

## TESTIMONY OF MARTIN LANGEVELD REGARDING H.700

I would like to suggest a return to the original language of H.700, but substituting "seven calendar days" for "five business days." In taking this position I'm at friendly odds with my newspaper media colleagues, but with my small town municipal board hat on (Vernon Planning Commission) five calendar days is really problematic. It means, for example, that a Thursday meeting followed by a three-day weekend allows only 2 actual business days for minute preparation. Or, for a Monday night meeting, since the posting deadline falls on Sunday, minutes have to actually be available and posted Friday, which means there are only three prep days.

Here in Vernon, this town is one of the ones (along with Townshend and others) that actually shut down their website in response to the original imposition of the 5-day website posting requirement, three or four years ago. Ever since then, I've been running, on my own, the "unofficial" Vernon website, [www.vernonvermont.org](http://www.vernonvermont.org), just as Rick Hege runs <http://www.unofficialtownshendvt.net/>. While only a handful of towns in the state took this step, clearly it's a step backward in terms of availability of public information and transparency.

If you survey towns that do have official websites, you'll find that minutes are very often posted after the five-day deadline (if at all). For example, as of March 20, in Putney, the Conservation Commission has no minutes posted since June, 2017, even though they meet every month. Same thing for the Putney Planning Commission, no minutes since June. I could find you examples of that in virtually every town, as well as State boards and commissions. For example, as of March 20, VEDA had not yet posted minutes of their Feb. 23 board meeting. The Nuclear Decommissioning Citizens Advisory Panel, on which I happen to serve, is two meetings behind in posting minutes and has never complied with five days. I'm not blowing whistles here, I'm just pointing out that five-day compliance is clearly problematic all the way up and down the line.

It is suggested that notes scribbled on a meeting agenda could be scanned and posted, in order to comply. That may be the case, but would hardly serve the purposes of transparency, and I doubt if that's what the law envisions. The public as well as the media need a good first draft of final minutes, at minimum. It is also suggested that board clerks should "just do their jobs", without taking into account that these are largely volunteers with a life and a real job. Some board clerks who are handy with a laptop can finish minutes literally minutes after the conclusion of a meeting. But for most, getting them in reasonable shape takes some time.

It is also suggested that nobody has ever been prosecuted or penalized in Vermont for violating the five-day rule. That doesn't make it a good rule.

All of our neighboring and nearby states provide more time for minutes. Here's the rundown:

- Massachusetts: Minutes should be available on a "**timely**" basis. "Timely" is not defined but generally interpreted to mean by the next meeting.
- New York: **Two weeks**
- New Hampshire: Five business days, in other words seven calendar days.
- Connecticut: **Seven days**
- Maine: "**A reasonable period of time.**"
- Rhode Island: **Thirty-five days**. Note: in RI, ALL public body minutes including municipal entities are required to be filed electronically with the Secretary of State within this period of time. (Presumably this means final approved minutes).

So even at seven days, we would still be tied for the lead with Connecticut and New Hampshire. The news media in all of these states manage to do a good job reporting, despite more lenient deadlines.

My thought is that a change to seven calendar days, without a holiday exemption, would at least provide enough relief for Vernon, Townshend and other towns to go back to official websites, which would be a major advance. I think that seven days was the original intent of H700, but it was written inelegantly. "Seven calendar days" would take care of that problem and remove everybody's excuses for not complying.

END OF TESTIMONY