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Vincent J. Mesolella Chairman

Laurie A. Horridge Executive Director

March 18, 2024

The Honorable Evan P. Shanley House State Government & Elections State House Providence, RI 02903

RE: Narragansett Bay Commission; House Bill 7846; Against

Dear Chairperson Shanley and Members of the Committee:

I am writing to convey the Narragansett Bay Commission's (NBC) concerns with House Bill 7846. Thank you for taking the time to consider the NBC's position.

As you know, the NBC is a diligent public corporation that strives to go above and beyond in the name of transparency and access to public information. The NBC appreciates and understands the importance of providing the public with access to records associated with vendors that do business with public entities like the NBC. However, H7846 will have significant and negative economic consequences, and as such, the NBC opposes the bill.

As drafted, H7846 seeks to modify and effectively remove the protections for trade secrets, proprietary information, commercial and/or financial information included in the Access of Public Records Act and related statutes. The bill fails to consider the effect that these changes may have on the NBC's ability to secure competitive contracts with vendors that are concerned about disclosure of their proprietary or sensitive information, as well as the ripple effect that it will have on commerce generally. The exceptions for trade secrets and proprietary information provided in the Act are important and necessary to ensure that vendors can work with the NBC and rest assured that their sensitive information will not be made public. A vendor who is concerned about their trade secrets being made public will hesitate and ultimately choose not to bid on NBC jobs which would decrease the pool of available vendors for any given project(s) and lead to increased costs and possibly delays on completion of projects.

H7846 would further require the NBC to submit the records, including proprietary information, commercial and/or financial information, of a significant number of its vendors, to the State budget office. This requirement will be unduly burdensome for both the NBC and the State budget office, as NBC employees would be sending documents in copious amounts on an almost daily basis.

For the reasons stated above, the NBC respectfully submits its opposition to H7846. Thank you for the opportunity to comment.

Sincerely,

Jennifer J. Harrington, Esq.

Genipf Harington, Esz.

General Counsel and Legislative Liaison