



# OPERATION CLEAN GOVERNMENT

N E W S L E T T E R

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## Enhance Your Retirement—Others Will Pay

By William H. Clay

Certain state, municipal and federal employees and retirees claim that their retirement benefits should be made more valuable than benefits of other retirees. Furthermore there are senators and representative who are unashamed to lend their names to legislation to support these selfish claims.

**Income Tax Exemption**—Ten bills introduced by one or more of the legislators listed below would exempt portions or all of federal, military and even social security retirement benefits from state income tax. Representatives Moura, Reilly, Barr, Benson, Ferguson, Coderre, Kilmartin, Carter, Henseler, Shavers, Coelho, Voccola, Jacquard, San Bento, Viera, McNamara (The McNamara bill exempts all military, federal and social security) and Russo, and Senators Tocco, Igliazzi, Celona, Enos and Kells.

These legislators would burden the costs of these exemptions, for a special interest few, onto the shoulders of the younger work force. Is this responsible government?

**Buying Credits in the State Retirement System—The Senator Orabono Syndrome**—There is legislation that would allow teachers, state and municipal employees to buy credits to increase their retirement benefits. The retirement statutes set param-

eters for buying credits. This legislation seeks to amend the parameters to meet the needs of those requesting the legislation.

Senator DaPonte's S2750 would permit employees, who accompany spouses on out of state military or merchant marine assignment, to buy up to four years of credit for the time out of state. There is no provision that the employee ever return to the state.

Representative McNamara's H6737, would authorize Ms Suzanne Goldfine of 256 Miantonomo Drive, Warwick, to purchase 4 1/2 years credit in the RI teacher retirement system. Is this a special pension bill?

Representative Picard's H7241 would permit state and municipal employees to purchase credits, even if those credits count in another retirement system in which the employee is either vested or drawing a pension. Representative Ferguson's H7492 applies only to purchasing military credits. Is this double dipping at the taxpayer expense?

**Buy 5 years of credit and retire 5 years early**—That is the theme of Representative Charles Levesque's H7025. This bill would allow early retirement for teachers, municipal and state employees who buy 5 years of credit in the state retirement system. The bill also generously provides that the retirement member may borrow money from

the retirement system to purchase the credits. And further that members may save money to buy the credits, at retirement time, by having 3 percent of their annual salary withheld in a special account, which will be tax sheltered.

The state tried this costly "cost saving" scheme in the early nineties. But unlike the private sector "golden parachute," which is designed to reduce the work force; state and municipal governments are simply trying to shuck off higher paid employees, and renew the work force with entry level employees. Management looks efficient. Their personnel costs are down. But the retirement system must absorb the five extra years for each early retiree. Who pays for this? The taxpayers of course!!

**When a disability is a disability**—Rhode Island has one of the highest percentages of police officers that qualify for disability pensions. Perhaps the reason for this is the very generous disability benefits, one of which provides tuition-free education at state colleges and URI for children of "totally and permanently disabled" police officers. However, the statute provides that "totally and permanently disabled" means that the officer is so impaired that gainful employment is impossible. This definition was added after of-

ficers on permanent disability pensions were discovered working in jobs requiring full strength of mind and body. One was even serving as a policeman in a small Florida town; another obtained a law degree and was practicing criminal law.

Influenced by the police unions, legislators introduce legislation in each session that would repeal the "totally and permanently disabled" definition to qualify for free tuition. This session, H7152 by Representatives Carter and Faria and S2735 by Senators Connors, Goodwin, DaPonte and Coderre would repeal the definition.

**Making a generous system more generous**—Studies conducted by former Treasurer Nancy Mayer determined that the Rhode Island teacher and state employee retirement system was arguably the most generous in the nation. Yet there are legislators who would make it more generous.

