



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: MAINE RELAY 711

Tiffany Roberts

35 Buttonwood Road
South Berwick, ME 03908
Home: (207) 210-3287

Tiffany.Roberts@legislature.maine.gov

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Testimony of Rep. Tiffany Roberts presenting

LD 101, An Act Regarding Public Records and Fees for Requesting Public Records from the Department of Inland Fisheries and Wildlife *Before the Joint Standing Committee on Inland Fisheries and Wildlife*

Good afternoon, Senator Baldacci and distinguished members of the Inland Fisheries and Wildlife Committee. My name is Tiffany Roberts, and I have the honor of representing House District 149, which includes the communities of North Berwick and South Berwick. I come before you today to present LD 101, An Act Regarding Public Records and Fees for Requesting Public Records from the Department of Inland Fisheries and Wildlife, on behalf of the Department of Inland Fisheries and Wildlife.

I am bringing forth this legislation at the Department's request as they seek clarity and guidance on how to navigate the complexities of Maine's Freedom of Access Act (FOAA). The Department maintains hundreds of thousands of records, including hunting, fishing, and trapping licenses and permits, recreational vehicle registrations, and various other records of public interest. However, determining how to apply FOAA provisions to large-scale data requests—particularly those from commercial entities—has presented significant challenges.

For example, when a national boating association annually requests a comprehensive list of all boat registrations sold in Maine, should they be charged \$25 per hour for staff time beyond the first two hours, as FOAA currently allows? Or should there be a standardized bulk rate for large-scale data requests? Similarly, when the Maine Warden Service receives requests for recreational vehicle crash reports, should those reports be subject to FOAA's existing fee structure, or should they follow an alternative framework, similar to the Department of Public Safety?

The Department acknowledges that the bill, as drafted, does not fully resolve these concerns. However, they view this legislation as a means to initiate a thoughtful and structured discussion on how best to proceed. Additionally, I want to highlight that the Right to Know Advisory Committee (RTKAC)—a dedicated body that reviews FOAA-related issues each fall—could

provide further guidance on these matters. If the Committee determines that an exemption from FOAA law is necessary, it would require a different legislative process.

I present this bill today in the hope that this Committee will help provide clarity and direction to the Department regarding the appropriate application of FOAA to these types of requests. I appreciate your time and consideration, and I will now defer to the Department for a more detailed explanation of their concerns and to answer any questions you may have.

Thank you.