

Why separate grades?

The Common Cause/RI State Governing Board decided this year to provide separate grades on specific issues. People who stand with Common Cause on one issue might disagree on another. For further details on the votes counted, check narrative, where votes counted in this scorecard are noted in **bold type**:

- SOP = Separation of Powers Pg. 6**
- FOI = Freedom of Information Pg. 2**
- Ethics/Pay Pg. 6**
- Judicial Pg. 7**

What votes were counted?

Only votes cast on the House or Senate floor -- key amendments and final passage -- are computed in this scorecard.

No committee votes are counted.

Formula used in counting votes:

Pro-CC = votes FOR reforms publicly backed by Common Cause.

Anti-CC = votes AGAINST measures publicly backed by Common Cause.

Not voting includes absences and abstentions. To give part-time lawmakers the benefit of a doubt, only 1/4 of missed votes are counted. Further, where Common Cause is aware that a lawmaker recused to avoid conflict-of-interest, the recusal is not counted.

EXAMPLE: In a vote on pay raises for General Officers -- to take effect in January 1999 -- Senators Charles Fogarty and Paul Tavares, candidates for Lt. Governor and Gen. Treasurer respectively, properly recused themselves to avoid voting on raises from which each might benefit, if elected. Their not voting is not counted against them, and their scores are computed on the basis of 17 rather than 18 votes.

Why do senators average 85.7% but reps only 54.3%?

The House buried many reforms passed by the Senate and pushed "power grab" measures that had to be killed in the Senate. Senate leaders, particularly Judiciary Chair **Sen. Teresa Paiva-Weed** and Finance Chair **J. Michael Lenihan**, won Senate backing for reforms.

Didn't you curve grades in 1996?

Yes, but only for the House. Those "curved" grades lifted representatives upward by an average of 7.5%. After careful review, the Common Cause/RI State Governing Board decided not to "curve" any grades this time. The House again scored poorly on a range of reform issues -- worse, in fact, than it did in 1996.

