



OPERATION CLEAN GOVERNMENT

NEWSLETTER

OCG, PO Box 8683
Warwick, RI 02888
October/November 2000
Volume 8, Number 5

BULK RATE
U.S. Postage
PAID
Providence, RI
Permit #2565

Vote "Approve" on Ballot Question #6

By Robert Senville

Governor Almond has submitted the following question to appear on the November 7, 2000 statewide general election ballot.

CO-EQUAL BRANCHES OF GOVERNMENT (ADVISORY REFERENDUM)

Should a Constitutional Convention be called to expressly establish that Rhode Island government consists of separate and co-equal legislative, executive and judicial branches similar to the governments established by the United States Constitution and by the Constitutions of all 49 other states?

While an affirmative citizen response will only be advisory, it is nonetheless a critical vote. In the August 29, 2000 op-ed piece published by the *Providence Journal*, OCG's Chairman Bob Arruda and Board nominee Tom West stated that a vote in favor of this advisory referendum will be a clear signal to those in power that the citizens are about to reclaim their government; and that citizens want to begin the process of transferring government power now centralized in the Speaker of the House and the Senate Majority Leader to all branches of government co-equally. With checks and balances in place Rhode Islanders may begin to see the end of legislative oligarchy and the corruption, scandal, and crisis it has caused.

OCG is concerned that this question has been posed to the electorate late in the 2000 election season and without adequate clarification. Moreover, ballot question #6 may seem odd to many Rhode Island voters who assume that such a division of government powers already exists. This extraordinary ballot question is being asked because many, including the Governor, have concluded that Rhode Island stands alone in its resistance to a fundamental tenet of American Constitutional law. A recent series of rulings by the Rhode Island Supreme Court granting extraordinary and unchecked power to the Rhode Island General Assembly has reinforced this conclusion.

The Governor has posed this ballot question because he is concerned about the unequal and superior power of the General Assembly in relation to the Governor. While OCG shares the Governor's concern, we are far more concerned about how the lack of separation of powers in Rhode Is-

land erodes government ethics and undermines democracy.

OCG has previously argued before the Rhode Island Supreme Court on the need for separation of powers to achieve ethics in government. A study by OCG's Vice-Chair Beverly Clay proved empirically that the practice of General Assembly members serving on Boards and Commissions was unethical and undermined democracy.

Clay and former board member Cathy Orloff testified before the Rhode Island Ethics Commission that cash in the form of campaign contributions flowed to former Representative Vincent Mesoellella when he served as Chairman of the Narragansett Bay Commission. In apparent return cash flowed freely, in the form of contracts, from NBC to vendors whose employees gave Mesoellella campaign contributions. Mesoellella was able to receive, control and funnel to his political allies monies received as campaign contributions from NBC vendor employees that he did not need for campaigning, since he ran unopposed. The Ethics Commission found the OCG testimony credible and enacted a regulation that prohibited legislators from serving on executive boards and commissions.

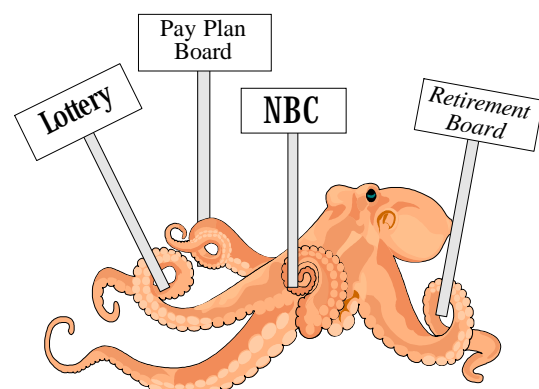
Despite this empirical evidence proving the compelling need for this ethics regulation, the Rhode Island Supreme Court, without even mentioning the Clay/Orloff testimony, overruled the Ethics Commission and held that it is perfectly proper and ethical for members of the General Assembly to serve on Executive Boards and Commissions.

