



# Access 2007

## Rhode Island General Assembly



Senate Chamber



House of Representatives Chamber

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February 2008

*Dear Rhode Islander:*

I am pleased to issue the Access 2007 report. Introduced by former Secretary of State Jim Langevin in 1997, the Access report documents how the General Assembly's legislative meetings process compares to the requirements of the state's Open Meetings law. The intent of the Open Meetings law is expressed in RIGL 42-46-1: "Public policy. It is essential to the maintenance of a democratic society that public business be performed in a open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy."

My priority is to use technology to make government more open and accessible. The way people receive information has changed dramatically since the Access report was conceived. The General Assembly, which did not even have a website in 1997, now posts its meeting notices online. That simple improvement has enhanced the public's access to its work.

This Access report uses letter grades that are familiar to all of us. Two categories of compliance were evaluated: Letter of the Law and Spirit of the Law. The former measures technical compliance with the state's Open Meetings law and the latter is an attempt to measure the intent of the legislature.

To their credit, the House and the Senate made more than a good-faith effort to keep the public apprised of their work last year, even though compliance with the Open Meetings law is completely voluntary on their part. Overall, both chambers of the General Assembly improved their performance in 2007.

Among the highlights are:

- 100 percent compliance with the Spirit of the Law in both chambers
- A 50 percent rise in House Committee compliance with the Letter of the Law
- A 34 percent improvement in Senate Committee compliance with the Letter of the Law

The more people know about their government, the better it will serve them. The results documented in this report show our efforts are making a difference.

Sincerely,



A. Ralph Mollis  
Secretary of State

# Glossary

<b>Addition</b>	An addition to a previously posted agenda, usually involving the inclusion of new bills to be heard.
<b>Appointments</b>	A meeting in which the committee considered executive appointments.
<b>Letter= Letter of the Law</b>	Notices that are posted less than 48 hours / 2 days before the date of the committee meeting violate the letter of the law. (Rhode Island General Laws 42-46-6.)
<b>Notice</b>	Each separate document posted by a standing or joint committee of the General Assembly. This includes additions and time/date/place changes, but not corrections or cancellations.
<b>Organizational</b>	The first meeting held by a committee to set up its procedures.
<b>Spirit= Spirit of the Law</b>	Notices that have more than one hearing date/time listed or give no specific hearing date or have unreasonably long agendas violate the spirit of the law.
<b>Break</b>	A brief break in the legislative session during which committee business can be undertaken.
<b>Revision</b>	A revision made to a previously posted notice.
<b>Rise</b>	An expression used to indicate the end of the day when all the members stand to end the session.
<b>Violations</b>	Committee meeting notices that violate the letter and/or spirit of the law.

# Methodology

## Compliance Formula:

The number of meetings held in violation by a committee was divided by the total number of meetings held by that committee, and that figure was then multiplied by 100 to get the percentage of meetings that were in violation. The percentage of meetings held in violation was then subtracted from 100% to get the percentage of meetings by the committee that were in compliance with the law. Here is an example: **A committee held 25 meetings and 1 of those meetings was in violation.  $1/25 = .04 \times 100 = 4\%$  of the meetings were in violation. 4% subtracted from 100% = 96% of the meetings were in compliance with the law.**

## Percentages and Grading:

Compliance percentages are rounded to the nearest tenth of a percent. Letter grades are assigned as follows: **A** is compliance of 90% and above; **B** is 80% to 89%; **C** is 70% to 79%; **D** is 60% to 69% and **F** is anything below 60%.