Senators Coderre, Fogarty, Goodwin and Ruggerio's S2754 and duplicate house bill H7021 by Representative Barr would reduce by one percent the amount contributed to the retirement program by teachers and other members of the state retirement system. This in effect would grant upwards to 30 thousand

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## It's Still O.K. to Steal State and Municipal Services

By Sanford Miller

Yes! Believe it or not, it is not a criminal offense in Rhode Island for state or municipal employees to use taxpayer owned equipment, facilities and/or public employees on public time for their private use. Among such taxpayer rip-offs have been:

- Allegations were brought against the infamous Court Administrator and former House Speaker Matthew Smith in the mid-nineties including charges that he operated his private enterprises from the court using court facilities and court employees on state time.
- One of the early problems uncovered at the traffic court was the alleged use of court computers by court employee Robert Halpin to carry on his private law practice.
- Former Secretary of State Barbara Leonard allegedly used staff for personal and political duties.
- There were allegations of private use of West Warwick's highway equipment

In the Smith case the court found that theft of employee services was not covered by the statute that forbids theft of state and municipal owned money and property. For his transgressions, Smith got off with bad press (his pension remained in tact). Halpin was reprimanded and reassigned with the same salary. There is little to be done other than reprimand. Discharge or reduction in pay will not hold in court since no law has been broken. Senator John Patterson, for the second year in a row, has introduced legislation to close this loophole in statute. This years bill, S2025, is assigned to the Senate Judiciary Committee where it failed last year.

There were also previous attempts on the House side to include theft of services in the statute. The latest (98-H 7510) was rejected in the 1998 session because it was "too broad," so determined by House Judiciary. It seems irresponsible that the judiciary committees each with several attorney members cannot satisfactorily define "services." Must the citizens of Rhode Island suffer another scandal before our elected officials do the obvious?

## Packed and Stacked at the Ethics Commission

By Stephanie Rivera

Five appointees to the Ethics Commission, all lawyers, the majority of whom are newly appointed, voted to present a new set of rules on gifts to elected and appointed officials at a hearing May 1, 2000. This will scrap the "zero tolerance" rules approved in 1998 by their predecessors and replace it with rules allowing the acceptance of one or more gifts worth up to \$150 per occasion or an aggregate of \$750 yearly from each and every "single interested person," including all employees or representatives of an individual, business, organization or entity, having a financial interest in a government decision. Doing this they overruled the commission's executive director, Martin Healey, who claimed that the zero tolerance rule was "working just fine." The vote was five to three.

**Voting in favor of the new ruling:** James Murray, Francis Flanagan, Robin Main, Richard Kirby and Thomas Goldberg.  
**Voting against the ruling:** Melvin Zurier, the chairman, and two businessmen, David McCahan and James Lynch.

The ninth member, Paul Verrecchia, was absent.

Appointing a preponderance of lawyers to the Commission, with connections to lobbyists at the State House, points the way for legislators to receive amounts up to \$150 for each event and \$750 yearly, from each and every lobbyist.

Complaints that the zero tolerance policy was unenforceable and absurd lack foundation in fact. John Gudavich, OCG board member speaking from a great deal of experience with the federal government, testified before the Commission that "zero tolerance is an easily understood policy and procedure doctrine. It is plain and simple and requires no detailed and costly administrative procedures and controls to manage such a program."

The general assembly has been drawing a bead on the Ethics Commission over the years, compromising its effectiveness whenever it can. This is the most blatant attempt to co-opt the commission by packing it with lawyers whose votes appear to be stacked in favor of the legislature, at the expense of the public.

## Why a Constitutional Convention?

By Sandy Mellen

There are only two ways to amend the Rhode Island Constitution. One is for the General Assembly to place a question on the ballot for the citizens to approve and the second is through a constitutional convention. If the General Assembly had given us the opportunity for Voter Initiative, which the electors approved at the polls in 1996, then we would have a third option for placing a question on the ballot to amend the constitution. Obviously, the General Assembly does not want to share this power.