This practice is not allowed in the federal government, and the United States Su-

preme Court has ruled that the US Constitution prohibits members of Congress from serving in the executive branch of government. Unlike the federal government, Rhode Island now has a Court blessed oligarchy where the Speaker of the House and the Senate Majority Leader may lawfully lay claim to both legislative and executive power. As members of executive commissions, legislators are in the perfect position to direct taxpayer dollars held by their commissions to loyal campaign contributors.

Legislative leaders maintain that seats reserved for legislators and their appointees on state quasi public boards and commissions provide legislative oversight, but legislators disclaim any fault in the 1992 collapse of RISDIC. Rather than providing oversight OCG believes that the incestuous inter-relationships between lawmakers, commission members and regulated industries was a prominent cause of the banking crisis, a crisis that not only cost RI taxpayers about \$1 billion, but which caused horrible fear, pain and suffering.

Only the people at a Constitutional Convention can recommend that the Rhode Island Supreme Court's separation of powers decisions be overruled and only the people voting in favor of such a recommendation can in fact overrule the Rhode Island Supreme Court. Voting "approve" on the Governor's advisory question is a first step



General Assembly Leaders

in which the people can make it known to the General Assembly that they want separate and co-equal branches of government and that they want a Constitutional Convention to begin this important process of reform.

Why "Approve" Question #6

By Phil West, Executive Director of Common Cause

Below are questions and answers that clarify the need to remove legislators from the state quasi-public boards and commissions, which were created by the legislators.

Q: What's so important about Question #6?

A: On July 27, 2000, the Rhode Island Supreme Court ruled that the Rhode Island Constitution permits General Assembly members both to enact and to execute state laws. Since the 1950s, the General Assembly has created scores of powerful quasi-public agencies and then appointed its own members to sit on their boards.

Q: What do General Assembly members do on these boards?

A: They fund water projects, award scholarships, float bonds, purchase video slot machines, control coastal development, dispose of trash, process sewage, and dozens of other key governmental functions. These quasi-public agencies control millions of dollars in contracts.

Q: What's wrong with that?

A: The General Assembly cannot provide independent oversight of state

boards and commissions on which its own members vote. There have been repeated cases of legislators pushing agency heads to hire their political supporters, friends and family members.

Q: How many jobs are involved in these agencies?

A: A conservative count shows nearly six thousand full-time equivalent positions in public and quasi-public agencies. Most of these jobs stand outside the state personnel system.

Q: Is the Lottery Commission one of those boards?

A: Yes. The Rhode Island Lottery has the equivalent of 53 full time jobs. Six of nine commission members are sitting lawmakers. No state but Rhode Island allows even one lawmaker to sit on a board that administers games like Keno and PowerBall. No other state lets legislators authorize contracts for video slot machines.

Q: What's wrong with lawmakers serving on the Lottery Commission?

A: They cannot provide independent

continued on page 4

In addition to Operation Clean Government, the following organizations are also supporting passage of Ballot Question #6:

- Common Cause of Rhode Island
- League of Women Voters/RI
- Sierra Club
- RED Alert!
- Rhode Island State Council of Churches
- Save the Bay
- Cranston Chamber of Commerce
- Greater Providence Chamber of Commerce

Court Trashes Citizen's Rights

Superior Court rules that citizens have no standing in suit seeking to restore denied constitutional rights

On September 27, 2000, Superior Court Presiding Justice Joseph F. Rogers, Jr., dismissed plaintiffs' case for a constitutional convention on motions of the Speaker of the House, Senate Majority Leader and the Attorney General. Plaintiffs, Senator Marc Cote, OCG's Chairman Robert Arruda and Board member Sandra Mellen joined by Governor Almond, sought to have the Constitutional Convention question before the electorate in the 2002 election.

Their case was based on Sundlun's not meeting his constitutional requirement to appoint a bipartisan commission to advise the voters on the 1994 ballot question of whether or not to convene a constitutional convention. Not having this advice, the convention question was defeated. Thus, the opportunity for such conventions was put aside until 2004.

Judge Rogers ruled that the plaintiffs had no standing. This decision has been appealed to the Supreme Court. We will see if the highest court in RI also rules that citizens, who claim they have been denied constitutional rights, have no standing to seek relief.

