



Mollis grades House, Senate

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By Katherine Gregg, Journal State House Bureau

PROVIDENCE — State lawmakers are still — and with some frequency in the all-important, closing days each legislative session — giving the public less than 48 hours notice of what they are doing at the State House, according to a report issued by Secretary of State A. Ralph Mollis.

Mollis gives both the House and Senate credit for improving their ways measurably since the late 1990s when a predecessor issued a scathing report, titled “Access Denied,” on how the General Assembly conducted the public’s business.

In that earlier report, then-Secretary of State James Langevin, now a congressman, noted that legislative committees, where most of the critical lawmaking is done, routinely violated the law requiring at least 48 hours notice of when they intend to meet and what they plan to discuss.

In a cover letter to his report on how the General Assembly performed during the 2007 session that ended last June, Mollis said: “The General Assembly, which did not even have a Web site in 1997, now posts its meeting notices online. That simple improvement has enhanced the public’s access to its work.”

He also noted that the legislators believe they are not subject to the Open Meetings Law requirements they imposed on every other public entity in Rhode Island, so “compliance is completely voluntary on their part.”

But that said, Democrat Mollis cited instance after instance where committees in the Democrat-controlled General Assembly violated the spirit or letter of the law, especially in the final weeks of the session when much of the year’s important business gets done.

The report notes, for example, that 9 of the 47 public meeting notices posted by the House Corporations Committee violated the 48-hour notice requirement by posting of a last-minute addendum. This is the House committee that deals with a wide array of business issues, including the rules surrounding sale of health insurance.

Despite these findings, Mollis gave this committee — which is famous for posting long, long agendas — a “B” for overall compliance.

The House Finance Committee — where all important money bills go — got an even better score from Mollis, despite 21 violations in the final weeks of the session.

With much less than 48 hours notice, the committee posted 11 different agendas for a single day: June 21, 2007. Those last-minute postings were the only warning the public got of hearings and/or votes on 30 different bills considered that day by this important House committee, which crafts the state budget.

Mollis spokesman Chris Barnett yesterday was unsure — and unable to access the records used as a basis for the report — to determine if any of those notices went up after the 1 p.m. meeting that day was under way.

As to why the committee nonetheless got an “A,” Barnett said the 21 violations involved only 8 of the 120 meetings the House Finance Committee held last year which meant, by his calculation, the committee got it right more than 90 percent of the time.

Only a handful of committees got “Cs,” including the House Judiciary Committee and the House Municipal Government Committee. The only “D” went to the House Separation of Powers Committee, which failed to properly post notices of 4 of its 10 meetings. With 72 violations overall, Mollis gave the House a “B.”

Mollis gave an “A” to the Senate for the overall performance of its committees, despite finding 41 violations of the 48-hour notice requirements.

Senate President Joseph Montalbano did not respond to a request for comment on the findings of his fellow North Providence Democrat.

House spokesman Larry Berman issued this statement: “The House Leadership is very pleased that the compliance level for the Letter of the Law has dramatically improved from an ‘F’ to a ‘B.’ In nearly all of the violations cited, the House was in compliance with its own rules. The vast majority of the violations pointed out by the Secretary of State occurred in the hectic final days of the session. The General Assembly’s rules differ from the open meetings law to allow for these exceptions.”

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