# House Standing Committees

## House Constituent Services

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>C</b> (73%)	<b>NA</b> (new for 2007)
Spirit of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)

11 Meetings. 3 Meetings in Violation.

### The Meetings

17 Notices. 5 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20	Rise	6 bills	Letter
June 21 (Addition I)	Rise	1 bill	Letter
June 22	12:30 p.m.	2 bills	Letter
June 22 (Addition I)	12:30 p.m.	1 bill	Letter
June 22 (Addition II)	12:30 p.m.	1 bill	Letter

## House Corporations

### The Grades

Compliance	2007	2006
Letter of the Law	<b>B</b> (80%)	<b>F</b> (57%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (90%)

30 Meetings. 6 Meetings in Violation.

### The Meetings

47 Notices. 9 Letter Violations. 0 Spirit Violations.

Date of Meeting	Time	Agenda	Type of Violation
April 12 (Addition V)	Rise	2 bills	Letter
April 12 (Addition VI)	Rise	2 bills	Letter
June 14 (Addition II)	Rise	1 bill	Letter
June 21 (Addition I)	Rise	1 bill	Letter
June 21 (Addition II)	Rise	5 bills	Letter
June 22	1 p.m.	5 bills	Letter
June 22 (Addition I)	1 p.m.	2 bills	Letter
June 22	House Break	2 bills	Letter
June 23	House Break	1 bill	Letter

## House Environment and Natural Resources

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>B</b> (84%)	<b>F</b> (38%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

12 Meetings. 2 Meetings in Violation.

### The Meetings

20 Notices. 2 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 22	12:30 p.m.	3 bills	Letter
June 22	House Break	1 bill	Letter

## House Finance

### The Grades

Compliance	2007	2006
Letter of the Law	<b>A</b> (94%)	<b>C</b> (74%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

120 Meetings. 8 Meetings in Violation.

### The Meetings

180 Notices. 21 Letter Violations. 0 Spirit Violations.

Date of Meeting	Time	Agenda	Type of Violation
May 16 (Addition)	1 p.m.	1 bill	Letter
June 7 (Addition I)	1 p.m.	6 bills	Letter
June 7 (Addition II)	1 p.m.	1 bill	Letter
June 14 (Addition)	1 p.m.	1 bill	Letter
June 20	Rise	13 bills	Letter
June 21	1 p.m.	6 bills	Letter
June 21 (Addition I)	1 p.m.	5 bills	Letter
June 21 (Addition II)	1 p.m.	2 bills	Letter
June 21 (Addition III)	1 p.m.	2 bills	Letter
June 21 (Addition IV)	1 p.m.	1 bill	Letter
June 21 (Addition V)	1 p.m.	1 bill	Letter
June 21 (Addition VI)	1 p.m.	1 bill	Letter
June 21 (Addition VII)	1 p.m.	1 bill	Letter
June 21 (Addition VIII)	1 p.m.	2 bills	Letter
June 21 (Addition IX)	1 p.m.	8 bills	Letter
June 21	Rise	1 bill	Letter
June 22	1 p.m.	3 bills	Letter
June 22 (Addition I)	1 p.m.	1 bill	Letter
June 22 (Addition II)	1 p.m.	5 bills	Letter
June 22 (Addition IV)	1 p.m.	2 bills	Letter
June 23	House Break	1 bill	Letter

## House Health, Education and Welfare

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>B</b> (81%)	<b>F</b> (48%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

26 Meetings. 5 Meetings in Violation.

### The Meetings

41 Notices. 7 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
April 11 (Addition I)	Rise	1 bill	Letter
April 11 (Addition II)	Rise	2 bills	Letter
June 21	Rise	1 bill	Letter
June 21 (Addition)	Rise	2 bills	Letter
June 22	1 p.m.	3 bills	Letter
June 22	House Break	2 bills	Letter
June 23	House Break	1 bill	Letter

## House Judiciary

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>C</b> (75%)	<b>F</b> (28%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (97%)

27 Meetings. 7 Meetings in Violation.

### The Meetings

41 Notices. 11 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
March 14 (Addition)	Rise	1 bill	Letter
April 5	Rise	7 bills	Letter
June 14 (Addition)	Rise	1 bill	Letter
June 19 (Addition II)	Rise	1 bill	Letter
June 21 (Addition)	Rise	1 bill	Letter
June 22	1 p.m.	9 bills	Letter
June 22 (Addition I)	1 p.m.	1 bill	Letter
June 22 (Addition II)	1 p.m.	2 bills	Letter
June 22 (Addition III)	1 p.m.	1 bill	Letter
June 22 (Addition IV)	1 p.m.	2 bills	Letter
June 22	House Break	2 bills	Letter