The irony is that the Speaker and Majority Leader used taxpayer money to hire counsel representation in opposition to a suit filed on behalf of the citizens. Furthermore, they did so without even notifying the other Senators and Representatives.

Judge Rogers did not rule on the merits of the case, he ruled that the plaintiffs did not have standing because the harm they claimed from Sundlun's failure to uphold their constitutional rights applied equally to all citizens, and that standing on behalf of all citizens resides only with the Attorney General. More irony for the plaintiffs, the Attorney General had intervened in opposition to their suit!!

In the words of OCG's Lee Blais, "With this decision, we have entered the proverbial 'blind alley.' Citizens have no standing in court to sue to enforce constitutional provisions; by implication they must change the constitution by convention. Yet, when that avenue is blocked, there is no standing to sue! It is becoming increasingly clear that an all-out effort must be made to insure a 'revolutionary' regularly scheduled Constitutional Convention."

The Cianci Mystique

By William H. Clay

The Cianci Mystique is not Buddy alone. It is a phenomenon that permeates the state. It mesmerizes the citizens of Providence who unashamedly continue to favor the mayor regardless of the Plunder Dome scandal. The Cianci Mystique is Providence's powerful legislators successfully lobbying the General Assembly to give millions of state taxpayer money to support the corrupt city government. The Cianci Mystique is all about spending money, other people's money.

Yes, it is more than colorful Buddy. He says his jacket is unstained and accepts no responsibility for the illegal acts that have brought down city officials in the federal investigation. The Cianci Mystique is not apparent, it is real. The mayor makes it so by emulating to perfection the great 14th century Italian orator, Cola di Rienzo, in the masterful use of showmanship, symbolism, pageantry and ceremony.

Providence wastes its resources on its corrupt government and then comes begging to the state for funds to run city schools. The newly appointed Superintendent of Schools, Diana Lam testified before the House Finance Committee that the school department is in total disarray, is used as an employment office rather than a teaching and learning institution; and has no infrastructure to control spending. To correct the dysfunctional system, she needed an additional \$32 million of state dollars in her FY 2001 budget.

The immediate response from lawmakers was that additional aid was needed, but should be given only if strong reform measures were implemented. Suggested reforms ranged from a state takeover to granting Superintendent Lam authority over school union contracts. However in the end Providence Legislators, led by Representative Moura working with the mayor's office was able to trim state control to only \$4 million

of the \$160 million total aid package.

The Cianci Mystique is still in control as lawmakers pour millions of state dollars into the city without any strings. Reward without reform: The corrupt city hall retains patronage influence over the state subsidized school department. Reform, if there is reform, will be left to the federal court. The citizens of Providence who have idolized a popular charismatic mayor, while the city government deteriorated into a cesspool of corruption, appear to accept corruption and excesses that extend even beyond abuses in the taxing departments exposed by Plunder Dome investigators. Under the influence of the Cianci Mystique, their acquiescence has allowed:

- A police department that allegedly hires and promotes members of the force based on their payoffs in city hall; that "misplaces" pawn shop inventories, cocaine and gold entrusted to their evidence room; that appropriates confiscated automobiles for their personal use; that regards felony breaking and entering by three of its own officers into a fourth officer's apartment as "horseplay;" that is frequently in negative headlines; that has lost the confidence of the city council; and that is viewed by minorities as brutal, racist and out of control
- A union contract that on average grants part-time school crossing guards \$45 in wage and benefits for each hour at the crossings
- A patronage hiring system that has swelled city employment to 7000
- A retirement board dominated by city employees that is slow and seemingly unwilling to begin the process of revoking the pensions of employees who have retired since being convicted or indicted in the Plunder Dome scandal.

September OCG Forum A Big Success

By Bruce Lang

On the evening of September 13, more than 300 people gathered at the Radisson Hotel in Warwick for a very successful Operation Clean Government Forum. After a social hour and a full course dinner, the diverse audience was treated to a variety of impressive presentations.

OCG Board member Bruce Lang planned and moderated the event. Chairman Robert Arruda offered an inspiring talk about how OCG, as an all volunteer group, is spearheading the modern day govern-

excessive business regulations.