13 House floor votes counted:

Rep Name	District	Party	SOP - 5 votes	FOI - 4 votes	Pay - 1 vote	Judicial - 3 votes	Pro CC	Anti CC	Not voting	Final
D. Aiken-Salandria	Warwick 02886	35 D	70.6%	75.0%	100.0%	88.9%	8	4	2	78.3%
Edith H. Ajello	Providence 02906	3 D	70.6%	50.0%	0.0%	100.0%	9	4	0	65.3%
Joseph N. Amaral	Tiverton 02878	92 D	20.0%	100.0%	100.0%	100.0%	9	4	0	69.2%
Stephen J. Anderson	Coventry 02816	42 D	23.5%	25.0%	100.0%	100.0%	6	6	1	49.0%
Mabel M. Anderson	Pawtucket 02860	77 D	60.0%	25.0%	100.0%	88.9%	7	5	1	57.1%
F. J. Anzeveno, Jr.	N. Prov. 02911	70 D	0.0%	0.0%	100.0%	0.0%	1	5	7	12.9%
Sandra M. Barone	Barrington 02806	87 D	28.6%	30.8%	0.0%	88.9%	4	4	5	43.2%
John Douglas Barr, II	Lincoln 02865	59 D	0.0%	50.0%	100.0%	88.9%	5	4	4	50.0%
Nancy L. Benoit	Woonsocket 02895	64 D	47.1%	75.0%	100.0%	66.7%	7	3	3	65.1%
Melvoid J. Benson	N. Kingstown 02852	45 D	0.0%	0.0%	100.0%	100.0%	4	6	3	37.2%
Brock D. Bierman	Cranston 02921	23 R	70.6%	100.0%	100.0%	100.0%	11	1	1	89.8%
Russell Bramley	Warwick 02886	36 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Barbara Burlingame	Woonsocket 02895	62 D	80.0%	50.0%	100.0%	88.9%	9	3	1	73.5%
Christine H. Callahan	Middletown 02840	99 R	70.6%	57.1%	100.0%	88.9%	7	1	5	75.7%
Bambilyn B. Cambio	N. Prov. 02911	11 D	23.5%	50.0%	0.0%	66.7%	4	5	4	40.0%
Sandra J. Campbell	Foster 02825	53 R	47.1%	40.0%	100.0%	100.0%	7	3	3	65.1%
Marsha E. Carpenter	Providence 02907	18 D	20.0%	0.0%	100.0%	88.9%	4	6	3	37.2%
May Ann F. Carroll	Chepachet 02814	15 D	47.1%	0.0%	100.0%	66.7%	4	3	6	47.1%
Kenneth Carter	N. Kingstown 02874	46 D	23.5%	61.5%	100.0%	100.0%	7	4	2	60.9%
George D. Caruolo	E. Prov. 02915	86 D	0.0%	30.8%	100.0%	88.9%	4	2	7	51.6%
George A. Castro	Providence 02905	20 D	0.0%	61.5%	0.0%	88.9%	4	2	7	76.9%
David N. Cicilline	Providence 02906	4 D	40.0%	100.0%	100.0%	100.0%	10	3	0	46.2%
Elaine A. Coderre	Pawtucket 02860	78 D	20.0%	25.0%	100.0%	100.0%	6	7	0	46.2%
Raymond C. Coelho	E. Prov. 02914	85 D	20.0%	0.0%	100.0%	100.0%	5	5	3	46.5%
Steven M. Costantino	Providence 02903	14 D	23.5%	50.0%	100.0%	100.0%	7	5	1	57.1%
Paul W. Crowley	Newport 02840	100 D	28.6%	75.0%	0.0%	100.0%	7	3	3	65.1%
Elizabeth Dennigan	E. Prov. 02916	82 D	40.0%	75.0%	100.0%	100.0%	9	4	0	69.2%
John J. DeSimone	Providence 02904	86 D	20.0%	0.0%	100.0%	88.9%	4	6	3	37.2%
Joseph L. Faria	Central Falls 02863	72 D	20.0%	0.0%	100.0%	100.0%	5	8	0	38.5%
Michael J. Farrell	Central Falls 02863	73 D	20.0%	0.0%	0.0%	88.9%	3	6	4	30.0%
Lawrence J. Ferguson	Bristol 02809	91 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Robert E. Flaherty	Warwick 02886	34 D	20.0%	75.0%	100.0%	100.0%	8	5	0	61.5%
