

Addendum dated February 27, 2024

I appreciate a further opportunity to weigh in on this discussion. My name is Mark Koenig and although I am testifying on my own behalf, I am a member of both my local school board and city council. The revised S.55 which permits local entities to be flexible on the use of hybrid public meetings is the right move at this time. The inclusion of a work group "to study and make recommendations to improve the accessibility of and participation in meetings of local public bodies, annual municipal meetings, and local elections" allows data and background to be gathered thereby allowing legislators to understand what is and is not possible, and they can then make decisions rooted in reality. Two things are guaranteed to occur with the passage of time regarding this issue. First, access to high-speed internet will continue to expand to regions currently under-served. Second, the cost of the underlying technologies and equipment will decrease making it more affordable and accessible to communities and organizations that do not have the budgets to support a stable on-line presence for public meetings. I look forward to reading the work group's report.

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Senate Government Operations 02-21-2024 1:30 PM

I appreciate the opportunity to weigh in on this discussion. My name is Mark Koenig and although I am testifying on my own behalf, I am a member of both my local school board and city council. In both of these capacities, I have lived the fun of in-person, fully remote, and hybrid public meetings. Currently, both my school board and city council operate under a hybrid system. This means that, at the end of the day, the enactment of S.55 as it is currently written will have no impact on my board or council. But I believe the fact that I don't have a horse in this race should add some persuasiveness to my opposition of the notion set forth in the revised S.55 that hybrid meetings must be required.

Under the original version of S.55, the intent was to modify Open Meeting Law by providing flexibility regarding how public meetings were conducted and allowed municipalities or school boards or government agencies to adjust how the public could view and interact with these meetings. Vermonters love the phrase "local control" and while I think there are times when local control is a myth or illusion, in this instance providing organizations control over how to best interact with their constituents makes sense. Each individual organization understands its abilities and limitations when it comes to running hybrid meetings. The intent

of revised S.55 is honorable, but the realities are currently out of reach for many. At a minimum, if the State wants to require hybrid public meetings, then the State must also ensure every Vermont household has access to high-speed internet.

One point I would like to make with specific regard to school districts is the fact that the revised S.55 bill will add one more unfunded mandate to their budgets. Another cost required by the State is especially bewildering given the current chaos unleashed by Act 127. It is disingenuous at best to require that districts purchase and maintain additional equipment while simultaneously admonishing districts for excessive spending. Equity and transparency are important, but a heavy-handed, one-size-fits-all mandate will likely not deliver the desired results.

For reasons of technological advancement, accessibility, equity, and transparency, I support the idea of revising Open Meeting Law and I urge you to put forward the original version of S.55. Enacting the original version would still allow you the opportunity over the next few years to study the impact and access concerns regarding how different organizations run their public meetings. It also gives those communities that currently exist in high-speed internet deserts time to build out their infrastructure. And then later down the road, it might make sense to revisit the idea of requiring hybrid public meetings.