The second option resides in the constitution, which provides that the question of whether to convene a Constitutional Convention be placed before the voters at ten-year intervals. Article XIV, Section 2 of the constitution requires that **"Prior to a vote by the qualified electors on the holding of a convention, the general assembly, or the governor if the general assembly fails to act, shall provide for a bi-partisan preparatory commission**

**to assemble information on constitutional questions for the electors."**

Records show that in 1994 the general assembly failed to establish a preparatory commission, and the commission purportedly established by Governor Bruce Sundlun was not named until one day before the election. Obviously it was not possible for this commission to fulfill its constitutional duty to assemble information on constitutional questions for the electors. To rectify this situation, Attorney Robert Senville, representing myself and Robert Arruda of Operation Clean Government and Senator Marc Cote, filed a lawsuit in Superior Court seeking an injunction directing the Governor to establish a bona fide bi-partisan preparatory commission and directing the Secretary of State to resubmit the question of holding a constitutional convention to the voters in the November 2000 election.

Preliminary court hearings have been held and Superior Court Presiding Justice Joseph F. Rodgers, Jr. has agreed to hear the case. Governor Almond's legal staff has filed

a brief supporting the position of OCG. Secretary of State Langevin, since his office is being sued, has mounted a token defense. The General Assembly is not named in the suit. However, General Assembly Leaders and Attorney General Whitehouse have intervened. They should be concerned about a violation of our constitution, but instead have chosen to oppose and slow down this decision. General Assembly leaders (apparently without the consent of the General Assembly members) have hired the law firm of Lauren Jones and Associates to represent them at taxpayer expense.

Additionally, Senators Marc Cote and John Patterson have introduced S2128 and

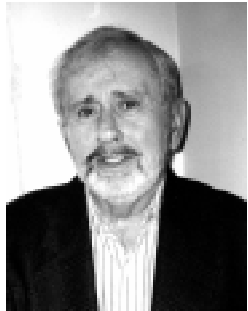
S2129, calling for the constitutional convention question to be placed on the November 2000 ballot and for the formation of a bi-partisan preparatory commission to assemble information on constitutional questions for the electors. Call your legislators to support this legislation.

**Attend the OCG  
Breakfast/Forum,  
April 30, to learn about  
constitutional conventions  
and the progress made with  
this lawsuit.**

## 3 New OCG Board Members

**Welcome Back Sanford Miller—**

After a short sabbatical, Sanford has returned to the OCG Board as Second Vice Chair and as a member of the Organization Committee. While on sabbatical, Sanford received and redirected OCG mail and phone traffic on the 1-877-793-3774 line and maintained the OCG membership database, which he will continue to do.



Sanford has been with OCG from the 1993 beginning. He has served 6 years on the OCG Board. He was chairman of Operation Clean Sweep, one of the founding organizations of OCG. Sanford has his degree in accounting from Bryant College. He has served as chairman of RI Parents Council for Hearing Handicapped Children; on the Governor's RI Developmental Disabilities Council; and was co-chair of the Warwick Special Education Advisory Committee.

**Ron Galipeau Heads Up Volunteer Committee—**Ron was recently appointed to chair the newly formed Volunteer Committee. Ron is a very enthusiastic addition to the OCG Board. He continuously recruits new OCG members, and was winner of the recent membership drive. The need for a Volunteer Committee became apparent with the rapid expansion of OCG membership, and the accompanying increase in members wanting to assist in OCG work. Ron is an excellent OCG representative to welcome and interview the many new volunteers and determine their areas of interest and expertise.



Ron is a self-employed home improvement contractor. He is not new at volunteering, having served as a director, treasurer and

membership chair of Cranston United Taxpayers, and as the producer of their Roundtable on Channel 36.

**Jan Girouard Appointed to Chair the Membership Committee—**As an OCG member for three years, Jan had recently served on the Membership Committee. She has twenty years experience in sales and marketing and currently is the sales manager for "Wedding Style", an upscale New England wedding magazine.



For four years she was a marketing consultant for "Rhode Island Monthly" magazine and for ten years before that she was the Houston, Dallas and Boston sales manager for "Guest Information," a hard bound visitor magazine. Jan's background, commitment to OCG and leadership style should bring positive results to developing a vibrant committee and growing OCG membership in a meaningful way.

