreach programs. Ensure that the fight for reform in Rhode Island is carried on by:

- Remembering Common Cause RI in your will; or

- Giving to our permanent endowment fund managed by the RI Foundation by visiting: www.rifoundation.org to give online.

THINKING OF MAKING A GIFT? PLEASE CONTACT CHRISTINE LOPES AT 401-861-2322

Help Common Cause Raise \$20,000 to Start Our Match!

Alan G. Hassenfeld, Chairman of Hasbro, Inc. and 2005 John Gardner Fellow of Common Cause RI has challenged friends and supporters to join him in the fight for open and ethical government. Alan will match pledges received after we reach \$160,000 – we are presently at \$140,000.

WE NEED \$20,000 NOW TO START THE MATCH.

Common Cause is your advocate for good government. Look at the RI Legislative Scorecard and you will know why it is so critical to keep Common Cause strong and vigilant. If you have already made a pledge to this year's fund drive, Thank You! Please consider a second gift to Start the Match.

**IF YOU BELIEVE IN COMMON CAUSE, BUT HAVE NOT YET MADE A GIFT NOW IS THE TIME.
PLEASE SEND YOUR MOST GENEROUS PLEDGE TODAY.**

YES, I WANT TO HELP COMMON CAUSE RI START THE MATCH AND CONTINUE FIGHTING FOR REFORM IN RHODE ISLAND!

NAME _____

STREET _____

CITY / STATE / ZIP _____

EMAIL _____ TEL. # _____

Enclosed is my contribution check- made payable to Common Cause and *NOTING RI IN THE MEMO* line in the amount of \$ _____.

I authorize a contribution of \$ _____ to be charged to the following account:

VISA MC Acct # _____ Expiration ____ / ____

Signature: _____

I pledge to make a contribution in the amount of \$ _____ in 2008. Please invoice me on ____ / ____ /2008.

PLEASE CLIP OUT & RETURN TO:

Common Cause RI, 245 Waterman St, #400A, Providence, RI 02906. OR, [GIVE ONLINE](http://www.commoncause.org/SupportRI) at www.commoncause.org/SupportRI. **THANK YOU FOR YOUR SUPPORT!**

*Because we lobby for specific constitutional amendments, laws and regulations to improve government process, contributions to Common Cause Rhode Island are not tax-deductible as charitable contributions.
Questions? Ready to contribute by phone? Please give us a call at 401-861-2322.*

Meet Common Cause RI ...

■ PETER HUFSTADER, RESEARCH DIRECTOR

This summer, Common Cause RI said farewell to its Research Director, Peter Hufstader, who retired after thirteen years of service. Peter joined Common Cause RI in 1995 after retiring from teaching in public and private schools in Connecticut and Rhode Island for over thirty years. Peter began as a volunteer researcher and board member before joining the staff in 1999. His stellar leadership in research and as the organization's lead watchdog has been invaluable in advancing good government reforms in Rhode Island. Peter will be honored for his contributions and commitment to Common Cause RI at the Annual Meeting in the fall. Before departing, we asked Peter to reflect on his experience and expertise.



Peter Hufstader hard at work at his desk.

WHAT INSPIRED YOU TO BECOME ACTIVE

IN COMMON CAUSE RI? "A former state senator who acquired, at age 51, 79 years of retirement credits worth an annual retirement benefit of \$106,000. The day I read the Providence Journal headline, I called Phil West and volunteered my services."

WHAT HAVE YOU LEARNED FROM TRACKING THE GENERAL ASSEMBLY'S ACTIVITIES FOR 13 LEGISLATIVE SESSIONS?

"First, the importance of a vigilant citizenry aided by indefatigable reporters. Legislators respect the bright light of scrutiny, especially in an election year. It's important to keep that light trained on them. Second, the importance of being thorough. An innocent-looking bill may well be a Trojan Horse."

HOW WOULD YOU IMPROVE THE PUBLIC'S ACCESS TO INFORMATION ABOUT STATE AND LOCAL GOVERNMENT?

"Amend the Access to Public Records Act, which currently permits the state to conceal how tax payers' dollars are being spent

on incentives for state workers. The information could be disclosed without names if the law were so amended. Require all state agencies to update basic information at least annually for posting on the Secretary of State's website and make the Secretary responsible for enforcement. Currently, information about state agencies is inconsistently presented, incomplete, very often out of date, and sometimes nonexistent."

"Legislators respect the bright light of scrutiny, especially in an election year. It's important to keep that light trained on them."

WHAT ADVICE WOULD YOU GIVE CITIZENS

RESEARCHING POLITICAL AND LEGISLATIVE ACTIVITY IN RHODE ISLAND? "Read the Access to Public Records Act (APRA; § 38-2) and the Open Meetings Act (OMA; § 42-46). Know your rights and insist on them. Study the legislature's website. It's packed with important information. Be strong! If you are repeatedly denied public documents, file a complaint with the Attorney General.

■ STAFF UPDATE

This year, Common Cause RI said farewell to its Office Administrator Nan Sumner-Mack. Nan and her husband Bob, both long-time members of Common Cause, retired to Hawaii in May. We are grateful to Nan and Bob for their years of dedicated service and commitment to government reform in Rhode Island and wish them the best of luck in their future endeavors. We were pleased to have Deborah Jones, a native Rhode Islander, join our office in April.

■ GET INVOLVED!

JOIN A COMMITTEE

We are always looking for volunteers willing to share time and talent. If you are interested in learning more about the issues Common Cause RI works on, or joining a committee on ethics, election reform, separation of powers, media and public records, or judicial reform, please call our office. We hope to hear from you!

HOST A PARTY

Our cause is advanced with every new Rhode Islander who gains increased awareness of what we do, and how and why. One way for you and your friends and neighbors to get to know Common Cause RI, and each other, is to host a small gathering to talk about current events with Common Cause RI staff and Board members.

IF YOU ARE INTERESTED AND WOULD LIKE MORE INFORMATION, PLEASE CALL THE OFFICE AT 401-861-2322 OR EMAIL US AT: CONTACT@COMMONCAUSERI.ORG

ANNUAL MEETING

THE COMMON CAUSE RI ANNUAL MEETING IS COMING UP THIS FALL. AS ALWAYS, THIS EVENT WILL BE A GREAT OPPORTUNITY FOR OUR MEMBERS AND THE PUBLIC TO GATHER, MINGLE, AND LEARN MORE ABOUT TOPICS OF THE DAY, AS WELL AS THE OCCASION FOR THE ORGANIZATION TO ELECT BOARD MEMBERS.

Stay tuned for more details!

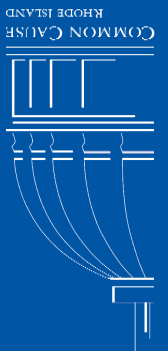
CALL FOR NOMINATIONS

If you or someone you know would make a great Board member, committed to open, ethical, accountable, effective government in Rhode Island, the Nominating Committee is now considering candidates for the Common Cause RI State Governing Board.

PLEASE CALL US AT 401-861-2322 TO SUBMIT A NOMINATION.



Common Cause RI State Board and Advisory Council members at a special joint meeting.



COMMON CAUSE RHODE ISLAND

245 Waterman Street, Suite 400A, Providence, RI 02906

COMMON CAUSE RHODE ISLAND E-NEWS COMING YOUR WAY:

Send us your email address and stay connected with Common Cause Rhode Island by signing up for our E-Alerts and E-Newsletter. To sign up, go to our website —

www.commoncauseri.org, or email us at contact@commoncauseri.org.

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