

LC00044

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2003**

**A N A C T**

**RELATING TO STATE AFFAIRS AND GOVERNMENT**

Introduced By: Senator Leo R. Blais

Date Introduced: February 26, 2003

Referred To: Senate Government Oversight

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "State Affairs and Government" is  
2 hereby amended by adding thereto the following chapter:

3 CHAPTER 137

4 THE INTERSTATE COMPACT SUNSHINE ACT

5 **42-137-1. Title.** – The act may be cited as the "Interstate Compact Sunshine Act."

6 **42-137-2. Statement of purpose.** – It is the intent of the general assembly to make the  
7 governing bodies of interstate compacts, to which the state of Rhode Island is or will be a party,  
8 subject to the open access laws of the state.

9 **42-137-3. Definitions.** – As used in this chapter:

10 (1) "Governing body" means the organization of an interstate compact that is authorized  
11 by the respective members to act on behalf of the respective members in the particular business  
12 that is the subject of the interstate compact;

13 (2) "Interstate compact" means any agreement entered into between the state of Rhode  
14 Island and one (1) or more other states, regardless of subject matter or the need for federal  
15 congressional approval;

16 (3) "Open access law" means a duly enacted law of the state of Rhode Island,  
17 constitutional provision, regulation, or court ruling, such as a sunshine law or freedom of  
18 information act, that intends or has the effect of increasing the transparency of any government  
19 operation to public scrutiny. This term includes, but is not limited to, the provisions of chapters

1 42-46, entitled "open meetings" and 38-2, entitled "access to public records";

2 (4) "Written notice" means the written conveyance of information from the governing  
3 body to the citizens of the state of Rhode Island in a manner that would reasonably inform the  
4 citizens of the state of Rhode Island that the governing body has scheduled a meeting, whether or  
5 not any citizen actually received the written conveyance;

6 (5) "Records" includes, but is not limited to, meeting minutes, records of votes, or any  
7 other information that the governing body is required to keep under the terms of an interstate  
8 compact;

9 (6) "Electronic" includes, but is not limited to, video, audio, or internet; and

10 (7) "Official meeting" means any meeting of an interstate compact governing body that is  
11 required by the terms of the interstate compact or a decision of the governing body.

12 **42-137-4. Governing body compliance with open access law.** – (a) The state of Rhode  
13 Island shall not enter into any interstate compact unless the governing body of the interstate  
14 compact complies with the open access laws of the state of Rhode Island.

15 (b) Notwithstanding the provisions of subsection (a), the state of Rhode Island shall not  
16 enter into an interstate compact unless the governing body of the interstate compact provides,  
17 thirty (30) days before an official meeting, written notice of its meeting and provides the public  
18 access to the written and electronic records of all official meetings.

19 (c) The participation of the state of Rhode Island in any interstate compact that does not  
20 comply with subsections (a) and (b) shall be null and void and is hereby rescinded, unless the  
21 governing body of the interstate compact shall take measures to comply with subsections (a) and  
22 (b) within six (6) months after the effective date of this chapter.

23 **42-137-5. Severability.** – If any provision of this chapter or the application of this  
24 chapter to any person or circumstances is held invalid, the invalidity shall not affect other  
25 provisions or applications of the chapter which can be given effect without the invalid provision  
26 or application, and to this end the provisions of this chapter are declared to be severable.

27 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO STATE AFFAIRS AND GOVERNMENT

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- 1           This act would provide that any interstate compact entered into by the state would be
- 2 subject to the open access laws of the state, including but not limited to, the provisions for open
- 3 meetings and access to public records.
- 4           This act would take effect upon passage.

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