



STATE OF RHODE ISLAND
OFFICE OF GOVERNOR DANIEL J. MCKEE

July 13, 2021

TO THE HONORABLE, THE PRESIDENT OF THE SENATE:

I am transmitting to the Secretary of State, without my signature, 2021-S 0549 Substitute A, "An Act Relating to Public Property and Works – Minority Business Enterprises."

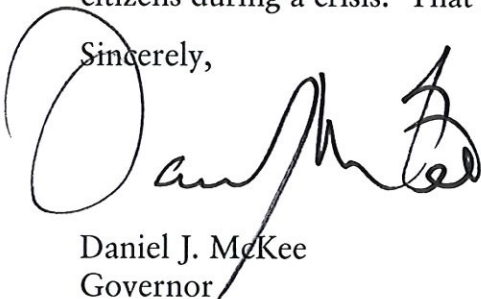
This legislation prohibits the provisions of the chapter governing the Minority Business Enterprise (MBE) program from being waived, even during a declared state of emergency.

My administration supports the fullest possible participation of firms owned and controlled by minorities and women in state funded and directed construction projects and in the purchase of state goods and services. And, I am committed to abiding by the terms of the MBE program, to the greatest extent possible, even during emergencies.

I cannot sign this bill, however, because it purports to categorically limit the State's flexibility in a declared state of emergency. If there is one thing that we have learned during this pandemic, it is that state government must be given latitude to respond to an emergency. Categorical restraints on the use of emergency power, like the one imposed here, could delay the State's ability to act and could compromise public safety in an emergency when speed and flexibility is most needed.

My administration has had a number of conversations with the House and Senate about the overbreadth of this bill. In the upcoming session, I look forward to working with the bill sponsors as well as leadership in the House and Senate to amend this law to address their concerns while still giving the State the flexibility to effectively serve the needs of its citizens during a crisis. That is a legislative measure I would proudly sign.

Sincerely,



Daniel J. McKee
Governor