



Mike Tipping
Senator, District 8

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Senator Carney, Representative Kuhn and honorable members of the Judiciary Committee,

I'm Mike Tipping, I represent Senate District 8 in Penobscot County and I'm proud to present **LD 1645, An Act to Improve Legislative Access to Public Information.**

This bill would require a request for public information submitted by three or more Legislators to be complied with within 20 working days as long as at least three of the Legislators are members of the Legislature's government oversight committee and one of those members is one of the chairs of that committee.

This bill is a reaction to both the difficulty some have faced in accessing public information to which they are entitled, and a way of enhancing the options available for legislators acting in an oversight role.

As members of this committee know, many journalists and members of the public and even legislators have had difficulty receiving public information to which they are entitled within a reasonable time.

Under the last administration, I once had to wait more than a year to receive basic information from a Freedom of Access request. I understand there have been similar delays under the current administration as well.

As legislators know, we are tasked with oversight of government agencies, but we don't always have the tools we need to perform that important constitutional responsibility.

Committees of jurisdiction can host hearings, and the Government Oversight Committee can in some cases launch OPEGA investigations or issue subpoenas for non-public information, but individual legislators don't have similar tools, and often issues that could be resolved by work outside of a committee, or bills that could be improved with more timely information aren't being addressed.

I understand that this committee has had multiple bills to reform Maine's public Freedom of Access system. This bill isn't that. It wouldn't address larger concerns about timeliness, cost or respond to the looming issue of what constitutes a public record in the digital age. But it would allow legislators to know more and to better hold our government accountable.

I believe the portion of the bill requiring that legislators work with their colleagues on the Government Oversight Committee to file a request and have the approval of at least one chair of

that bipartisan committee is essential to making sure that only requests that are important, of an appropriate scope and that could inform broader investigations are allowed to proceed under this process. I'm also very open to any other configuration that could accomplish a similar goal of providing important information without loading down departments with spurious requests.

I appreciate your consideration and I'd be happy to answer any questions.