### Galipeau wins OCG Membership Contest

In February we asked OCG members to sign up new members. As part of this drive we offered dinner for two with Arlene Violet and Bruce Lang for the OCG member who signed up the most new members. And the winner is (drum roll)—Ron Galipeau from Cranston who actually signed up forty (yes that's 40) new members for OCG. Ron, congratulations and thank you for a super job. Ron and his wife Cynthia will join Arlene Violet and Bruce Lang at Grappa in Providence for a celebration. Dinner is compliments of WHJJ Radio, whom we also thank. Also, thank you to all other OCG members for the new sign ups. We hope everyone will continue the important task of introducing new people to OCG.

Operation Clean Government  
presents

### Breakfast/Forum

#### RI Constitutional Convention, a Vehicle for Reform

Sunday, April 30, 2000

9 A.M. - 12 noon

Providence Marriott, One Orms Street

Stephanie Rivera, Moderator

Panel

Steve Kass, Lively Experiment Host and 1986 Constitutional Convention Delegate

Joseph S. Larisa, Jr., Executive Counsel to the Governor

Sandy Mellen, Chair of the OCG Constitutional Convention Committee

Attorney Robert Senville, OCG Board member

Reserve early, seating limited to 200

Reservations must be paid by April 26, 2000

Public is invited

\$15.00 per ticket

Reserve a table for 10, \$150

*Please indicate if you would prefer a seasonal fresh fruit plate instead of the traditional scrambled eggs, meat and potatoes*

Send check to:

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## Taking Power from the Governor

Operation Clean Government opposes Senator Roney's S2094 which has already passed the Senate floor and is now before the House. This bill would not allow the governor to submit an advisory question to the electors (as he did with voter initiative) without the approval of the General Assembly.

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

From page 1

state and municipal employees a one percent raise in pay, while taxpayers cover their short fall in the under funded retirement system.

Representative Henseler's H7133 and Senators Ruggiero, Goodwin, DaPonte, Celona and McDonald's S2582 would raise retirement pay for police and fire by basing their pension on their average annual salary at the time of retirement rather than their final three year average.

**Conclusion—**It does not appear that the General Assembly is ready to embrace special pension legislation, after the embarrassments with such legislation in the early nineties. Already 11 such bills have been stopped in the Senate Finance Committee chaired by a very responsible Senator J. Michael Lenihan. This will dampen enthusiasm that representatives may have on the house side to forward any of their retirement bills. However it is troublesome that 19 representatives and 8 senators would yield to the influence of the narrow interest served by these bills, if enacted.

Typesetting and Layout  
Jill Padelford

## Reform the Commission on Judicial Tenure and Discipline

By Beverly Clay

The statute governing the commission's proceedings allows investigations to be conducted in secrecy and poses no time limit on investigations. Operation Clean Government filed complaints against six traffic court judges in February 1998. The commission, after dismissing complaints against four of the judges, took a year to issue a private reprimand against Chief Judge Pallozzi; and now 25 months into the investigation of the complaint against Judge Lallo, the commission has taken no action to dismiss or reprimand.

There are two senate bills S2370 and S2371 introduced by Senators Cote, Patterson, Breene and Lenihan that would, if enacted, change the makeup of the Commission on Judicial Tenure and Discipline and the manner in which the commission conducts and reports its proceedings. Senator Bates also signed onto S2371.

These proposed changes are needed to restore public confidence in the commission, which reviews the manner in which judges conduct their courts. Presently the commission consists of 14 members all of whom are attorneys. Of these, three are also members of the General Assembly and four are sitting

judges. How can this panel, so constituted, objectively investigate and discipline the state's judges? S2370 would reduce the commission to nine members; require that three not be attorneys; include three members from the judiciary; and require that no commission member, except judiciary members be elected or appointed state or municipal officials.

Operation Clean Government appropriately believes that judges should be shielded from frivolous complaints and complaints from those affected by a judge's judicial decision. But some of the CJTD secrecy should be lifted. S2371 requires that the commission's preliminary investigation shall either be completed within 60 days or go to a public hearing; and, if the commission recommends dismissal of a judge, due to misconduct, the findings of the preliminary investigation must be made public. These are modest, but needed, changes to the commission proceedings.

These bills will be heard in the Senate Judiciary Committee chaired by Senator M. Teresa Paiva-Weed. Since Senator Paiva-Weed is also a legislator member of the CJTD, Operation Clean Government expects that she will not participate in the hearing or vote on these bills.

