

Good Morning. For the record, my name is Wendy Mays and I am the Executive Director of the Vermont Association of Broadcasters.

Thank you for inviting me to speak on behalf of the eight commercial and public television stations and 98 commercial and public radio stations operating throughout the state of Vermont. The VAB represents over 600 Vermonters working in radio and television, both in front of and behind the cameras and microphones.

Like elected officials, radio and television stations have a duty, responsibility and obligation to serve the Vermont communities we are licensed to. We are the DJs, anchors, reporters, meteorologists and sportscasters you invite into your homes, cars and workplaces to provide you with local weather forecasts, high school and college sports scores, music, shows - and most importantly, *real* news Vermonters trust and rely on to stay informed.

I personally am not a journalist in the field, but I am proud to speak on behalf of Vermont's passionate and dedicated broadcast journalists who *are* out there fighting the good fight everyday.

Like you, we are part of the checks and balances system that defines our country's great democracy. Without journalists who ask the hard questions and dig deep to find the truth, who would hold people in positions of power accountable? I'm an optimist and know that most people are inherently good, but, to use Secretary of State Condos' analogy, we all know there are bad apples out there making bad decisions taking advantage of and abusing their power to the detriment of others. And we all work together to rid our state of those bad apples. The legislature exists to create laws, police exist to enforce laws, courts exist to interpret laws, and the media exists to uncover and expose law breakers. And since bad apples are not usually forthcoming with the truth, sometimes records are the only way for us to find it.

That is why the Vermont Association of Broadcasters supports the VT Supreme Court's ruling and the position of Secretary of State Condos that inspection of public records remain free. Much like our election system, which costs money to operate, it is the cost of doing business in a democracy. And just like citizens should never have to pay a poll

tax to vote, they should never have to pay a fee to look at records that belong to the public.

I echo the testimony given by Tanya Marshall last week (and I'm paraphrasing here), that right now, the request to inspect records is very reactive. But if records are managed properly from the beginning, following a consistent protocol, they may only have to be handled once to be available for anyone who wants to view, download, email photograph or do whatever with.

Between high tech keyword search and redaction software, scanners and unlimited cloud-based storage, there are many cost-effective tools and solutions local and state agencies can use to prepare records for public inspection and store them online. Imagine if every request to inspect records could be granted with the sentence, "you'll find what you're looking for in our online public records file".

I know this is possible, because it is the standard all television and radio are held to. Every station in the U.S. is licensed by the Federal Communications Commission. One of the FCC's rules is for stations to have a series of records available online for public inspection at any time. Records include a list of issues and programs that show how a station has addressed the needs and interests of its community, details about all political advertisements a station has aired, the station's Equal Employment Opportunity activities and all letters and emails the station has received from listeners about its programming. At least one person at every station is responsible as part of their job description, to make sure these files get uploaded before the deadline, which happens every three months. Each document is date and time stamped, so if a station is late or fails to upload these documents, they risk substantial fines and possible non-renewal of their license. This standard exists whether you have two people working at your station or 200. I think about Judy Leech, who runs WVNR-AM and WNYV-FM in Poultney. Much like the small municipalities you likely represent, it's only her and three or four part-timers working there. It's such a small operation that Judy has to do *everything*, so when I hear the Attorney General has a staff of 150 and they're only getting 157 public records requests a year, I don't feel empathy, I wonder why the *Chief of Staff* is spending her time redacting documents? Is there no one else in the AG's office that is capable and if so, is it because the 270+ exemptions are so open to

interpretation, that it's impossible for anyone except a highly trained professional to work with them.

My point is, Broadcasters are held to a very high standard by the FCC and there are very serious repercussions if we don't comply with the system they have put in place to ensure the public has free access to our records. Can you imagine what would happen if we attempted to charge listeners to look at our quarterly reports?

In closing, I appreciate this committee giving me the opportunity to speak to you today on behalf of Vermont's hard working broadcast journalists. My hope is that your committee will continue to include us in this very important conversation and help come to a solution that works for everyone.