• **Gary Sasse**, Executive Director for the RI Public Expenditure Council, has been involved in the development of public policy in RI for 23 years. He commented on the inefficiency of government that ends up spending too much money and doesn't get enough back in return. He's concerned about the amount of state bonding and also stated that the extent of local taxes makes the property tax the most oner-



from l. to r., Peter Phipps, Gary Sasse, Frank Prosnitz, Leonard Lardaro

Photo by Steve Brigidi

ment reform movement in Rhode Island. He emphasized that one of OCG's primary goals is to focus on the need for a Constitutional Convention in RI.

The Forum's main event was a panel of experts who responded to the question: "Without Good Government, Can Rhode Island Ever Have A Strong Long Term Economy?" A convincing "NO" was the obvious answer from all four expert panelists as well as from Joseph Larisa, Governor Almond's Chief Legal Counsel. In his response to the question, Mr. Larisa emphasized the importance of a Constitutional Convention and urged all citizens to vote "yes" on the need for Separation of Powers in this November's nonbinding referendum.

Probably no group of four people are more knowledgeable and have been writing and talking longer about all aspects of the RI economy than our group of distinguished panelists. Here are some of the program's highlights:

- **Peter Phipps**, *Providence Journal* Financial Editor since 1989, talked about the stupidity of government in Rhode Island and gave some recent chilling examples by RI officials. e.g.: the Alpha Beta belly up in 1999 that cost RI taxpayers millions of dollars in defaulted revenue bonds floated by the Economic Development Corporation; the Plunder Dome scandal; and spending money on a "Better Business State" slogan while maintaining high taxes and

ous in RI. The result is a problem being competitive.

• **Frank Prosnitz**, Editor of the *Providence Business News* for more than seven years, related why both big and small businesses have difficulty coming to Rhode Island or even staying here because of high taxes and other government restrictions and negatives.

• **Dr. Leonard Lardaro**, URI economist and professor for 18 years, is very concerned that the state is not investing in the future while the economy is good. He thinks when the DEPCO tax is paid off, instead of just putting that money into the general fund, it should be allocated to improve education in order to help build a skilled and better trained work force for the future. At the same time, he thinks that the elimination of the auto property tax and the adjustment in the unemployment tax will contribute to state budget deficits in the future.

The excellent presentations clearly demonstrated the direct relationship between a good economy and good government policies. This is a point of view that has not been adequately reviewed in Rhode Island, and OCG is pleased to have initiated this quality discussion. Hopefully others in the state will continue to follow and speak out against government abuses which have negative impacts of the economy and therefore all Rhode Islanders.

- A retirement system that authorized dual pensions for the mayor and other elected officials, six percent COLAs for fire and police pensions (negotiated with the unions by the mayor) and granted disability pensions to hundreds of these safety employees, while the system's unfunded liability has climbed from \$160 million in 1990 to \$418 million in 1999
- A mayor's office that used city monies for questionable travel, but only reimburses from the

mayor's campaign fund when Plunder Dome is announced

• A mayor's office that allegedly used the taxing and inspection departments to raise campaign funds; and continues to organize fund raising events, without regard to federal grand jury inquiries or the RI Board of Elections request that the Attorney General help the board require Cianci to comply with the campaign finance law. What is most strange about all of this is that there are still

continued on page 3

Arlene Violet Awarded Golden Broom

Three hundred of Arlene's fans and friends gathered at the Radisson Airport Hotel on September 13 to honor her and to participate in the much deserved award of the Operation Clean Government Golden Broom. The event led off with a social hour, during which Arlene circulated among the capacity crowd with her usual charm and radiance.

After a delicious meal served by the Radisson staff, and an address by OCG Chairman Robert Arruda, Master of Ceremonies and close friend of Arlene, Bruce Lang, summoned her to the front. OCG's Sandra Mellen read a poem she had written and framed for Arlene. Bruce presented the full sized golden broom with plaque attached. A framed citation memorializing the occasion, authored by Board member Bill Clay, was read aloud by Bill to the audience. The emotion charged ceremony so moved Arlene that she needed a moment to begin her enthusiastic acceptance speech. No one was more deserving of the award. And it was presented with sincere appreciation for her

career of good deeds serving the people of Rhode Island.



