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ACLU OF RI POSITION: AMEND

Testimony on 21-S 336, Senate Resolution Adopting Rules of the Senate for 2021-2022 March 1, 2021

The ACLU of RI appreciates the opportunity to submit testimony on these proposed Rules for the 2021-2022 session.

Rule 6.2 Committee Agenda – Posting.

Rule 6.2 requires committee agendas to be posted at least 48 hours before the meeting. We urge that the rule be amended to mirror an amendment to the Open Meetings Act that the General Assembly approved a few years ago so that the time frame would exclude weekends and state holidays in the count of hours. Now that committees are meeting on Mondays, 48 hours advance notice that include weekends should be explicitly prohibited in order to ensure that the public is provided sufficient opportunity to learn of committee meetings. The compelling reasons that prompted the amendment to the OMA provide a compelling rationale for amending Rule 6.2 as well.

Addressing Covid-19

Surprisingly, despite all the changes to the legislative process that have been made to adjust to the pandemic, the proposed Rules add only one provision – Rule 10.7.2 – acknowledging this state of emergency, and that provision is limited to authorizing remote committee meetings.

We believe the rules should both codify some of the other practices that have been generated by the pandemic and incorporate other best practices for once this emergency ceases to exist. Among other things, these additions could include the adoption of rules specifying the required livestreaming and recording of all meetings, requiring recordings to be posted on the legislative website within 24 hours, and providing for the electronic posting of all written testimony submitted by the public. We would also encourage using this opportunity – in requiring advance sign-up of testifiers while the State House is closed – to adopt a practice of many other legislatures and provide witnesses a time range when they can expect to be heard.

Of course, live, in-person discussion and testimony, with livestreaming as a supplement, better serve goals of transparency. We hope that next session, when this emergency no longer exists, the Senate will make use of this experience to welcome back the public to the State House, while allowing for additional remote forms of public monitoring and participation as well.

The ACLU appreciates your consideration of these issues.

Submitted by: Steven Brown, Executive Director