Richard E. Fleury	W. Warwick 02893	40 R	70.6%	100.0%	100.0%	100.0%	11	1	1	89.8%
Gordon D. Fox	Providence 02906	5 D	23.5%	0.0%	100.0%	100.0%	5	4	4	50.0%
Eugene F. Garvey	Wakefield 02879	81 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Myrna C. George	Exeter 02822	31 D	47.1%	75.0%	0.0%	100.0%	8	4	1	65.3%
Joanne M. Giannini	Providence 02908	7 D	23.5%	61.5%	100.0%	100.0%	7	4	2	60.9%
Peter T. Ginhait	Warwick 02889	33 D	0.0%	61.5%	100.0%	88.9%	5	4	4	50.0%
John B. Harwood	Pawtucket 02860	76 D	23.5%	80.0%	0.0%	88.9%	5	3	5	54.1%
Mark B. Helfner	Barrington 02806	88 D	47.1%	100.0%	0.0%	88.9%	8	2	3	74.4%
Suzanne M. Henseler	N. Kingstown 02852	44 D	20.0%	50.0%	0.0%	100.0%	6	6	1	49.0%
Nancy Hetherington	Cranston 02905	28 D	0.0%	50.0%	100.0%	100.0%	6	6	1	49.0%
Susan B. Iannitelli	Greenville 02828	57 R	80.0%	80.0%	100.0%	100.0%	10	1	2	87.0%
Edward S. Inman, III	Coventry 02816	41 D	23.5%	57.1%	0.0%	100.0%	5	3	5	54.1%
David S. Iwuc	Cumberland 02864	68 D	0.0%	0.0%	100.0%	88.9%	3	6	4	30.0%
Robert B. Jacquard	Cranston 02910	26 D	57.1%	50.0%	0.0%	100.0%	7	3	3	65.1%
Leona A. Kelley	Peace Dale 02879	49 R	80.0%	40.0%	100.0%	100.0%	9	2	2	78.3%
James Kelso	Narragansett 02882	47 D	20.0%	50.0%	100.0%	88.9%	6	6	1	49.0%
Brian P. Kennedy	Ashaway 02804	16 D	20.0%	30.8%	0.0%	100.0%	5	7	1	40.8%
Peter F. Kilmartin	Pawtucket 02861	80 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Donald J. Lally, Jr.	Wakefield 02879	48 D	57.1%	75.0%	100.0%	100.0%	9	2	2	78.3%
Beatrice A. Lanzi	Woonsocket 02895	22 D	23.5%	50.0%	0.0%	100.0%	6	6	1	49.0%
Charles J. Levesque	Portsmouth 02871	93 D	0.0%	50.0%	100.0%	100.0%	6	5	2	52.2%
George R. Levesque	Jamestown 02835	98 D	23.5%	50.0%	0.0%	100.0%	6	6	1	49.0%
Charlene Lima	Providence 02909	13 D	60.0%	40.0%	100.0%	100.0%	8	3	2	69.6%
Hubert E. Little	Portsmouth 02871	96 R	80.0%	80.0%	0.0%	100.0%	9	1	3	83.7%
Bruce J. Long	Middletown 02840	95 R	60.0%	100.0%	100.0%	100.0%	4	7	2	34.8%
Maria J. Lopes	E. Prov. 02914	83 D	0.0%	50.0%	0.0%	88.9%	4	7	0	46.2%
Robert B. Lowe	Forestdale 02824	61 D	20.0%	25.0%	100.0%	100.0%	5	6	2	43.5%
Jan Malik	Warren 02885	89 D	20.0%	0.0%	100.0%	100.0%	6	3	4	60.0%
Gerard M. Martineau	Woonsocket 02895	63 D	28.6%	61.5%	100.0%	88.9%	4	5	4	40.0%
John J. McCauley, Jr.	Providence 02908	1 D	20.0%	0.0%	100.0%	88.9%	3	3	7	38.7%
William C. McGowan	Warwick 02886	37 D	0.0%	0.0%	0.0%	100.0%	5	6	2	43.5%
Joseph McNamara	Warwick 02888	29 D	20.0%	0.0%	100.0%	100.0%	5	4	4	50.0%
Rene R. Menard	Manville 02838	58 D	0.0%	50.0%	100.0%	88.9%	5	4	4	50.0%
Vincent Mesolella, Jr.	N. Prov. 02904	71 D	0.0%	0.0%	0.0%	66.7%	1	5	7	12.9%