Photo by Steve Brigidi

The OCG Board seriously deliberates the decision to award a Golden Broom. Since 1993, there have been only seven other such awards. Recipients must be dedicated to honest, responsible and responsive state government, the OCG motto.

OCG Actions in Court

In addition to the Constitutional Convention lawsuit (see article on page 2), Operation Clean Government currently has three other suits (as described below) pending in Superior Court. Evidentiary discovery proceedings have been completed and opposing attorneys have argued the cases before Superior Court Judges. Decisions are expected within a few weeks.

Ethics Commission—Operation Clean Government filed suit in Superior Court against the RI Ethics Commission for an order enjoining implementation of the amended gift regulation #5009. OCG's suit charges that the Ethics Commission violated the Administrative Procedures Act on three counts in their adoption procedure for regulation #5009. A motion of enjoinder has been filed by OCG Attorney Sara Quinn for Senator John Patterson and candidate for RI Representative Robert Sumner-Mack to join the OCG suit as plaintiffs. Several evidentiary hearings have occurred before Superior Court Judge Frank Williams who has not yet ruled on the merits of the OCG suit.

Beacon Mutual Insurance—OCG's Lee Blais is seeking access to certain records held by BMI. The company maintains that it is a private firm and therefore not subject to RI public records laws. The state, to fill a void in workers compensation insurance underwriting during the early nineties, enticed BMI to become the major underwriter by granting them special tax status. Now BMI,

while reporting to the IRS and the RI taxing authority as an agency of the state, wants the court to rule they are a private concern and therefore not subject to the "Access to Public Records Act."

Traffic Court Uncollected Fines—This suit also involves access to public records. The records being sought are held by the Municipal Collection Agency, a private bill collector, contracted by the state to collect the backlog of unpaid traffic fines amassed by the former traffic court. OCG has determined that hundreds of these records show that the state is trying to collect from motorists who have proof that they have already paid.

The Department of Administration has delayed release of these documents and has only partly complied with court orders to do so. There have been numerous court appearances on this issue over the past 20 months.

Contempt of court orders against two state officials were issued 12 months ago by Judge Silverstein. At that time, State Court Administrator, Robert Harrall was ordered to see that Mr. Blais received all of the records. Mr. Harrall was to verify with an affidavit that this had been done. After Mr. Harrall signed the affidavit, more records were produced on three separate occasions. Mr. Blais is seeking proof that this is, in fact, all of the records and is seeking sanctions against state officials for failure to comply with the "Access to Public Records Act."

deals between city officials and firms doing business with the city, according to the city's auditor, KPMG Peat Marwick.

Where is the Providence citizen outrage? Why aren't they infesting city hall demanding reform? Why do they continue to reelect the Cianci regime? Don't they know that every dollar lost to a crooked tax deal will be made up in their own tax bills? Have

November Bonding Referenda—Deception

The state's "2000 Voter Information Handbook," which is being mailed to registered voters, deceives the voters by not adequately describing or revealing the true costs of projects bundled into Referenda Questions #2 and #3. Bundling permits the state to combine easily winnable projects with questionable projects.

Ballot questions #1 through #5 are bond referenda questions, which will request the voters to authorize the state to borrow money by issuing general obligation bonds and refunding bonds in the total amount of \$218.46 million. Not only is this the second highest request in the past 10 years, but it also includes the start up costs for two hidden projects, which will be the largest public works projects in state history and will require much more funding in future years.

For detailed description of these referenda questions, follow the *Providence Journal* series which began on October 9. If the *Providence Journal* can provide voters with this information, why can't the state do the same?

Question #2

OCG recommends that voters reject this question for \$60 Million for RI Clean Water Finance Agency-Water Quality Management

An "approve" vote for Question #2 will launch the first stage of Narragansett Bay Commission's (NBC) huge underground tunnels project for storage of storm water runoff. This massive project is only vaguely referred to as "combined sewer overflow projects," in the state's voter handbook.

