

## Testimony of Common Cause Rhode Island on H 5266--An Act Relating to State Affairs and Government--Open Meetings

Common Cause Rhode Island reluctantly opposes H 5266 that would allow members of public bodies who are 65 years of age or older to participate remotely. While we believe there are ways to introduce remote participation to improve public meetings, we believe this proposal is lacking in several crucial respects.

This change applies to all public bodies in Rhode Island--from the state Board of Education to the Bristol Fourth of July Parade Committee. Not all public bodies are made equally. Some wield immense powers over the lives of Rhode Islanders, from levying taxes to determining school curricula, to setting electricity rates. Others are little more than government-sanctions groups of volunteers meeting to make suggestions about matters of public concern.

We believe that some members of powerful public bodies could use the ability to participate remotely to dodge accountability. We saw this at the height of the pandemic when the Finance Committee of the Providence City Council passed a \$900 million budget without giving the press or public copies of the spending plan.

Common Cause Rhode Island believes that the ability to participate remotely should be based on who the individual is, but rather what type of public body they are a member of. We believe remote participation should be introduced first for the least powerful public bodies; such as those that are advisory only.

We also believe that anytime members of public bodies are allowed to participate remotely there should be a series of guardrails in place to protect the public interest. Those guardrails include (with the New England states incorporating them in parentheses):

- Notice on the agenda of who is participating electronically (ME)
- Notice on the agenda for how the public can participate electronically (CT)
- Require that the electronic platform be free (MA)
- Require that the electronic meeting be contemporaneous
- Substantial interruption of the meeting brings it to a halt (CT)
- Public documents are available the same as they would be in person (ME)
- All non-unanimous votes by roll call (VT, CT)
- All members must identify themselves at the meeting (CT at the convening, VT whenever they speak)
- All members must be able to hear and be heard (MA, ME, VT)
- Minutes reflect who is in-person and who is participating electronically (CT) and include reason why members are participating electronically (NH)
- Post recording within a fixed period of time and retained for a longer period of time (CT)

These guardrails will protect the public interest whenever members of public bodies are allowed to participate remotely.

Finally, we believe that if members of public bodies are allowed to participate remotely, so too should members of the public they serve. Technology should not only be used to benefit those who govern us, but also those who are governed.