## House Labor

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>B</b> (82%)	<b>D</b> (69%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

17 Meetings. 3 Meetings in Violation.

### The Meetings

19 Notices. 4 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20	Rise	2 bills	Letter
June 21	3:30 p.m.	1 bill	Letter
June 22	1 p.m.	3 bills	Letter
June 22 (Addition I)	1 p.m.	1 bill	Letter

## House Municipal Government

### The Grades

Compliance	2007	2006
Letter of the Law	<b>C</b> (75%)	<b>NA</b> (new for 2007)
Spirit of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)

20 Meetings. 5 Meetings in Violation.

### The Meetings

32 Notices. 9 Letter Violations. 0 Spirit Violations.

Date of Meeting	Time	Agenda	Type of Violation
March 1	3 p.m.	1 bill	Letter
June 14 (Addition II)	Rise	1 bill	Letter
June 20	3:30 p.m.	2 bills	Letter
June 21	Rise	4 bills	Letter
June 21 (Addition I)	Rise	1 bill	Letter
June 22	12:30 p.m.	1 bill	Letter
June 22 (Addition I)	12:30 p.m.	1 bill	Letter
June 22 (Addition II)	12:30 p.m.	2 bills	Letter
June 22 (Addition III)	12:30 p.m.	1 bill	Letter

## House Rules

### The Grades

Compliance	2007	2006
Letter of the Law	<b>A</b> (100%)	<b>F</b> (50%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

### The Meetings

2 Notices. No Violations.

## House Separation of Powers

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>D</b> (60%)	<b>F</b> (22%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

10 Meetings. 4 Meetings in Violation.

### The Meetings

10 Notices. 4 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20	Rise	2 bills	Letter
June 21	3:30 p.m.	1 bill	Letter
June 22	1 p.m.	3 bills	Letter
June 22	House Break	1 bill	Letter

## House Veterans' Affairs

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (100%)	<b>F</b> (50%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

13 Meetings. 0 Meetings in Violation.

### The Meetings

13 Notices. 0 Letter Violations. 0 Spirit Violations.

## Average Compliance for House Standing Committees

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>B</b> (86%)	<b>F</b> (57%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (98%)

288 Total Meetings. 43 Total Meetings in Violation.

### The Meetings

422 Total Notices. 72 Letter Violations. 0 Spirit Violations.

# Senate Standing Committees

## Senate Constitutional and Regulatory Issues

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>C</b> (75%)	<b>C</b> (71%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

16 Meetings. 4 Meetings in Violation.

### The Meetings

20 Notices. 6 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 6 (Addition)	Rise	1 bill	Letter
June 20	Rise	12 bills	Letter
June 20 (Addition)	Rise	2 bills	Letter
June 21	Rise	3 bills	Letter
June 21 (Addition I)	Rise	2 bills	Letter
June 22	3:30 p.m.	7 bills	Letter

## Senate Corporations

### The Grades

Compliance	2007	2006
Letter of the Law	<b>A</b> (91%)	<b>NA</b> (new for 2007)
Spirit of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)

22 Meetings. 2 Meetings in Violation.

### The Meetings

30 Notices. 5 Letter Violations. 0 Spirit Violations.

Date of Meeting	Time	Agenda	Type of Violation
June 21	3:30 p.m.	1 bill	Letter
June 21 (Addition I)	3:30 p.m.	1 bill	Letter
June 21 (Addition II)	3:30 p.m.	2 bills	Letter
June 22	3:00 p.m.	2 bills	Letter
June 22	3:00 p.m.	3 bills	Letter