On June 12, 2000, OCG wrote to each member of the House and Senate Finance Committees requesting deletion of the underground storage tunnels project from Question #2. For this 20 year project, estimated at \$530 million, NBC proposes to construct a 25-foot wide, 250-foot deep and three mile long tunnel, interconnected to sewage lines via pumping stations to capture as much rainwater as possible in Providence and the northern metropolitan area.

The Department of Environmental Management has authorized NBC's project without conducting an "Environmental Impact Study." Instead DEM has issued a "Finding of no Significant Impact Statement." This is totally irresponsible. Without due diligence, DEM is authorizing a project that will extract millions of cubic yards of earth from a yet undetermined number of excavations in Greater Providence, while relying on an environmental study by a contractor hired by NBC, the project manager.

NBC wants to manage the project's

huge contracts and has therefore avoided due diligence that would have:

- Considered reducing, diverting, deflecting, or delaying the amount of rainwater runoff going directly into the sewer system as an alternative to digging a tunnel
- Worked with the state to reduce the amount of rooftop runoff from state buildings located in the service area
- Worked with the municipalities in its service area to reduce the amount of rainwater runoff from both new developments and existing facilities; and work with municipalities to improve landscaping ordinances which would reduce rainwater runoff from surface parking areas
- Worked with the City of Providence to change its long-standing sidewalk replacement ordinance which generates an increase in rainwater runoff
- Worked with the RI Department of Transportation which spends millions of taxpayers' dollars every year on a variety of road projects in the service area, to incorporate runoff-reduction design into each project

No responsible government would propose a bond referendum to its citizens for a project so lacking in concept and development. Starting this project, as it is presently defined, is setting the stage for schedule delays and huge cost overruns, i.e.: Rhode Island's own Big Dig.

Question #3

OCG Has No Recommendation for the \$62.51 Million for Transportation

A "yes" vote for Question #3 will authorize the state to begin the relocation of the Providence River Bridge. The state's voter handbook only indicates that the bonds are for bridge and road repairs, not mentioning that it includes the relocation of the Providence River Bridge as the first phase of the I-195/95 interchange realignment. Also omitted is the total estimated cost to complete the realignment.

On June 12, 2000, OCG wrote to each member of the House and Senate Finance Committees requesting the unbundling of this project from Question #3, so that the voters could decide on this project alone. The voters should be aware that:

- The Environmental Impact Statement process estimated the cost of rehabilitating the existing bridge at less than \$55 million
- The price of the bridge relocation has skyrocketed to between \$125 and \$150 million at the first workshop, to \$225 million at the second workshop, to \$300 million at the public hearing
- The amount of acreage projected to be "opened up" for development was reduced from 75 acres at the first workshop, to 55 acres at the second workshop, to 35 acres at the public hearing
- The cost of converting the bridge's already existing two exit lanes, which currently cross the Providence River, into two travel lanes thereby creating a total of eight I-195 through-lanes (four in each direction) was never examined.

Cianci, from page 2

sufficient numbers of *Buddy Adulators* and those beholden to the mayor's office to hold a fund-raiser. The what, of course, is the Cianci Mystique.

- A city personnel system that allegedly hires and promotes employees according to their ability to raise campaign funds for the mayor's office
- A general lack of safeguards relating to

RI taxpayers instructed their legislators to stop pouring their dollars to support Providence's corrupt city government? Do they mind that as a result of Providence receiving 27.4 percent of the state aid to education, that 80 percent of their local taxes goes to their hometown school department, while Providence need only allocate one third of its local revenues to education? For answers, look into the Cianci Mystique.

Why approve, from page 1
oversight from inside, conflicts-of-interest are inevitable. On January 20, 1998, Rep. Christine Callahan (R-Middletown) resigned her seats on the state Lottery Commission and the Economic Development Corporation. "If ever there was a potential for a clear conflict of interest," she said, "and a situation fraught with the possibility for corruption, it is a policy that allows a powerful legislator to not only create a commission, and to fund that commission, but then go on to serve as a member of that commission. Our rightful role in the General Assembly is that of 'true' legislative review and oversight and not direct participation on commissions and boards that we create and fund in the first place."