Harold M. Metts	Providence 02907	19 D	47.1%	0.0%	100.0%	88.9%	5	4	4	50.0%
Charles E. Millard, Jr.	Bristol 02809	90 R	80.0%	0.0%	100.0%	88.9%	7	1	5	75.7%
Mark M. Montalbano	Pawtucket 02904	74 D	20.0%	0.0%	0.0%	100.0%	4	6	3	37.2%
Frank A. Montanaro	Cranston 02921	24 D	0.0%	40.0%	100.0%	100.0%	5	5	3	46.5%
Paul E. Moura	Providence 02906	2 D	20.0%	75.0%	100.0%	100.0%	8	5	0	61.5%
Ronald C. Munschy	Woonsocket 02895	65 D	20.0%	0.0%	100.0%	100.0%	5	6	2	43.5%
William J. Murphy	W. Warwick 02893	39 D	20.0%	61.5%	0.0%	88.9%	5	5	3	46.5%
Eileen S. Naughton	Warwick 02889	32 D	20.0%	75.0%	0.0%	88.9%	6	6	1	49.0%
Thomas A. Palangio	Providence 02908	8 D	23.5%	40.0%	100.0%	88.9%	5	4	4	50.0%
Peter G. Palumbo	Cranston 02920	25 D	0.0%	40.0%	0.0%	88.9%	3	3	7	38.7%
David J. Panclera	Westerly 02891	50 D	23.5%	0.0%	100.0%	100.0%	5	5	3	46.5%
Roger A. Picard	Woonsocket 02895	66 D	40.0%	92.3%	0.0%	100.0%	8	4	1	65.3%
Antonio J. Pires	Pawtucket 02861	79 D	28.6%	50.0%	100.0%	66.7%	5	4	4	50.0%
Michael S. Pisaturo	Cranston 02920	21 D	23.5%	40.0%	100.0%	100.0%	6	4	3	55.8%
Joan B. Quick	L. Compton 02837	94 R	47.1%	61.5%	100.0%	100.0%	8	3	2	69.6%
Scott T. Rabideau	Harrisville 02830	60 R	36.4%	100.0%	100.0%	100.0%	9	1	3	83.7%
Donald O. Reilly, Jr.	Cumberland 02864	67 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Henry C. Rose	E. Prov. 02915	84 D	20.0%	75.0%	100.0%	100.0%	8	5	0	61.5%
Alfred Russo, Jr.	Johnston 02919	55 D	0.0%	0.0%	0.0%	100.0%	3	1	9	48.0%
Wayne L. Salisbury	N. Scituate 02857	54 R	28.6%	61.5%	100.0%	100.0%	7	3	3	65.1%
William San Bento, Jr.	Pawtucket 02860	75 D	23.5%	40.0%	0.0%	100.0%	5	4	4	50.0%
Joseph H. Scott	Exeter 02822	52 R	47.1%	61.5%	0.0%	100.0%	7	3	3	65.1%
Maxine B. Shavers	Newport 02840	97 D	40.0%	0.0%	0.0%	100.0%	5	5	3	46.5%
Paul V. Sherlock	Warwick 02888	30 D	23.5%	50.0%	100.0%	100.0%	7	5	1	57.1%
John S. Simonian	Cranston 02910	27 D	20.0%	0.0%	0.0%	88.9%	3	5	5	32.4%
Thomas C. Slater	Providence 02907	17 D	23.5%	30.8%	100.0%	100.0%	6	5	2	52.2%
Steven F. Smith	Providence 02909	12 D	23.5%	75.0%	100.0%	88.9%	7	4	2	60.9%
Joseph J. Voccola	Johnston 02919	56 D	0.0%	0.0%	0.0%	0.0%	0	4	9	0.0%
Mary Lou Walter	Westerly 02891	51 R	85.7%	40.0%	100.0%	100.0%	8	1	4	80.0%
Peter N. Wasyluk	Providence 02909	10 D	20.0%	50.0%	100.0%	100.0%	7	6	0	53.8%
Robert A. Watson	E. Greenwich 02818	43 R	47.1%	100.0%	100.0%	100.0%	10	2	1	81.6%
Anastasia P. Williams	Providence 02907	9 D	0.0%	0.0%	0.0%	88.9%	2	6	5	21.6%
Timothy Williamson	W. Warwick 02893	38 D	0.0%	0.0%	0.0%	100.0%	3	3	7	38.7%
Thomas J. Winfield	Smithfield 02828	69 D	20.0%	75.0%	100.0%	100.0%	8	5	0	61.5%