## 114% Raise For Election Board Members The Continuing Saga

On February 8<sup>th</sup>, Providence's Senator John M. Roney introduced S2398, raising the compensation currently paid to members of the State Board of Elections from \$7,000 per year to \$15,000. Some senators want to offset their political cronies' loss of state health and retirement benefits in January 1998, when it was determined (as a result of OCG's research and reporting to Katherine Gregg at the Providence Journal and her 8 articles on the subject) that as part-time board members they did not meet the criterion for either benefit. At that time, OCG insisted that retroactive to July 7, 1994, the date at which the statute denied their participation, all monies contributed into the system by election board members be returned to them and all retirement credits during this period be deleted.

Since then, three attempts have been made (Senators Roney 2000; Enos and Walton

1999; Enos 1998) to double the election board members' compensation, effectively raising their hourly pay from approximately \$233 to \$500 per hour in an off election year. These numbers would be reduced respectively to approximately \$60 and \$128 in an election year.

Upon review of the election board 1999 minutes, OCG found that the board met 25 times for a total of 30 hours with 80 percent member attendance. In contrast, the ethics commission, with no compensation, met 21 times in 1999 for a total of 52 hours. Most state boards and commissions receive no compensation, a few receive \$25 or \$50 for each meeting attended. More appropriately, responsible senators should be introducing legislation to bring the election board members' compensation in line with that received by members of other state boards.

## "No Fraud" at the Traffic Court

On March 6, 2000 three persons were arraigned in Superior Court on charges alleging that they participated in a scheme to alter traffic court records for 30 motorists in exchange for bribes. These charges involving court employees fly in the face of what our high state officials have told the citizens of Rhode Island.

Here is why. After conducting an audit of the court in the fall of 1998, which was to include a fraud examination, Auditor General Ernest Almonte announced that the audit found no fraud. He and Supreme Court Chief Justice Joseph Weisberger testified before the Senate Judiciary Committee to this effect. Later before the House Judiciary, District Court Chief Judge Albert DeRobbio testified to the absence of fraud at the court he had taken over.

It was due to the urging of Operation Clean Government that a fraud examination was to be part of the audit. And indeed the

auditors did find substantial risk that altering of records relating to unpaid tickets and handling of cash could have occurred. But they said that they found no fraud, since they were not directed to further investigate the fraud indicators.

Operation Clean Government took strong exception to this. We maintained that a true fraud examination had not taken place. We said so in testimony before both the Senate and House Judiciary Committees, OCG newsletters, on radio and TV, and in press releases and editorial pieces in the state's newspapers. The accusations and denials respectively between OCG and the judges reached such an acrimonious level, that the Supreme Court admonished OCG for "misrepresenting the facts" about the audit.

While these arraignments are proof that the audit was flawed, we wonder if a genuine fraud examination were conducted, what other instances of fraud would be uncovered.

## Restrict Business Expansion???

By Bruce Lang

Does responsible government impose questionable restrictions on entrepreneurs that want to invest in new or expanded business ventures? Senator Badeau and five Representatives regard this a proper role of state government. They propose to add new criteria to the Rhode Island General Laws, Section 31-5.1-4.2 *Establishing new dealerships and relocating existing dealerships*. The new proposed criteria would require new or expanded automobile dealerships to qualify with the State Department of Business Regulation as to whether:

- There was growth or decline in population and new motor vehicle registrations during the past 5 years in the relevant market area
- The manufacturer is motivated principally by good faith to establish a new dealer and not by non-economic considerations [whatever that means!]
- The manufacturer has denied existing dealers the opportunity for reasonable growth or relocation and whether the manufacturer has supplied sufficient vehicles to meet customer demands at existing dealerships

- There is an anticipated vehicle market in the dealership area including demographic factors such as age and income of prospective consumers
- There is data showing distance, travel time, traffic patterns, and accessibility between the existing dealership and the location of the new or relocated dealership.

Senator Badeau's S2216 would impose these restrictions. In the house there is a duplicate introduction H7264 sponsored by Representatives San Bento, Viera, Corvese, Palangio and Garvey.

