



Testimony of the Maine Municipal Association

In Opposition To

**LD 1683 – An Act to Make a Freedom of Access Act Request Free of Charge upon Petition
April 25, 2025**

Senator Carney, Representative Kuhn and members of the Judiciary Committee, my name is Rebecca Lambert, and I am providing testimony in opposition to LD 1683 on behalf of the Maine Municipal Association's (MMA) elected 70-member Legislative Policy Committee (LPC). For reference, MMA is a nonpartisan, nonprofit member service organization and aims to help provide policy solutions that work for all residents in Maine and the LPC guides MMA's advocacy efforts and establishes positions on bills of municipal interest.

Local officials embrace government transparency and the public's right to access information and work hard every day to honor that right in a timely, respectful, and law-abiding manner. However, eliminating the ability to recoup costs associated with these requests would have serious implications for our communities.

FOAA requests often require significant staff time and resources and is not as simple as clicking "print." It often involves locating records, at times across multiple departments or archived systems, and reviewing them for legally protected information, redacting sensitive data, and ensuring compliance with federal and state confidentiality laws. These tasks can take hours or even days, depending on the scope and complexity of the request.

Currently, the ability to charge reasonable fees, which by statute must be consistent with the actual cost of staff time and materials, is not about turning a profit, but about sustainability. These modest fees help offset the burden on already overextended municipal budgets, and recoup the costs associated with processing the request. Additionally, charging for the actual cost of fulfilling requests encourages individuals requesting public records to be specific, clear, and mindful of the time involved and encourages dialogue between the public and municipal staff, which often leads to more targeted, efficient responses.

While most requestors are responsible and reasonable, municipalities have seen a growing number of requests that are overly broad, repetitive, or even retaliatory in nature. Without any financial accountability, the volume and frequency of such requests could likely increase, diverting limited resources away from essential public services.

Our members would urge the committee to not strip municipalities of the ability to recover the cost of fulfilling FOAA requests. What may sound like a win for open government, in reality, it jeopardizes the ability of local governments to deliver core services equitably and efficiently, which allows for transparency and fiscal responsibility.

Thank you for your time and considering the municipal perspective.