AVERAGE PERCENTAGES/VOTES COUNTED: 28.8% 43.8% 68.0% 93.0% 609/424 267 54.3%

Senators

1997-98

18 Senate floor votes counted:

	District	Party	SOP - 4 votes	FOI - 6 votes	Ethics - 3 votes	Judicial - 5 votes	Pro CC	Anti CC	Not voting	Final
Dennis L. Algierre	Westerly 02891	26 R	75.0%	100.0%	100.0%	100.0%	17	1	0	94.4%
Stephen D. Alves	W. Warwick 02893	19 D	92.3%	88.9%	66.7%	80.0%	13	2	3	82.5%
Roger Badaeu	Woonsocket 02895	32 D	30.8%	33.3%	100.0%	100.0%	10	3	5	70.2%
David E. Bates	Barrington 02806	44 R	75.0%	88.9%	100.0%	100.0%	15	1	2	90.9%
Leo R. Blais	Coventry 02816	21 R	75.0%	83.3%	88.9%	85.7%	13	2	3	82.5%
Kevin Breene	W. Greenwich 02817	41 R	75.0%	100.0%	100.0%	100.0%	17	1	0	94.4%
Frank T. Caprio	Providence 02903	8 D	75.0%	88.9%	100.0%	80.0%	14	2	2	84.8%
John A. Celona	N. Providence 02904	36 D	50.0%	95.2%	88.9%	100.0%	14	2	2	84.8%
J. Clement Cicilline	Newport 02840	50 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Thomas R. Coderre	Pawtucket 02861	40 D	50.0%	95.2%	100.0%	100.0%	15	2	1	87.0%
Daniel P. Conners	Cumberland 02864	33 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Marc A. Cote	Woonsocket 02895	31 D	50.0%	100.0%	88.9%	100.0%	15	2	1	87.0%
Michael Damiani	E. Providence 02914	43 D	50.0%	100.0%	88.9%	100.0%	15	2	1	87.0%
James M. Donelan	Warwick 02888	15 D	61.5%	95.2%	100.0%	80.0%	14	2	2	84.8%
William Enos	Tiverton 02878	47 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Michael J. Flynn	Smithfield 02829	29 R	61.5%	100.0%	44.4%	70.6%	12	3	3	76.2%
Charles J. Fogarty	Harmony 02829	27 D	50.0%	100.0%	88.9%	100.0%	15	2	0	88.2%
June N. Gibbs	Middletown 02840	48 R	92.3%	100.0%	88.9%	100.0%	16	0	2	97.0%
Maryellen Goodwin	Providence 02908	1 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Catherine E. Graziano	Providence 02909	5 D	100.0%	100.0%	100.0%	60.0%	16	2	0	88.9%
William V. Irons	Rumford 02916	39 D	50.0%	95.2%	100.0%	100.0%	15	2	1	87.0%
Daniel J. Issa	Central Falls 02863	35 D	75.0%	100.0%	100.0%	100.0%	17	1	0	94.4%
Thomas J. Izzo	Cranston 02920	13 D	50.0%	95.2%	100.0%	100.0%	15	2	1	87.0%
Robert T. Kells	Providence 02907	10 D	50.0%	95.2%	100.0%	100.0%	15	2	1	87.0%
Paul S. Kelly	N. Smithfield 02895	30 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
J. Michael Lenihan	E. Greenwich 02818	22 D	50.0%	95.2%	100.0%	94.1%	14	2	2	84.8%
John F. McBurney, III	Pawtucket 02860	38 D	40.0%	80.0%	100.0%	0.0%	7	1	10	66.7%
Michael J. McCaffrey	Warwick 02889	16 D	61.5%	100.0%	66.7%	60.0%	12	3	3	76.2%
Patrick T. McDonald	Saunderstown 02874	24 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Joseph A. Montalbano	N. Providence 02904	37 D	61.5%	80.0%	88.9%	72.7%	9	1	8	75.0%
Karen J. Nygaard	Bristol 02809	46 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
John R. O'Leary	Cranston 02910	12 D	50.0%	95.2%	88.9%	100.0%	14	2	2	84.8%
Jonathan F. Oster	Lincoln 02865	34 R	50.0%	100.0%	66.7%	100.0%	15	3	0	83.3%
M. Teresa Paiva-Weed	Newport 02840	49 D	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Robert J. Palazzo	Providence 02909	7 D	61.5%	80.0%	88.9%	60.0%	10	3	5	70.2%
Mary A. Parella	Bristol 02809	45 R	75.0%	100.0%	100.0%	100.0%	17	1	0	94.4%
John Patterson	N. Kingstown 02852	23 R	100.0%	88.9%	44.4%	80.0%	13	2	3	82.5%
Rhoda E. Perry	Providence 02906	3 D	50.0%	88.9%	100.0%	100.0%	14	2	2	84.8%
Joseph M. Polisena	Johnston 02919	28 D	50.0%	95.2%	100.0%	100.0%	15	2	1	87.0%
Leonidas P. Raptakis	Coventry 02816	20 D	61.5%	100.0%	88.9%	100.0%	12	1	2	90.9%
John C. Revens, Jr.	Warwick 02886	18 D	92.3%	100.0%	66.7%	28.6%	12	3	3	76.2%
Elizabeth Roberts	Cranston 02905	11 D	61.5%	100.0%	100.0%	94.1%	15	1	2	90.9%
John M. Roney	Providence 02906	2 D	50.0%	95.2%	88.9%	92.3%	12	2	3	81.4%
Dominick J. Ruggenno	Providence 02904	4 D	50.0%	100.0%	100.0%	80.0%	15	3	0	83.3%
Eleanor C. Sasso	Cranston 02920	14 D	75.0%	100.0%	100.0%	100.0%	17	1	0	94.4%
Susan V. Sosnowski	W. Kingstown 02892	6 R	50.0%	100.0%	100.0%	100.0%	16	2	0	88.9%
Paul J. Tavares	E. Providence 02914	42 D	61.5%	88.9%	88.9%	100.0%	13	1	3	88.1%
William A. Walaska	Warwick 02888	17 D	61.5%	100.0%	66.7%	80.0%	13	2	3	82.5%
Donna Walsh	Charlestown 02813	25 D	61.5%	100.0%	100.0%	94.1%	15	1	2	90.9%
Charles D. Walton	Providence 02905	9 D	50.0%	95.2%	88.9%	94.1%	13	2	3	82.5%

