



MEMORANDUM OF SUPPORT – S.3195 (Valesky)

March 23, 2009

Title

An act to amend the public officers law, in relation to the recording, broadcasting, webcasting or photographing of meetings of public bodies.

Summary

This bill amends section 103 of the public officers law by adding a new subdivision (d) to provide that public bodies shall allow for recording, broadcasting, webcasting or photographing of meetings by the public. The bill also requires such public bodies to adopt rules governing the designation of locations where the public can record meetings and provides that such rules be conspicuously posted at the meeting place and copies of the rules be made available if requested. Such rules “shall not prohibit or discourage such recording, broadcasting, webcasting or photographing.” The bill creates a grievance procedure which would give standing to any aggrieved person to enforce the law under section 107 of the open meetings law.

Statement of Support

Citizens Union supports S.3195 because it would expand public access to government meetings. By allowing the public to record and broadcast or webcast meetings, an additional public record is created that has the potential to reach new audiences that may not have been aware of such meetings or able to attend them in person. This important step in expanding access also would serve to inform the public about government deliberations and allow them to hold public officials accountable. We believe that this will encourage the public to pay greater attention and possibly become more engaged, resulting in more citizens weighing in on the decisions that are made by government.

This bill would also apply to municipalities, and importantly provides them the ability to adopt rules to govern the locations from which people can record these meetings. This would help to prevent interference in the conduct of meetings while also protecting the public’s ability to record or webcast.

We recommend that the Senate promptly pass this legislation. Citizens Union appreciates the opportunity to share its views and would welcome the opportunity to work with the Legislature to create greater public access to meetings and provide for greater openness of government deliberations.