

Hello,

I expect to testify before the VT House government Operations Committee tomorrow at about 3:20 pm regarding H:235. Rep. Kate Webb has asked me to forward notes of my testimony to you and I've pasted those notes below.

Best regards,
Gail Albert

I appear before your Committee to speak in favor of some changes to the Open Meeting Law as articulated in the proposed H235.

Here is my rationale with an example. I am a member and sitting Chair of the Natural Resources Committee (SNRCC) in Shelburne VT. SNRCC has no regulatory power. We simply make recommendations to decision-making Commissions like the Select Board, the Planning Commission and the DRB. They subsequently review our recommendations in a public meeting before any decisions are made on the recommendations we've made. Our recommendations are delivered to the the Boards either as a signed letter (part of the public record) or are delivered verbally at the regulatory board's public meeting where they also become part of the public discussion and record.

Here is the issue that begs amendment of the Open Meeting Law as it is currently written. SNRCC meets just once a month; yet the Boards to whom we make our recommendations meet more frequently and on a different schedule. While SNRCC meetings are public, if an issue or project arises after our monthly meeting and before our next meeting, we have no opportunity to come up with thoughtful, considered, timely recommendation if the opportunity to consider them among our committee members outside our regular warned meeting schedule is not permitted. The public then either loses the benefit of our expertise or the project or decision before the regulatory board is delayed for a month or more until we have the opportunity to come up with a recommendation.

It is seldom possible to call together warned meetings of a quorum of a volunteer committee on short notice multiple times a month and to also attend meetings of as many as three other regulatory boards to report our recommendations. Thus the allowance for unscheduled or e-mail discussions among the group's members would provide an essential tool for our committee voice to be heard. That said, I do agree that the content of those out of meeting discussions could be made available to the public as a public record

As the law is now articulated individual members of our committee may speak at the SB, PC or DRB meetings. However when we speak we can speak only as individuals rather than for the committee we serve if we've been unable to discuss the issues in a duly warned meeting where we have the benefit of each

member's opinion to consider before we formulate our recommendations. That said, without permission to have those unscheduled discussions among our committee members our recommendations may not be formulated or heard when the issue is publicly discussed and therefore cannot be considered as part of the decision.

I have no issue with VT having and enforcing an Open Meeting Law when the meeting in question is one of a regulatory body. I honor and support the need for the public to be aware of discussions about issues that concern us all; however I am concerned when a duly appointed group is unable to provide a timely and considered response to one of those regulatory boards because time pressures push the decision without the expertise of those best equipped to provide important feedback and recommendations to influence the outcome. I'm hoping any changes to the language of the law will be able to help non-regulatory committees like ours and the towns we serve resolve this problem.

On Thu, Mar 2, 2017 at 1:41 PM, Kate Webb <KWebb@leg.state.vt.us> wrote:

I suggest you also send your testimony electronically to the committee assistant. Send to me too! Kate

On Mar 2, 2017, at 12:16 PM, gail albert <gailalb@gmail.com> wrote:

Thanks. Gail

On Thu, Mar 2, 2017 at 11:54 AM, Kate Webb <KWebb@leg.state.vt.us> wrote:

Upstairs - top floor - corner room - 49

Odd words compliments of iPhone autocorrect

On Mar 2, 2017, at 11:30 AM, gail albert <gailalb@gmail.com> wrote:

Kate,

Can you tell me what room the hearing is in tomorrow? Will others be testifying as well?

Gail

On Sat, Feb 25, 2017 at 11:44 AM, gail albert <gailalb@gmail.com> wrote:

Hi Kate,

I've put it in my calendar and will be there. Thanks so much for the effort. Will others also be testifying?

Gail

On Saturday, February 25, 2017, Kate Webb <KWebb@leg.state.vt.us> wrote:

Hi Gail - the House Government Operations committee is ready to hear about H.235, our open meeting law bill. Would you be able to come testify on Friday March 3 at 3:20? Hoping this can work! Kate