
**BI-PARTISAN PREPARATORY COMMISSION TO
ASSEMBLE INFORMATION ON
CONSTITUTIONAL QUESTIONS IN
PREPARATION FOR A VOTE BY THE QUALIFIED
ELECTORS ON THE HOLDING OF A
CONSTITUTIONAL CONVENTION IN
ACCORDANCE WITH ARTICLE XIV SECTION 2
OF THE RHODE ISLAND CONSTITUTION**

August 26, 2014 – Meeting Notes

I. Call Meeting to Order:

The meeting was called to order by Co-Chairman McCaffrey. A quorum of members was noted as present.

II. Commission Discussion of Draft Report:

Chair McCaffrey confirmed that all members had received a copy of the draft report. He made note of the section that included a projected cost of holding a Constitutional Convention and the various factors that were included in that estimate. Chair McCaffrey then moved that the draft report be accepted by the Commission. The motion was seconded by Senator Goodwin.

Ms. Jones then moved to amend the report to (1) include the fact that the Women's Health and Education Fund were among the civic organizations that offered testimony; (2) include strengthening sunshine laws as a suggested topic heard by the Commission, and (3) include strengthening public access to open meetings as a suggested topic heard by the Commission. The motions to amend were seconded and passed unanimously.

Ms. Jones then moved to amend the report to include some of the reasons given in testimony as to why there should not be a Constitutional Convention. Chair Keable indicated that he felt that inclusion of that language was outside of the charge of the Commission. The motion failed as it was not seconded.

Rep. Ruggiero noted that there was no history of Constitutional Amendments proposed by the legislature since 1986 in the report. Chair Keable indicated again that he felt such an inclusion was outside of the charge of the Commission.

Mr. Frias then made a motion to amend the language of the draft report regarding the costs section. He stated his basis that (1) it was not the commission's charge to even give a cost estimate and (2) none of the cost off-sets that witnesses testified to (e.g., savings from the line-item veto, elimination of Lt. Gov) that could come from a Constitutional Convention were included. He offered two versions: (1) that included red-lined changes to the language and another (2) that deleted any reference to costs of the convention. The version of that included red-lined changes was the subject of the motion to amend.

Mr. Frias' motion to amend the language of the costs section with revisions was seconded by Senator Hodgson. Discussion of the motion began when Rep. Ruggiero questioned Mr. Frias regarding the disparity between the 1973 and the 1986 Conventions. Mr. Frias indicated that his motion was meant to ensure that the report reflect the spectrum of costs of the two previous conventions. Mr. Frias also produced an October 4, 1973 Journal entry from the Constitutional Convention that purported to show an appropriated budget of \$20,000 for that Convention and further, that the Convention likely concluded \$500 under budget.

Ms. Jones commented that the voters deserved to know the potential costs of a convention. Co-Chair McCaffrey noted his agreement that the 1973 Convention costs should be included, but that all of the variable costs noted in the report were exactly the reasons for the increase in costs and the resulting disparity in the two convention's total expenditures. Co-Chair Keable indicated that he was opposed to the red-lined changes proposed in the Motion but agreed that the 1973 costs should be in the report.

Members then voted on Mr. Frias' motion to amend the cost sections with revisions: three members (Mr. Frias, Sen. Hodgson and Rep. Giarrusso) in favor - all remaining eight members against. The motion failed.

Co-Chair Keable then moved to amend the cost section to include a sentence to the effect that "the 1973 Constitutional Convention was held at a total cost to taxpayers of . . ." Co-Chair Keable indicated that Commission staff could arrive at an accurate number for purposes of inclusion in the report. The motion to amend with the referenced language was seconded by Senator Hodgson.

Discussion began with Ms. Jones' comment that inclusion of the 1973 figure may give voters the wrong impression of a potential cost for a future convention. Co-chair noted her concern and offered his view that although the \$2.5 million figure was likely low for a potential cost in 2016, he still favored inclusion of the figure for balance. The members then voted 10-1 in favor of the motion (Ms. Jones opposed).

Mr. Frias then made motion to amend the conclusion paragraph of the report. That motion was seconded by Rep. Giarrusso. Discussion began as Mr. Frias offered his view that the language of the conclusion was confusing and included information that he did not believe was included in the public testimony. The members then voted on Mr.

Frias' motion to amend the conclusion section of the report: four voted in favor (Frias, Hodgson, Giarrusso, Jones). All seven other members voted against. The motion failed.

With no other discussion or proposed amendments – Members then voted on Chair McCaffrey's motion to accept the commission's draft report: 10 in favor – 1 opposed (Mr. Frias). The motion passed.

III. Adjournment:

Chair Keable thanked the staff and the commission members for their hard work. The meeting was adjourned.