

131st Legislature
Senate of
Maine
Senate District 29

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Testimony of Senator Anne Carney introducing

LD 133, An Act to Include a Representative of Newspaper and Other Press Interests on
the Archives Advisory Board

before the Joint Standing Committee on State and Local Government
January 31, 2023

Senator Nangle, Representative Stover and esteemed members of the Committee on State and Local Government, I am Anne Carney, representing Senate District 29. I am pleased to be with you today to introduce LD 133, An Act to Include a Representative of Newspaper and Other Press Interests on the Archives Advisory Board. The purpose of this bill is to ensure that newspaper and press interests have a voice on the Maine Archives Advisory Board. This legislation came about through discussions during the 2022 Right To Know Advisory Committee meetings.

I will begin with a little background on the Right To Know Advisory Committee. The committee was established by the Legislature in 2005 to serve as a permanent advisory council responsible for ensuring compliance with and upholding the integrity of Maine's Freedom of Access Act (FOAA). 1 MRS §411. The committee meets at least four times a year to review current law, consider public access issues that have arisen over the year, and recommend changes in the law. Ensuring the public's right to access the records of public bodies is one of the central purposes of FOAA.

Maine also has an Archives and Records Management Law. 5 MRS §91. Broadly speaking, this law ensures that public records and documents are, as a practical matter, available to the public to obtain knowledge of government affairs, as well as for study and research. Maine's State Archivist, Kate McBrien, who is here today, is the custodian of those records. Her role includes setting policy regarding the "use, maintenance, retention, preservation and disposal of" public records. 5 MRS §94.

The State Archivist preserves many important historical documents – at a recent Judiciary Committee meeting, she showed legislators a letter written by Joshua Chamberlain while he was on the battlefield at Gettysburg. The State Archivist also sets important policies

related to managing public records, for example which records should be retained for administrative, legal, audit or historic purposes. 5 MRS §95-C.

The State Archivist receives guidance from the Archives Advisory Board. 5 MRS §96. Adding a representative of newspaper and press interests to the expertise of the Archives Advisory Board will further enhance the work of the Board and the State Archives to ensure that public records and historic documents are available to the public.

Thank you for your consideration today. I urge the committee to vote ought to pass on LD 133. I am happy to answer any questions you may have.

Anne Carney
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South Portland, Cape Elizabeth, and part of Scarborough