AVERAGE PERCENTAGES/TOTAL VOTES: 60.3% 94.8% 92.0% 89.7% 717 93 87 85.7%

WHAT ABOUT VOTES NOT TAKEN?

Very tough to score. Consider two examples: **Campaign Finance Reform and Voter Initiative.**

The only major **Campaign Finance Reform** voted on the floor of either chamber was a bill (96-S 2681) by **Sen. John Patterson**, R-N. Kingstown, that proposed mandatory audits of large-spending campaigns. General officers, top legislative leaders and big city mayors would have been audited closely for compliance. Patterson's bill passed the Senate but was buried in the House Finance Committee.

Voter Initiative provides a more vexing example, since voters in 91 of 100 state representative districts supported the 1996 **BALLOT QUESTION 8** — a referendum that directed the General Assembly to propose a 1998 constitutional question on voter initiative. Voters in 47 of 50 state senate districts also backed **QUESTION 8**.

The **Senate Special Legislation Committee** and the **House Judiciary Committee** rejected compromises on voter initiative, crushing every proposal that came their way. During two full legislative sessions neither the House nor the Senate took a single vote on voter initiative.

DEM restructuring scuttled on last night

On the final night of its 1998 session, the General Assembly swept aside two years of work on DEM (the Department of Environmental Management), abruptly abandoning a bill Rep. Brian Kennedy, D-Hopkinton, (98-H 7861) that sparked fierce opposition from its introduction in February.

As introduced, "the Kennedy bill" proposed wholesale transfers of power from DEM and the Department of Health to the CRMC (Coastal Resources Management Council), a powerful agency with half of its members directly appointed by legislative leaders.

Former DEM director Louise Durfee attacked it as an effort to dismantle DEM, and Common Cause executive director Phil West blasted it as yet another "power grab" by the General Assembly. Rhode Island's major environmental groups — Save the Bay, the Sierra Club, the Audubon Society, Clean Water Action and the Environment Council — all attacked the bill.

As opposition mounted, Rep. Paul Crowley, D-Newport, head of a House Finance Subcommittee on the Environment took control of the legislation and worked closely with critics to resolve differences.

The version that emerged after months of work would have streamlined DEM and made it more user-friendly without destroying the agency's ability to carry out its mission. The final version also eliminated the transfers of power to CRMC. After controversy and compromise, the improved bill died.

Wetlands reforms and bay habitat restoration were also stranded. Save the Bay's executive director Curt Spalding noted: "The political will to protect and restore our environment has seemingly evaporated." **5**



SUPREME COURT ARGUMENT ON ETHICS RULING

The Supreme Court is expected to hear arguments this fall on what is being called "the case of the century" and "the most closely watched case in years," Governor Lincoln Almond's request for an advisory opinion on the Rhode Island Ethics Commission's ban on legislative appointments to boards and commissions that execute law.

Defenders of the status quo, including lawyers for the House of Representatives, asked for several extensions and finally filed their briefs in July.

Supporters of the Ethics Commission, including the Governor and Common Cause will now file reply briefs and join in oral argument.

INSIDE STORY: Votes counted in Scorecard

House leaders ram Cancer Council through at session's end

The only major "power grab" passed by the General Assembly and transmitted to the Governor aimed to create a Rhode Island Cancer Council, a powerful nine-member body with three appointees each by the Governor, the Speaker, and the Senate Majority Leader. The bill bypassed two years of work by a legislative study commission on cancer care chaired by cancer survivor, Rep. Peter T. Ginaitt, D-Warwick.