## Senate Education

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>C</b> (75%)	<b>F</b> (43%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

8 Meetings. 2 Meetings in Violation.

### The Meetings

11 Notices. 3 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20 (Addition)	Rise	1 bill	Letter
June 22	2 p.m.	Appointments	Letter
June 22 (Addition I)	2 p.m.	4 bills	Letter

## Senate Environment and Agriculture

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (90%)	<b>F</b> (56%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

20 Meetings. 2 Meetings in Violation.

### The Meetings

30 Notices. 4 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20 (Addition I)	Rise	Appointments	Letter
June 22	2 p.m.	Appointments	Letter
June 22 (Addition I)	2 p.m.	Appointments	Letter
June 22 (Addition II)	2 p.m.	2 bills	Letter

## Senate Finance

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (91%)	<b>D</b> (69%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

55 Meetings. 5 Meetings in Violation.

### The Meetings

80 Notices. 9 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 7 (Addition I)	Rise	1 bill	Letter
June 7 (Addition II)	Rise	1 bill	Letter
June 14 (Addition)	Rise	2 bills	Letter
June 20	3:30 p.m.	6 bills	Letter
June 20 (Addition I)	3:30 p.m.	Appointments	Letter
June 20 (Addition II)	3:30 p.m.	1 bill	Letter
June 20 (Addition III)	3:30 p.m.	2 bills	Letter
June 21	Rise	2 bills	Letter
June 22	3:00 p.m.	2 bills	Letter

## Senate Government Oversight

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (95%)	<b>B</b> (86%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

19 Meetings. 1 Meeting in Violation.

### The Meetings

22 Notices. 2 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20	3 p.m.	5 bills	Letter
June 20 (Addition)	3 p.m.	1 bill	Letter

## Senate Health and Human Services

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (96%)	<b>D</b> (63%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

25 Meetings. 1 Meeting in Violation.

### The Meetings

32 Notices. 1 Letter Violation. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 22	3 p.m.	5 bills	Letter

## Senate Housing & Municipal Government

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>B</b> (84%)	<b>NA</b> (new for 2007)
Spirit of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)

18 Meetings. 3 Meetings in Violation.

### The Meetings

26 Notices. 4 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 14 (Addition I)	5 p.m.	2 bills	Letter
June 21	3:30 p.m.	2 bills	Letter
June 21	3:30 p.m.	Appointments	Letter
June 22	3 p.m.	5 bills	Letter

## Senate Judiciary

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (90%)	<b>F</b> (59%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

30 Meetings. 3 Meetings in Violation.

### The Meetings

51 Notices. 6 Letter Violations. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20	3 p.m.	8 bills	Letter
June 20 (Addition)	3 p.m.	1 bill	Letter
June 21	Rise	3 bills	Letter
June 22	3 p.m.	2 bills	Letter
June 22 (Addition I)	3 p.m.	Appointment	Letter
June 22 (Addition II)	3 p.m.	Appointment	Letter

## Senate Labor

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (92%)	<b>B</b> (86%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

12 Meetings. 1 Meeting in Violation.

### The Meetings

19 Notices. 1 Letter Violation. 0 Spirit Violations.

<b>Date of Meeting</b>	<b>Time</b>	<b>Agenda</b>	<b>Type of Violation</b>
June 20 (Addition)	2:30 p.m.	1 bill	Letter

## Senate Rules

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (100%)	<b>A</b> (100%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

6 Meetings. No Meetings in Violation.

### The Meetings

8 Notices. No Violations.

## Average Compliance by Senate Standing Committees

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (90%)	<b>D</b> (67%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

231 Total Meetings. 24 Total Meetings in Violation.

### The Meetings

320 Total Notices. 41 Letter Violations. 0 Spirit Violations.

# Joint Committees

## Legislative Oversight Committee On Building Code Regulations

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)
Spirit of the Law	<b>A</b> (100%)	<b>NA</b> (new for 2007)