Do these legislators know or remember the concept of free enterprise? **Are these legislators trying to prevent some automobile dealer from making a bad business decision or, more apparently, are they trying to shield an existing "friendly" dealer from competition?** Regardless of the senators' and representatives' motives, we believe that the General Assembly should encourage business venture, and not interfere in areas best suited to those with learned experience and the will to invest.

### The Clever Highwayman

Rhode Island DOT Highway Maintenance Supervisor "Cookie" Jackvony allegedly stole (salvaged) merchandise spilled from an overturned truck. If the value of the merchandise exceeded \$500, Jackvony's actions would have been considered a felony, thus risking his state pension. Guess what? The clever veteran highwayman allegedly salvaged only \$470.20 worth of cookies, bathroom scales and video tapes.

His pension and high salary is preserved. Now he can ride off into the sunset to enjoy his retirement years or move to West Palm Beach and play golf with the honorable retired Traffic Court Judge Vincent Pallozzi.

## Hold 'em so I can Hit 'em

House Judiciary Chair Representative Robert Flaherty allowed committee member Representative David Cicilline to publicly and personally attack H. Philip West, Executive Director of Common Cause, but disallowed Mr. West's response to the rude verbal abuse by Representative Cicilline. This was but another show of contempt that this committee chair, backed by manifest acquiescence of his committee, has for public input to the legislative process.

The attack on Mr. West occurred on March 22 at a committee hearing, where he testified in opposition to Representatives Carpenter, M. Anderson, Moura, Fox and Shaver's H7688. This bill seeks to reverse the 1994 vote of the electors who approved a three part question to: downsize the house from 100 to 75 representatives and the senate from 50 to 38 senators; increase General Assembly annual pay from \$300 to \$10,000 with cost of living adjustments; and to remove their eligibility in the state retirement system.

The sponsors of H7688, along with some of the committee members, maintain that the electors did not know what they voted in 1994. Of course, they think the electors, who repeat-

edly return them to office, know what they are doing. So their bill proposes to put only the portion of the 1994 question calling for reduction in General Assembly seats back on the November 2000 ballot. The bill backers—and there are many—hope the electors will keep the 100 representatives and 50 senators. They have carefully omitted reconsideration of the \$10,000 salary plus cost of living increases.

During the 1999 session, certain General Assembly leaders began to say that downsizing would erode minority representation. This issue has since been taken up by the bill sponsors, who have whipped up strong support from minority organizations. However some among those, who oppose this bill, including OCG, believe the 1994 vote of the electors should stand, and maintain that General Assembly leaders may have less pure motives than their concern for minority representation. With downsizing set to occur on January 1, 2003 and the new required redistricting after the 2000 census, they are more concerned with the loss of incumbent seats. But you will need the same courage as Phil West to say this at a committee hearing.

The OCG list of  
State Senators and Representatives  
with telephone numbers,  
addresses and occupations are available.

To receive your 3-page copy of  
the most comprehensive list in the state,  
send a self-addressed stamped envelope  
to:

Operation Clean Government  
PO Box 8683  
Warwick, RI 02888

## Legislation Supported by OCG

In addition to legislation described elsewhere in this newsletter, OCG supports:

**Voter Initiative**—S2115, S2116 by Senators Cote, Patterson, Lenihan, Flynn, Bates, et al., and H6932, H6933, H6937 by Representative Picard—these bills would provide a binding voter initiative referendum on the ballot. What more can we say? The voters approved question #8 in 1996 to have voter initiative and the general assembly has refused to allow these bills out of committee for a vote of the full house and senate.

### Campaign Finance

- Senator Patterson's S2023 would eliminate PAC donations from public matching funds for general officer campaigns
- Senator Patterson's S2024 would require a post audit of campaign expenditures in excess of \$30,000 for any quarter and \$50,000 during one year
- Representative Ajello's H7429 addresses multiple campaign finance issues, including rules for accepting matching public funds, PAC donations, electronic reporting, audits of campaign accounts, acceptance of \$500

cash and accepting blank checks.