Sponsored by Rep. Peter Kilmartin, D-Pawtucket, the Cancer Council bill (98-H 7647) popped out of the House Finance committee in spite of massed opposition from Lifespan, the American Cancer Society, the Rhode Island Medical Society, the Hospital Association, Brown University Medical School and Common Cause. In televised testimony, medical critics faulted the proposed council's "exclusive responsibility" to gather information about cancer care, research and detection programs. Common Cause director Phil West blasted the bill for shifting vast fiscal powers from the Health Department to legislative appointees. The full House passed the bill by a vote of 65-17.

"In ten years at the State House" West remarked, "I've never seen any bill move that fast. Is it alarmist to be suspicious of a new quasi-public body controlled by General Assembly leaders with a first year budget of \$250,000?"

The Senate Judiciary Committee redrafted the Cancer Council bill to remove features most troubling to the medical community. It rejected the Common Cause/RI argument that the bill as proposed would violate the Ethics Commission ban on legislative appointments to executive boards. The bill came onto the Senate floor on the last night of the session and passed, 40-4.

A week later, Governor Almond vetoed the bill, citing violation of separation of powers as his main reason. As this Scorecard Report goes to the printers, it appears that the General Assembly will return in mid-September to attempt an override.

House buries most "power grab" bills

Under constant pressure from Common Cause, sponsors of "power grab" bills in the House backed off. Most withdrew bills that would have given individual lawmakers vast powers to execute laws in a range of marketplaces: professional combat sports, film-making, locksmith certification, and licensing motor vehicle damage appraisers.

Common Cause also fought the formation of an Administrative Hearings Commission with six hearing officers appointed by the General Assembly. The Departments of Health, Environment, Business Regulation would be subject to this commission, but the Coastal Resources Management Council — half of whose members are legislative appointees — would not. That bill and several like it died in committee.

Rep. Leona Kelley, R-Peace Dale, sponsored (97-H 6511) a bill that would have doubled the appointments by legislative leaders to the Scenic Highway Board. The bill, as amended on the House floor, stipulates that the legislative appointees may be either members of the public or office holders. It passed 79-0 but died in the Senate.

Mesolella sells fellow reps, has less success in Senate

In 1996 and again in 1997, Rep. Vincent Mesolella, D-N. Providence, pushed for legislation designed to give more autonomy to the NBC (Narragansett Bay Commission). Sponsored by Rep. John McCauley, D-Providence, the bill (97-H 6431) would allow the NBC to set its own rates,

independent of the PUC (Public Utilities Commission). The PUC could appeal to the courts only if the NBC's decision was found to be illegal, arbitrary or unreasonable. The PUC would have lost its power to review how money borrowed for system improvements is spent.

Several representatives, including Rep. David Cicilline, D-Providence, Rep. Edith Ajello, D-Providence, and Rep. Barbara Burlingame, D-Woonsocket, argued the bill gave the NBC too much control over rate regulation and bonding. A majority overrode these concerns, and the House passed Mesolella's bill: 65-21.

Senate Finance Committee Chair, Sen. J. Michael Lenihan laid his committee chairmanship on the line rather than allow the "NBC Independence" bill out of his committee, and it died. "This was sheer courage," noted Common Cause/RI vice president Dan Siegel, who serves on the Separation of Powers Task Force. "The PUC had rejected a third of NBC's rate-hike requests as unjustified. Senator Lenihan kept the watchdog on guard against abuse."

Rep. Mesolella did succeed in forcing through an increase in administrative spending from \$150,000 to \$550,000 for the Underground Storage Tank Review Board that he controls. The public agency's budget pays for salaries, office expenses and consultants who determine eligibility of reimbursement from a clean up fund for underground fuel tanks.

Funds come from a penny-per-gallon tax on gasoline sold in the state.

Without any request from the 13-member underground tank fund board or any hearing before the powerful House Finance Committee, Rep. Mesolella brought an unnumbered budget article directly to the House floor on June 12, 1997, and his colleagues — by a vote of 66-20 — added it to the budget.