1 Meeting. 0 Meetings in Violation.

### The Meetings

1 Notice. 0 Letter Violations. 0 Spirit Violations.

## Permanent Joint Committee On State Lottery

### The Grades

<b>Compliance</b>	<b>2007</b>	<b>2006</b>
Letter of the Law	<b>A</b> (100%)	<b>C</b> (75%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

9 Total Meetings. No Meetings in Violation.

### The Meetings

10 Notices Total. No Violations.

## Joint Committee To Establish A Permanent Education Foundation Aid Formula For RI

### The Grades

Compliance	2007	2006
Letter of the Law	<b>A</b> (94%)	<b>C</b> (75%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

15 Total Meetings. 1 Meeting in Violation.

### The Meetings

17 Notices. 1 Letter Violation. 0 Spirit Violations.

Date of Meeting	Time	Agenda	Type of Violation
April 24	3 p.m.	Funding Formula	Letter

## Average Compliance For Joint Committees

### The Grades

Compliance	2007	2006
Letter of the Law	<b>A</b> (97%)	<b>B</b> (83%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (100%)

25 Total Meetings. 1 Meeting in Violation.

### The Meetings

28 Total Notices. 1 Letter Violation. 0 Spirit Violations.

## Average Compliance For All Committees

### The Grades

Compliance	2007	2006
Letter of the Law	<b>B</b> (88%)	<b>D</b> (63%)
Spirit of the Law	<b>A</b> (100%)	<b>A</b> (99%)

544 Total Meetings. 68 Meetings in Violation.

# Sections from the General Laws of Rhode Island, the Rules of the House of Representatives and the Rules of the Senate pertaining to public meeting notices

## **Rhode Island General Law 42-46-6. Notice.**

- (a) All public bodies shall give written notice of their regularly scheduled meetings at the beginning of each calendar year. The notice shall include the dates, times, and places of the meetings and shall be provided to members of the public upon request and to the secretary of state at the beginning of each calendar year in accordance with subsection (f).
- (b) Public bodies shall give supplemental written public notice of any meeting within a minimum of forty-eight (48) hours before the date. This notice shall include the date the notice was posted, the date, time and place of the meeting, and a statement specifying the nature of the business to be discussed. Copies of the notice shall be maintained by the public body for a minimum of one year. Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. School committees may, however, add items for informational purposes only, pursuant to a request, submitted in writing, by a member of the public during the public comment session of the school committee's meetings. Said informational items may not be voted upon unless they have been posted in accordance with the provisions of this section. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.
- (c) Written public notice shall include, but need not be limited to, posting a copy of the notice at the principal office of the public body holding the meeting, or if no principal office exists, at the building in which the meeting is to be held, and in at least one other prominent place within the governmental unit, and electronic filing of the notice with the secretary of state pursuant to subsection (f); provided, that in the case of school committees the required public notice shall be published in a newspaper of general circulation in the school district under the committee's jurisdiction; however, ad hoc committees, sub committees and advisory committees of school committees shall not be required to publish notice in a newspaper; however, nothing contained herein shall prevent a public body from holding an emergency meeting, upon an affirmative vote of the majority of the members of the body when the meeting is deemed necessary to address an unexpected occurrence that requires immediate action to protect the public. If an emergency meeting is called, a meeting notice and agenda shall be posted as soon as practicable and shall be electronically filed with the secretary of state pursuant to subsection (e) and, upon meeting, the public body shall state for the record and minutes why the matter must be addressed in less than forty-eight (48) hours and only discuss the issue or issues which created the need for an emergency meeting. Nothing contained herein shall be used in the circumven-

tion of the spirit and requirements of this chapter.

(d) Nothing within this chapter shall prohibit any public body, or the members thereof, from responding to comments initiated by a member of the public during a properly noticed open forum even if the subject matter of a citizen's comments or discussions were not previously posted, provided such matters shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official. Nothing contained in this chapter requires any public body to hold an open forum session, to entertain or respond to any topic nor does it prohibit any public body from limiting comment on any topic at such an open forum session. No public body, or the members thereof, may use this section to circumvent the spirit or requirements of this chapter.

