



Testimony of Kevin Crosbie
before the Government Administration & Elections Committee

on March 8, 2010

in opposition to

S.B. 365, AAC THE POSTING OF PUBLIC AGENCY MINUTES AND LEGAL NOTICES ON THE INTERNET WEB SITE OF A MUNICIPALITY.

Chairperson Slossberg, Chairman Spallone and members of the Committee on Government Administration & Elections, my name is Kevin Crosbie. I am the Publisher of the Chronicle of Willimantic and a member of the Executive Board of the Connecticut Daily Newspapers Association. Thank you for the opportunity to provide testimony today **in opposition to S.B. 365, AAC The Posting of Public Agency Minutes and Legal Notices on the Internet Website of a Municipality.**

In fact, our opposition to this bill is limited to language in Section 2, which would allow municipalities in compliance with the other provisions of the statute to post on their own websites, instead of in a daily or weekly newspaper.

A fundamental premise of a democratic society - that an informed citizenry must be made aware of the actions of the government that could affect their lives and property - public notice requirements have long been a part of the American tradition. Public notices also must establish a proper record to verify that such notification was carried out in a timely manner. The traditional elements include publication in a forum independent of the government, such as a local newspaper, providing the following:

- Accessibility by all segments of society
- Verifiability, as through an affidavit of publication, that the requirements of notification were met.
- Archivability in a secure and readable format

The concept most central to public notices is accessibility. It is the very reason they are called public notices. Currently, a notice published in any Connecticut daily newspaper is also published on that newspaper's website and the aggregated CDNA website, www.ctpublicnotices.org. The passage of S.B. 365 will move some notices exclusively to the web, thus limiting public access. According to the Pew Internet and American Life Project, a full 25% of Americans don't have access to the Internet at home or at work. We should not attempt to predict which medium serves the most citizens. We should

deliver this information through multiple channels – as occurs with the current public notice statutes.

We also believe that this proposal, if adopted, would reduce the accountability of local government officials to their residents. Posting on a government site alone deprives the notice of the independence that protects against tampering, alteration, political bias and after-the-fact “publication,” i.e. posting of a notice after legal deadline. Connecticut’s recent ethical troubles, concerning both state and local officials, should give the legislature pause to make it easier to defraud the public.

Next, we must be cautious when risking the integrity of documents that have value of a historical nature. The emerging digital age raises many questions with regard to the long term storage of these documents. Many seemingly successful technologies (8 track tapes and 5 ¼” floppy drives come to mind) had little functional value once technology progressed. We must ensure that municipal records are archived in a secure and readable format over the long term.

Finally, it would be disingenuous not to mention that our interest in this issue is affected by the impact on our bottom line. The newspaper industry is struggling now as it moves from one funded largely through print advertising dollars to whatever comes next. We feel strongly that we remain the most vibrant, local news gathering operations anywhere. With that said, the passage of this proposal would likely put some Connecticut newspapers on the brink financially.

Again, I’d like to thank the committee for the opportunity to testify on this piece of legislation and I urge your opposition to Section 2 of the bill. We look forward to working with the Committee and the Connecticut General Assembly throughout this session.