

**Written Testimony of Sound View Community Media, Inc.**  
**Raised Bill No. 447, LCO No. 2464**  
**Referred to the Committee on Energy and Technology**  
**March 20, 2012**

Sound View Community Media, Inc. hereby provides written testimony on Sections 10 and 11.

**Section 10.**

This provision is in conflict with existing law because it gives a preference to certain types of programming based on its content. Community access providers (CAPs) presently are prohibited from exercising any editorial control over programming content pursuant to subsection (g) of Sec. 16-331a of the General Statutes. In following this legal directive, Sound View does not pay its staff to be involved in the editorial and creative elements of programs produced using its facilities. Paid staff is limited to providing training and technical assistance, keeping a blind eye to content unless it is obscene. The only exception is Sound View pays contractors (videographers) to document government meetings. It distinguishes this type of programming from community access programming generally. The difference is that there are no editorial or other creative elements involved in televising gavel-to-gavel public meetings.

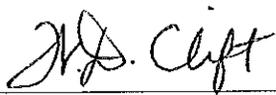
The Bill's Section 10, however, completely disregards existing law and the long-existing demarcation between non-content-related training and technical assistance and involvement in editorial / creative elements. Section 10's language unfortunately states that any company, nonprofit organization or municipality responsible for community access operations may receive access funds for "labor or staff expenses" for the "creation" of any "town-specific community access programming." Thus, access funds could be doled out to the CAP's own staff or to any "volunteer" producers under its direction for the purpose of creating town-specific programming. Even the words "town-specific community access programming" are problematic. Any so-called "town-specific community access programming" will require an inquiry into the program's purpose, basis and content. This crosses a bright "content-neutral" line, and is a tectonic shift in the legal premise of community access television. The First Amendment rights of public, educational and governmental community access producers not undertaking this legislatively-preferred type of programming will be disadvantaged. Preferences based on content are improper and violate the State's content-neutral community access programming policy and present law.

**Section 11.**

Community access centers must allocate the pool of access funding they receive in a manner designed best to meet the equal access and training needs of all potential community access producers within in their service area. This includes all three types of community access: public, education, and local government. Section 10 takes away any ability of a community access manager to adjust for differences and shifts in the needs, desires and motivations of the various producers and groups in the service area. Experience shows that they change from time to time. It is poor management to legislatively "lock in" a funding structure that existed in 2008, and it forces a complete disregard of changing needs and conditions.

We respectfully submit that Sections 10 and 11 of R.B. 447 should not be approved.

Sound View Community Media, Inc.

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