(e) A school committee may add agenda items not appearing in the published notice required by this section under the following conditions:

(1) The revised agenda is electronically filed with the secretary of state pursuant to subsection (f), and is posted on the school district's website and the two (2) public locations required by this section at least forty-eight (48) hours in advance of the meeting;

(2) The new agenda items were unexpected and could not have been added in time for newspaper publication;

(3) Upon meeting, the public body states for the record and minutes why the agenda items could not have been added in time for newspaper publication and need to be addressed at the meeting;

(4) A formal process is available to provide timely notice of the revised agenda to any person who has requested that notice, and the school district has taken reasonable steps to make the public aware of this process; and

(5) The published notice shall include a statement that any changes in the agenda will be posted on the school district's web site and the two (2) public locations required by this section and will be electronically filed with the secretary of state at least forty-eight (48) hours in advance of the meeting.

(f) All notices required by this section to be filed with the secretary of state shall be electronically transmitted to the secretary of state in accordance with rules and regulations which shall be promulgated by the secretary of state. This requirement of the electronic transmission and filing of notices with the secretary of state shall take effect one year after this subsection takes effect.

(g) If a public body fails to transmit notices in accordance with this section, then any aggrieved person may file a complaint with the attorney general in accordance with § 42-46-8.

### **History**

(G.L. 1956, § 42-46-6; P.L. 1976, ch. 330, § 2; P.L. 1981, ch. 182, § 1; P.L. 1984, ch. 372, § 1; P.L. 1988, ch. 659, § 1; P.L. 1998, ch. 379, § 1; P.L. 2001, ch. 360, § 1; P.L. 2003, ch. 305, § 1; P.L. 2003, ch. 362, § 1; P.L. 2006, ch. 328, § 1; P.L. 2006, ch. 453, § 1; P.L. 2006, ch. 458, § 1.)

## 2007 Resolution 90: Adopting the Rules of the House of Representatives for 2007 - 2008

**Rule 13(c)** The Chair of every committee shall post, in print and electronically, at least forty-eight (48) hours prior to any committee meeting, a list by number and title of the bills and resolutions to be heard at that meeting. Such postings shall be made electronically and on the Legislative Data Bulletin Board. The electronic posting shall be considered the official date of the posting. In the event that the electronic posting system is inoperable then the official posting shall be the printed posting on the Legislative Data Bulletin Board. The Chair shall limit such listings to the number of bills or resolutions he or she reasonably expects can be taken up by the committee at that meeting. Any bill or resolution so posted which the committee is not able to take up at the stated meeting must be re-posted as stated above. Such postings shall be made electronically, and on the House bulletin board or on the Legislative Data bulletin board. Copies of all posted bills or resolutions shall be provided in print or electronically to all committee members and principal sponsors. A committee shall not hear any said bill or resolution without such notice except by the consent of a majority of its members and with at least one (1) day's notification to the principal sponsor. The sponsor may, however, waive such one-day notification. The time requirements of this section shall not apply to House bills returned from the Senate with amendment, or, after the 50th legislative day, to any bill originating in the Senate.

## 2007 Resolution 82: Adopting the Rules of the Senate for 2007 - 2008

**Rule 6.2 Committee Agenda -- Posting.** At least forty-eight (48) hours before any standing committee meeting, a committee agenda containing the number, title and a short explanation of the bill to be considered must be placed on the bulletin boards provided for such agenda. The rule shall not apply to bills previously passed by the senate and amended by the house. There shall be at least two (2) bulletin boards for such posting, at least one (1) of which shall be for the public's use and shall be under the control of and situated at the main entrance to the state library. There shall also be at least one (1) bulletin board for the exclusive use of the senators which shall be situated in a convenient location. \*Note: The Senate suspended its Rules on June 12, 2007.