

**TESTIMONY ON 24-H 7295,
AN ACT RELATING TO HEALTH AND SAFETY – THE RHODE ISLAND CLEAN
AIR PRESERVATION ACT
February 6, 2024**

While we do not claim to be experts on the subject matter of this legislation, nor should this written testimony be understood to be a comprehensive commentary on the contents of this bill, there are a handful of civil liberties concerns that we believe should be highlighted. We briefly address these below.

- Section 23-23.8-5(a) requires that any “state personnel appointed or tasked with climate-related activities shall be citizens of the United States” due to the “ability of enemies both foreign and domestic to cause harm intentionally.” There is no justification for this xenophobic requirement, and this would unjustly and unconstitutionally exclude many documented individuals who are not citizens – including lawful permanent residents, green card holders and other visa holders perhaps allowed into the country precisely because of their scientific expertise – from jobs for which they may be otherwise eminently qualified. We oppose this provision.
- Especially because this legislation appears to broadly address governmental or state regulation of “weather engineering,” the penalties in this bill are harsh and very confusing, potentially subjecting any “individual” – defined in the bill as “any man, woman or child” – to a \$500,000 fine or a minimum five years imprisonment for “engag[ing] in an activity under this chapter,” including, presumably, activities specifically authorized by the law. We are unsure how this enforcement should be interpreted in the context of the entirety of the legislation, but its harshness and ambiguity only compound the questionable nature of these penalties.
- Finally, we note that Section 23-23.8-5(b)(1) references the Fourth Amendment of the U.S. Constitution as well as article 1, section 6 of the Rhode Island state constitution, concerning unreasonable searches and seizures. While we applaud attempts to protect state residents from invasions of their privacy, we are unsure what relevance the incorporation of this constitutional right has to the intention of this legislation. This should be clarified.

Again, while we do not assert a full understanding of this legislation, this legislation should be thoroughly reviewed and amended prior to any action on it. Thank you for your consideration.