

Good afternoon my name is Lisa Loomis. I am the co-owner and editor of The Valley Reporter, which serves the readers in Central Vermont. It also is my honor to serve as the president of the Vermont Press Association, which represents the interests of about four dozen daily and non-daily newspapers providing news to Vermonters.

The Vermont Press Association (VPA) is deeply concerned on behalf of its members throughout the state and also the general public, that there is a new effort to make state government less transparent and potentially give **VERY** special treatment to the Vermont Truth and Reconciliation Commission.

H.649 is problematic in many ways. Previous versions of this bill included a provision allowing for secret hearings which we obviously objected to.

The VPA has always opposed adding any new exemptions for closed door/executive sessions to Vermont's Open Meeting Law. The exemptions need to be reduced. That is why this special effort to customize the state's Open Meeting Law to the desires of the Vermont Truth and Reconciliation Commission is **VERY** alarming.

The Truth and Reconciliation Commission is a publicly funded body and taxpayers have a right to observe and participate in all its work and its hearings. If it is difficult to avoid having a quorum with only three members, the logical thing to do is add two more members. And we would urge you would talk with some 3-member boards – if you have not already – to explain how they have been able to operate within the law through the years before you consider reducing open government and accountability in Vermont.

The Truth and Reconciliation proposal to create an entirely new category of public hearing, a 'closed' or restricted hearing is a violation of Open Meeting Law and Vermont's Constitution which enshrines and protects free speech. To create a new special category of hearing where public voice is muted is abhorrent and flies in the face of open and transparent government.

People have a right to participate in the public process, in government. There is no need to provide special treatment for one state commission. To assert some vague and undefined threat as a reason for holding a closed hearing is disingenuous and a dangerous precedent with a very real ability for abuse.

If victims of rape, sexual abuse, domestic violence testify in open court, what is this commission hearing that is so much worse than those crimes.

In these closed or restricted hearings, the list of those who may attend includes journalists. With all due respect throwing us the bone of allowing press into these closed hearing is not enough to satisfy the Open Meeting law which provides access for the public. Does the press being able to attend mean journalists will be able to report what they're hearing?

We reiterate our concerns that the work of the commission is not subject to Vermont's Open Meeting law. The proposed bill states that Also a question about this:

"Notwithstanding any provision of chapter 5, subchapter 2 of this title, the deliberations of a quorum or more of the members of the Commission shall not be subject to the Vermont Open Meeting Law."

Could you explain to the public what decisions are being made by this quorum? And who can appeal them and how will people know hearings are being held that are later being deliberated? In a quasi-judicial hearing all data/evidence/opinions and testimony is heard in open session before a DRB or Act 250 commission deliberates

What is the definition of deliberations? Text refers to 1VSA 313 which talks about deliberative bodies conducting quasi-judicial hearings like a DRB deliberating on permit applications or Act 250 deliberation on a permit before issuing a ruling. Does Truth and Reconciliation Commission hold quasi-judicial hearings?

The Vermont Truth and Reconciliation Commission needs to do all its work and spending of taxpayer money in the open. The VPA, which believes in open government as mandated by the Vermont Constitution, is prepared to testify against the bill and is glad to continue its longstanding help with the legislature in its goal to help make Vermont one of the top transparent states among the 50.

We heard a lot of talk about accountability – where is the accountability to the public and open government? Lack of accountability is what got us into this in the first case.

In closing, we appreciate your time and willingness to take our serious concerns into full consideration. We're here to make and keep government accessible to all the public.

When it comes down to making access to government for the public, we're not here to make the jobs of our elected and appointed officials easier. Democracy is messy and government is supposed to be transparent.

Thank you for your time today. The text of this bill as passed is different from what we testified on in February. As we familiarize our members with this version, we may have further comments.