Q: What abuses have occurred?
A: The list fills a report, DEMOCRACY BETRAYED, published by Common-Cause (www.CommonCauseRI.org). Senators and representatives on the Lottery Commission have flown off on expensive junkets to Las Vegas and Paris. Politically connected insiders have landed jobs, then received huge raises and special perks.

Q: What about pension abuses?
A: Pension manipulation has cost taxpayers dearly. During the 1980s Senator John

Orabona (D - Providence) served both on the General Assembly's Joint Committee on Retirement (which drafts retirement legislation) and on the Retirement Board (which administers pension payments.) Senator Orabona worked both ends, then retired at the age of 52 and filed for pension benefits, claiming 79 years of public service and pension payments of more than \$106,000 each year.

Q: How much has insider pension abuse cost Rhode Island taxpayers?
A: There is no way to identify or calculate the benefits insiders have reaped from both making and executing laws. Special pensions granted in the 1980s and early in the 1990s will keep draining state funds until 2025 or later. The problem is that legislators provided no oversight. Instead of protecting taxpayers, a number of lawmakers were playing the system for their own benefit. Rhode Island's practice of putting them on the Retirement Board made that easy.

Q: What about salaries?
A: Salaries have been politicized by a little-known body called the Unclassified Pay Plan Board (UPPB). It controls the salaries of some 2,000 state employees including all members of the state's unified court system from the Supreme Court Chief Justice down

to file clerks in the Traffic Tribunal. It controls the creation of any new high-paying job in state government.

Q: Who makes UPPB decisions?
A: Seven public officials. Two votes go to state senators appointed by the Senate Majority Leader; two to state representatives appointed by the Speaker. With those four votes the General Assembly controls the board. The other three are the Director of Administration, who is appointed by the Governor, the General Treasurer, and the State Court Administrator.

Q: Which branch of government oversees the UPPB?
A: None. Its members are top appointees from the legislature, courts and executive branch. It's a den of deal-making. At one meeting in 1997—shortly before the Traffic Court scandal broke—the UPPB approved 13.9 percent raises for Traffic Court judges for salaries ranging from \$80,000 to \$100,000. It also approved an 8.9 percent raise for traffic court administrator Leo Skenyon.

At the same meeting, UPPB voted to slash the salary of Public Utilities Commission Chairman James Malachowski, who had testified about hidden dangers for consumers in a utilities deregulation bill spon-

sored by then-House Majority Leader George Caruolo. Malachowski had also blocked huge rate increases demanded by the Narragansett Bay Commission, which was headed by Representative Vincent Mesolella, Deputy Majority whip in the House, who also ran the Underground Storage Tank Fund Board. The UPPB cut Malachowski's salary by \$12,000, and he has since left state government.

Q: Don't the courts help?
A: The court system was also subverted. Matty Smith served as Speaker of the House during most of the 1980s. In 1986, he orchestrated the selection of his friend, Thomas Fay, as Chief Justice of the Rhode Island Supreme Court. Smith crafted legislation to restructure the UPPB to his own advantage. He appointed others and then himself to serve on it. He became its chairman, then used his powerful position to deliver raises that made Thomas Fay the highest paid chief justice in the United States.

Fay then picked Smith to become State Court Administrator. Smith moved from state-house to courthouse without stepping down as head of the UPPB. In the next five years, the UPPB approved a near doubling of staff positions at the Supreme Court—from 88 to 158. During those years, the Supreme Court's budget increased by an average of 37 percent each year. In 1993, three Providence Journal reporters broke this story in a Pulitzer Prize-winning series called "The Making of an Empire."

Q: How much did the court scandals of the 1990s cost the people of Rhode Island?
A: Again, no one knows. Just a year before the court scandal broke, the General Assembly created Rhode Island's Traffic Court. In 1997, reporters exposed abuses in the Traffic Court—absentee judges, boilerplate decisions and uncountable uncollected fines. Assembly leaders blocked amendments to the Traffic Court legislation that would have forced a fraud examination.

