



NEWS RELEASE

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PAR SAYS SUNSHINE LAWS UNDER THREAT: STUDY UNDERWAY

Observers of the 2001 regular legislative session witnessed a barrage of proposals chipping away at laws protecting open government. Bills fired from all directions challenged public records and open meeting laws on diverse issues such as access to the names of people arrested, government e-mail, and legislative committee video conferencing. Fortunately, most of the proposals were defeated. Recognizing that several of these issues are likely to re-emerge, PAR has undertaken a year-long comprehensive analysis of the challenges to the state's sunshine laws with a special emphasis on the impact of technology.

With increasing frequency, the Legislature faces challenges posed by the complexities of rapid advancements in technology. Information transferred through e-mail, instant messaging, pagers, facsimile, and video conferencing describe just a few innovations. More and more people use the Internet daily to conduct personal and business activity. Several bills underscored this reality including one allowing contractors to submit bid proposals via e-mail. Other failed proposals included exemptions for government e-mail and access to 911 tapes. A study committee will look at the potential impact of using Internet websites rather than official state journals for disseminating government information.

(MORE)

PAR SAYS, Add One

The most dramatic proposal related to new technology would have radically transformed the state's Open Meetings Law. The bill would have allowed legislative committees to meet during the interim using video conferencing. Although this method of communication is widely used in business, concerns over its impact on the dynamics of public meetings led to the bill's defeat.

The session did provide examples of positive legislation. A high point is the new law requiring all public bodies to afford the public an opportunity to comment. Another new law enacts PAR's recommendation in a 1998 sunshine law analysis to consolidate all public records exemptions under the Public Records Law. It has been difficult for citizens to ascertain what is and is not a public record with exemptions scattered throughout the statutes. PAR will examine the validity of these exemptions as a part of its study of issues challenging the state's sunshine laws.

Paperless government represents the potential for cost savings and improved efficiency, but also poses serious new challenges. The paper trail that once provided accountability can now be eliminated by the push of a button. Careful study of the issues impacting sunshine laws, especially those relating to technology, is critical at this juncture. The direction our laws take in the area of public access to information will dramatically shape the future of political discourse as much as technology itself. The objective of PAR's current study is to help assure that citizens will continue to have the fullest access to public records and public meetings regardless of changes in technology.