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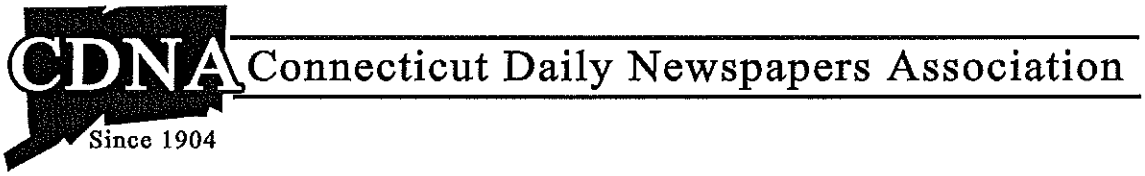

Testimony of Chet Valiante
before the Planning & Development Committee

on March 10, 2010

in opposition to

H.B. 5255, AAC Municipal Mandate Relief and HB 5031, AAC Reducing Costs to Municipalities

Chairman Coleman, Chairman Sharkey and members of the Planning & Development Committee, my name is Chet Valiante. I am the Publisher of the Hour Publishing Company of Norwalk and the President of the Connecticut Daily Newspapers Association (CDNA). Thank you for the opportunity to provide testimony today **in opposition to H.B. 5255 AAC Municipal Mandate Relief and HB 5031 AAC Reducing Costs to Municipalities.**

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 these bills 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.

The 17 publisher members of the Connecticut Daily Newspapers Association reach more than 600,000 of the state's 1.3 million households daily, and almost 700,000 on Sunday. Three out of every four adults in Connecticut say they read a newspaper at least once a week. Our affiliated weekly newspapers and our growing presence online create unparalleled reach within our state. With the combined formats of dailies, weeklies and online presentation, newspaper companies give public notices a visibility that no other medium can match. In contrast, the proposal before you today would make that information readily available to fewer people and more difficult to access. Less scrutiny of public spending provides more opportunity for mischief or worse

We 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.

We are encouraged by the recent decision of the House Democrats M.O.R.E Commission to leave this public notice proposal out of their recent recommendations. We hope that as more members of the legislature recognize the value of the current public notice system, they will reach the same conclusion.

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