Q: Can anything make a dent in this steam-roller?
A: Only the people in a Constitutional Convention. The first step toward that is passage of Ballot Question #6.

OPERATION CLEAN GOVERNMENT—BOARD OF DIRECTORS

Tel 1-877-SWEEP-RI (1-877-793-3774)
Website: <http://www.ocg.to>

OFFICERS:

Chair	Robert P. Arruda, Warwick	732-5484
1st Vice Chair	Beverly M. Clay, West Greenwich	397-3676
2nd Vice Chair	Sanford Miller, Warwick	785-0447
Treasurer	Nolan Byrne-Simpson, Albion	334-2181
Secretary	Donald W. Cottle, Portsmouth	683-9126

EX OFFICIO: Bruce Lang, Newport 848-0772

COMMITTEE CHAIRS:

Issues/Research	Beverly M. Clay, West Greenwich	397-3676
Judicial Reform	Karen Rosenberg, Cranston	461-4348
Legal	Rob Senville, Barrington	435-5610
Litigation Support	Lee Blais, Pawtucket	724-7140
Membership	Jan Girouard, Newport	849-9393
Newsletter	William H. Clay, West Greenwich	397-3676
Organization	William H. Clay, West Greenwich	397-3676
Volunteer	Ron Galipeau, Cranston	944-6778

Three-year Directors:

Lee Blais, Pawtucket	724-7140
Anthony Freitas, Providence	
Donald Koehn, Providence	831-5359
Sandy Mellen, Pawtucket	723-3777
Ronald G. Santa, Middletown	847-1476

Two-year Directors:

William H. Clay, West Greenwich	397-3676
Marcia Gerstein, Riverside	437-0985
John L. Gudavich, Jr., West Warwick	822-5183
Joe Mellen, Pawtucket	723-3777
Karen Rosenberg, Cranston	461-4348

One-year Directors:

Andy Galli, Providence	942-0432
Ralph Greco, Warwick	463-1887
Sidney M. Green, Providence	331-0039
Robert Senville, Barrington	435-5610

WHO WE ARE...

OPERATION CLEAN GOVERNMENT is a grassroots organization working to bring about positive changes in Rhode Island state government. We advocate the passage of legislation which will provide Honest, Responsible and Responsive state government. We file ethics complaints and alert the public to government wrongdoing via OCG newsletters, press releases and appearances in the electronic media. Dues are \$12 for an individual membership and \$15 for a family membership. Donations of any amount are also welcome. As an all volunteer organization, there are no salaries or compensation other than the satisfaction that we are giving our best effort to make a positive difference in Rhode Island. Our costs include newsletters, mailings, office materials and supplies, publicity and public forums.

OCG MEMBERSHIP FORM

YES, I want to join other Rhode Island citizens and help to promote Honest, Responsible and Responsive State Government.

New member Renewal

My membership contribution to OPERATION CLEAN GOVERNMENT is enclosed:

\$12 Individual \$15 Family (list all names to be included) \$25 \$50 \$100 \$___ Other

Name(s) _____ Home Phone _____

Business Phone _____

Street _____ Email Address _____

City/Town _____ State _____ Zip _____

OCG is a non-profit organization, however contributions are not tax deductible because our activities include lobbying.

Yes, I would like to volunteer some time or participate on one or more of the OCG committees. Please call me.

I heard about OCG from _____

OPERATIONCLEANGOVERNMENT
POBOX 8683
WARWICK, RI 02888

Newsletter
Editorial Review Board
William H. Clay, Editor
Bruce Lang
Sanford Miller
Stephanie Rivera
Beverly Clay

We invite letters to the editor. We reserve the right to determine the appropriateness of letters for inclusion in the newsletter. Send letters to:
Operation Clean Government
PO Box 8683
Warwick, RI 02888
or e-mail to WmHClay@aol.com

Typesetting and Layout
Jill Padelford

OCG Board Meetings

First Thursday of every month—7:00 P.M.
Bickford's Restaurant meeting room
Jefferson Blvd., Warwick
For more information, call 1-877-SWEEP-RI
OCG members are invited to attend.