

## Voice from the Vault

By Gregory Sanford, State Archivist

### **The Year of Good Cars and Open Meetings**

In the mid-1960s, through a series of fortuitous events, I found myself in possession of a 1957 Thunderbird. Car aficionados and readers of a certain age will recall that classic two-seater with fondness. As a testosterone-laden eighteen year old I simply thought of the car as a potential babe-magnet. That potential was never realized since my head projected over the windshield. Consequently I would arrive to pick up my date with various insects embedded in my forehead. This, in the eyes of said dates, seemed to detract from whatever cache I was accorded because of the car.



These thoughts surfaced since I was recently wandering about in 1957. In my wanderings I came across two 1957 bills that addressed open meetings and the keeping of minutes of public meetings. Eventually combined and enacted, the new law marked the beginning of our modern open meeting and right to know laws. It is, as Sunshine Week approaches, appropriate to observe the 50th anniversary of Vermont's open meeting law.

Senate bill 35 of 1957 required that the meetings of all public agencies, including municipal government, should be open to the public. An exception was made for executive sessions, but no rules, regulations, appointments, etc., could be made in executive session. Anyone who violated the act could be fined up to \$500.

The bill noted that public agencies were created "to aid in the conduct of the people's business" and were therefore accountable to the people under Article 6 of the Vermont constitution. Senator Fred Fayette, a proponent of the bill, further linked the bill to the constitutional requirement that the doors of the general assembly be open "for the admission of all persons who behave decently, except only when the welfare of the state may require them to be shut." If that was the standard for the general assembly, why shouldn't public agencies follow suit?

While the senate moved to open public meetings, the house, with House bill 141, sought to require that minutes be kept of all public meetings and made accessible. This, of course, warms an old archivist's heart since the house clearly understood that records are evidence of government's transactions and thus key instruments of accountability.

Despite their "good government" credentials, these bills faced opposition. Cy Godfrey of St. Albans felt the bills would "hamper local government" because people would be "shy if they thought that everything they said was to be printed." Therefore people would be reluctant to serve on local committees and boards. Mr. Godfrey concluded with an aside that the "bill was introduced to increase the circulation of newspapers."

On this point Mr. Godfrey had an interesting ally, Stuart Martin of Vermont's own nascent television station, WCAX. Mr. Martin "believed in the principles of the bill" but suspected "it was introduced to increase

[newspaper] circulation because he felt that at least in the State of Vermont we were already receiving cooperation from government agencies and that it was an unnecessary action."

Allow me a digression. Not for the first time in these pages I regret the lack of time to more fully explore issues. In this case, why were the bills, which had overwhelming support from print journalists, seen as both unnecessary and as a ploy of competitors by WCAX? My guess is the answer lies in part in the state of television's technology. Cameras were less mobile; film was, well, film; and the lack of an inter-state isolated the Burlington-based WCAX. Not to mention that in 1957 we had not yet become culturally acclimated to television's intrusions or to lust after our Warholian fifteen minutes of fame. Reporters from local papers on the other hand only had to lug a note pad to the meetings to present a story. What a difference fifty years can make; now print journalism is at a disadvantage in covering fast breaking stories; digital cameras allow television to intrude itself almost anywhere; and we, the people, have become, if not more media savvy, at least more aggressive in the pursuit of media attention.

Okay, where was I? Mr. Martin was not alone in his suspicions of the print media. Mr. Wilson of Chelsea stated his sympathy with the bill "but felt the press should clean its own house before asking government agencies to open their doors and he did not think the abuses were as bad as the press made them sound." One wonders if this was former Governor Stanley Wilson of Chelsea who had his own issues with the press; the record does not say.

Most of the proponents were indeed from the print media with David Howe of the Burlington Free Press and the Rev. Edward Foster of the Catholic Tribune taking the lead. They and other speakers decried growing government secrecy at the federal and state levels. They carefully said they had no particular Vermont officials in mind (though throughout the hearings oblique references were made to particular offices that routinely resisted openness). The proponents conceded that "everyone at some time or other has had an axe to grind with newspapers." But they, argued, open government was not simply a concern of the press: it could aid public officials in avoiding missteps and was, at its core, the essence of democracy.

As Rev. Foster argued, "History shows that people may act in passion, ignorance, or even selfishness. But it shows likewise that there is no safer custodian of their liberty than the people themselves. Faith in democracy does not ignore human frailty, but is affirms that there is more to human nature than frailty." To that I can only add, "amen" and happy birthday to Vermont's open meeting laws.