**Detailed Quarterly Reports by the Joint Committee of Legislative Services**—Representatives Smith, Pisaturo, DeSimone and Lima's H7601 would require these reports. This committee receives taxpayer money and should be accountable as is any other state department or agency.

**Citizens Access to the RI Constitution**—Representative Cicilline's H6911 addresses a Supreme Court decision which stated that citizens have no right under provisions of the RI Constitution to bring suit claiming their constitutional rights have been violated, unless the General Assembly first passes a law to give them that right. This bill would provide the means for citizen access.

**Quasi-public Rules and Regulations**—Senator Patterson's S2046 and Representative Henseler's H6796 requires that all quasi public corporations shall be subject to the same rules and regulations as all other state agencies with regard to the use of credit cards.

**Reduce Auto Inspection Fees**—Senators Walsh, Paiva-Weed, DaPonte, Sosnowski

and Raptakis' S2044; Representatives Dennigan, Fox, Schadone, Faria and Rose's H6840; and Representative Kennedy's H6920 would allow fees for the auto inspection program to include only those costs needed to pay for administering the program. (The present fee is \$47, of which \$14 goes into the general fund.)

**Separation of Powers**—Representative Cicilline's H6916 calls for a constitutional amendment question on the November ballot to bar legislators from serving on quasi-public boards and commissions.

**Abolish the Unclassified Pay Plan Board**—Representatives Montanaro, Kilmartin, Burlingame, S. Anderson and DeSimone's H7595 would place the responsibility for unclassified employee pay schedules with the Department of Administration. The Administration can be held accountable, whereas the Unclassified Pay Plan Board does not have to answer to anyone. At a recent Unclassified Pay Plan hearing, only Senator Lenihan, after requesting background data on raises for court clerks, voted against the new increases which gave these clerks raises up

to 46 percent over the last four years. Voting for the raises were Robert Harrall, state court administrator; Robert Carl, Director of Administration; Senator Walton; and Representatives Moura and McCauley. Obviously they saw no problem with such raises.

**Special Election to fill General Officer Vacancies**—Senator Raptakis' S2245 calls for a special election to fill a vacancy in office of the Secretary of State, the Attorney General and the Treasurer. Present practice is that the General Assembly would fill the vacancy.

**Ethics Commission Appointments** Representative Cicilline's H6915 would require advice and consent of the Senate for Ethics Commission appointments.

Presently, the nine appointments are for staggered five year terms. The governor has 4 appointments. The other five appointments are from the house speaker and the majority and minority leaders of the house and the senate. When a legislative appointment is due, the specified leader submits a list of five names from which the governor chooses one. The article on page 1 of this newsletter illustrates problems created when these appointments do not have a public hearing.

### OPERATION CLEAN GOVERNMENT—BOARD OF DIRECTORS

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### 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 \_\_\_\_\_

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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 \_\_\_\_\_

Send this form to:

OPERATION CLEAN GOVERNMENT  
PO BOX 8683  
WARWICK, RI 02888

tel: 1-877-SWEEP RI  
1-877-793-3774

## Vehicle Excise Tax In or Out?

In the October/November OCG newsletter, we reported that the elimination of the vehicle excise tax was but an unfair transfer of tax monies from the efficiently run rural communities to the wasteful larger cities. We also predicted that the state, with a change in priorities, would renege on its commitment to reimburse cities and towns for their lost vehicle tax revenues.

But we did not expect the state to back away from its obligation in the second year of the 7-year phase out. Albeit in his January budget message, the Governor indicated that the state does not have revenues to sustain the reimbursement. Contrary to the Governor's position, legislators have introduced bills that would accelerate the phase out. One bill H7346 would even have the state directly reimburse taxpayers for all vehicles excise (tangible property) taxes paid in 2000.

We are disappointed with the lack of fiscal responsibility manifested by both the legislature and administration. Neither seems capable of formulating near-term or extended plans for revenue streams, budget expenditures or coordinating tax programs with the cities and towns.

Check out the latest news at  
**[www.ocg.to](http://www.ocg.to)**

### 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.

**To promote HONEST, RESPONSIBLE and RESPONSIVE STATE GOVERNMENT in RHODE ISLAND**