The Senate was forced to accept Mesolella's surprise budget article, rejecting efforts from Sen. Leonidas Raptakis, D-Coventry, to remove it. Sen. J. Michael Lenihan, D-East Greenwich, pledged that the Finance Committees of both chambers would monitor spending from the fund.

Senate record mixed on Separation of Powers

While the House adamantly resisted separation of powers arguments, the state Senate avoided bills that would appoint sitting lawmakers to public boards, and several Senate bills actually reduced individual lawmakers' ability to execute laws.

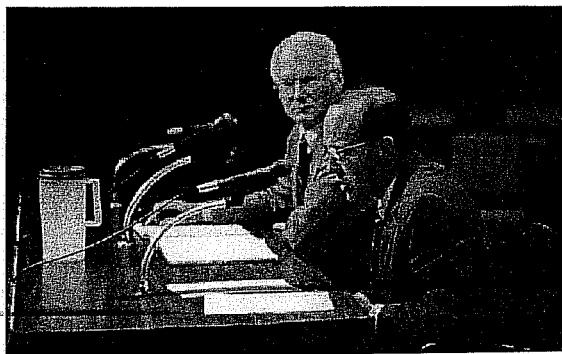
Sen. Rhoda Perry, D-Providence, sponsored a bill (98-S 2435) that shifted all legislative appointments on RIHMFC (Rhode Island Housing and Mortgage Finance Corporation) to the Governor. Previously, the RIHMFC board consisted of eleven members — with two appointments each by the Speaker and Senate Majority Leader and none by the Governor. Sen. Perry's bill gave the Governor nine appointments; the directors of the Department of the Environment and the Rhode Island Housing and Mortgage Financing Corporation would serve as ex officio members. Sen. John O'Leary, D-Cranston, introduced a bill (98-S

2082) removing the requirement that the chair of the Adult Education Commission be a legislator. The bills passed 46-0 and 48-0 respectively. Neither received a vote in the House of Representatives.

Common Cause urged Senators to reject legislation (98-S 2226) by Senate Majority Leader Paul Kelly, D-N. Smithfield, that transferred scores of board appointments now made by the Lieutenant Governor to the Senate Majority Leader. Among many bodies affected by the bill were the Driver's Training School Licensing Board, Coastal Resource Management Council, Commission on Interstate Cooperation, Committee on Naval Affairs, Governor's Council on Mental Health, Commission on Hazardous Substances in the Workplace. It passed despite significant opposition 31-15.

General Officers to receive pay raise

Rhode Island's General Officers — Governor, Lieutenant Governor, Attorney General, Secretary of State and General Treasurer — remain among the lowest paid in the country, their salaries fixed in



PUSHING FAIR PAY: Common Cause board member Richard Ratcliffe (right) testifies before the House Finance Committee on the importance of pay increases for general officers. A former Assistant Attorney General, Ratcliffe argued that the pool of qualified candidates shrinks significantly when compensation falls out of reasonable proportion to pay for other state workers. "No one in public service expects the salary you could get in private practice," he declared. "But there needs to be some meaningful relationship."

law since 1986. General Treasurer Nancy Mayer and members of her staff testified that nearly eight hundred state workers earn more than the Governor. Six gubernatorial staffers and all of the cabinet heads make more than the Governor. Wage disparities are equally glaring for the other statewide officials.

Common Cause backed a bill (98-S 2811) by Sen. John Roney, D-Providence, that would raise the Governor's salary from \$69,900 to \$95,000 with lesser increases for the other general officers.

"We see this legislation as an extension of recent ethics reforms," Phil West told the Senate Judiciary Committee. "It's appropriate for citizens to demand that public officials not enrich themselves by use of their office. Citizens have a complementary obligation to pay elected officials fairly and reasonably. Current General Officer salaries are neither fair nor reasonable."

The bill also proposed to adjust salaries every fourth year — after each gubernatorial election — to accommodate four-year changes in the Federal Consumer Price Index for urban consumers.

Sen. Roney's bill passed the Senate by an overwhelming vote of 41-3. Two senators running for statewide office — Charles Fogarty, D-Harmony, and Paul Tarvares, D-E. Providence — cited possible conflicts of interest and abstained. The bill met little opposition in the House, passing by a vote of 68-10.