

Testimony of Bernard Fishman  
Director of the Maine State Museum

“An Act to Prohibit Copyright for Works of State Government”

March 24, 2025, 10:00 a.m.

Senator Baldacci, Representative Salisbury, and honorable members of the Committee on State and Local Government, I am Bernard Fishman, director of the Maine State Museum, and I am here to testify regarding LD 732, An Act to Prohibit Copyright for Works of State Government. I will testify neither for nor against this proposed bill, but rather offer information about how the Maine State Museum makes its holdings available to the public, matters of relevance in considering this bill.

It is my understanding, I hope correctly, that the basic intent of this bill is to achieve open public access to state holdings of all kinds, and that such access should be consistently allowed across all divisions and elements of state government. In this respect the Maine State Museum is already in accord with the intent of the bill. We have used our copyrights only to protect books we publish, like our recent introductory catalogue using key museum objects to survey Maine history, from being exploited by others for commercial gain. The small income, a few hundreds of dollars a year, that we gain from our copyrighted publications goes into museum funds that support other publication or museum projects. It would be setback, though a modest one, for us to give up the possibility of copyrights, and doing so would not increase public access to museum collections.

In essence, every one of the 800,000 objects or archival items in the museum’s vast holdings is already accessible to the public upon request, except for a tiny number of exceptions with limited protections for personal reasons, such as to maintain the privacy of medical or mental health records. Very rarely an item might have been given to us with an access restriction in place for a number of years, so that the donor might retain privacy for the remaining years of life, but there is always a specific time limitation on any

such restrictions. We at the Maine State Museum believe that general public access is an almost sacred duty and that it is a powerful ethical one, and one that we would never want to voluntarily curtail.

Perhaps this bill could be more specifically worded to address the larger and I believe defensible need for consistent public access to state holdings, if that is its main intent. As I stated, the small income we derive from our few copyrights goes back into public service and in no way interferes with public access to museum materials. We believe in, and practice, making information about our collections fully available. Indeed, public accessibility is the fundamental essence of our work. Thank you.