

Testimony of Bryan M. Dench in OPPOSITION to LD 2150, "An Act to Establish Procedures for Restricting Access to State Property, Access to State Services and Communication with or Through State Entities."

It would be difficult to imagine a more blatantly unconstitutional attempt to restrict one of the most fundamental freedoms under our United States and Maine constitutions than this bill, which purports to allow the government to decide it is being harassed by communication or attempts to communicate by citizens or the press.

Firstly, one wonders at the capabilities of government officials who have to be able to order citizens or the press not to communicate with them. If someone is truly threatening, and not merely asking things the government doesn't want asked, we have criminal laws adequate to the task without this legislation.

In 45 years as a Maine lawyer, I represented the press and citizens on freedom of speech and freedom of access issues, and I also represented government entities on their responsibilities regarding open conduct of their business. It's a rough and ready process is our government. Public agencies and officials have to behave like grownups in facing citizens and the press who want to communicate with and question them. This proposed legislation is disgraceful and sure to be found unconstitutional. I strongly urge the committee to reject it. Thank you for your consideration and service to our state.

Bryan M. Dench, Portland, Maine