

Blum, Alyster

From: John Glowa <JGLOWA@roadrunner.com>
Sent: Tuesday, January 28, 2025 2:46 PM
To: Blum, Alyster; Legislature: Committee on Inland Fisheries and Wildlife
Subject: written testimony re: L.D. 101

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Testimony Neither for Nor Against L.D. 101-An Act Regarding Public Records and Fees for Requesting Public Records from the Department of Inland Fisheries and Wildlife

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Members of the Joint Standing Committee on Inland Fisheries and Wildlife

There are two important issues that the committee should know of when considering this bill.

First, Maine's Freedom of Access Act Title 1 Chapter 13 Section 408-A makes public records available for inspection and copying. Of all the FOAA requests I have made of MDIFW, not once has the department offered to make department records available for inspection and copying. The department has sent me records but to my knowledge does not allow the public actual access to its records, as is required by statute.

Second, MDIFW has, in my opinion, historically used the FOAA to prevent the public from having access to public records. As a representative of The Maine Wolf Coalition, Inc. I submitted a FOAA request for the department's records related to wolves in Maine. Bear in mind that this is a species that the department has for years said does not exist. The department said that it would cost \$90,600 for staff to search for and provide records that purportedly don't exist. Needless to say, we have never seen all of the department's records regarding wolves. I also received a second hand account from someone who told MDIFW management of a possible FOAA request and allegedly was told "you couldn't afford it".

Unfortunately, there is no viable tool for enforcing compliance with the FOAA. MDIFW is required to make records available to the public for access and copying. MDIFW is not required to make copies of records unless requested to do so. I encourage the committee to review MDIFW's compliance record with the FOAA and determine whether this bill is necessary and appropriate before acting on it.

Thank you.