



Maine Freedom of Information Coalition

ENSURING THE RIGHT OF MAINE'S PEOPLE TO ACCESS GOVERNMENT RECORDS AND MEETINGS.

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Members of the State House Facilities Committee,

Thank you for allowing the Maine Freedom of Information Coalition and other public access advocates an opportunity to be heard on the policy question before you regarding recording, archiving and accessing legislative committee audio files.

Members of the public who offer testimony do so in a public forum, where they can be clearly seen and heard, and that testimony is streamed live to be heard by untold numbers of people. Preserving information that has already been made public does no harm.

In fact, quite the opposite.

Preservation and access eliminates any question about what was said in committee rooms, including by those offering testimony and by elected officials, many who ask questions for more information and clarity.

Testimony offered at public hearing is enormously important because information and arguments presented are designed to persuade committees to act, including moving legislation forward — amended and not — to decide laws to be imposed across the state.

While we understand there is a worry that not everyone may be aware they are being recorded when offering testimony, that issue can be easily resolved by an announcement at the start of each hearing, by signs posted in hearing rooms, and with notices on committee websites which already contain rules for testifying.

In addition to the above, there are other important factors to consider:

- Research value of archived audio recordings;
- Educational value of the same; and
- Legal value of having a record — not just a recollection — of committee dialogue.

Adding to that, from the media's perspective, is the plain fact that these recordings are often used for news reports in situations where reporters are not able to attend committee meetings, either because of schedule or geography. Media companies, upon which the

public relies for information, often access these files for background material, to confirm facts and also to report on current legislation. It's an invaluable tool to aid with accuracy and immediacy, and one that is in the public's great interest.

There's yet another compelling reason to preserve these recordings: The public often veers from written testimony to make a point, and often offers information beyond written testimony (which *is* archived) when questioned by committee members. That information is currently captured and preserved in an audio recording, but would be lost without archive and ready access. That loss may include information vital to the public's understanding of the Legislature, which is harmful to our collective interest.

Also harmful is the idea that the state move to copyright recordings of public proceedings produced with public funds in order to protect them from the people, which is without precedent as far as we're aware. These are unquestionably public records which the public has an absolute right to access.

Maine's citizens have a constitutional right to know about public deliberations that impact their lives.

Keeping legislative committee meetings open for public review is critical for an informed citizenry to maintain trust in its government. Any attempt to limit access to testimony about matters of public concern is a dangerous precedent toward government secrecy, regardless of whether the deliberations and testimony were yesterday or five years ago.

Audio recordings of committee proceedings are of essential current-day and historic value and we ask you to make the files readily available, in the public interest.

Thank you.

The Maine Freedom of Information Coalition
Sun Media Group
Maine Media Today
New England First Amendment Coalition