



Maine Freedom of Information Coalition

PO Box 232, Augusta, Maine 04332

December 16, 2015

The Honorable Michael Thibodeau, President of the Senate
The Honorable Mark Eves, Speaker of the House
The Honorable Justin Alford, Maine State Senate
The Honorable Kenneth Fredette, Maine House of Representatives
The State House
Augusta, Maine 04330

Dear Legislative Leaders:

As the 127th Legislature prepares to convene for its second regular session, I write on behalf of the Maine Freedom of Information Coalition's Board of Directors to lodge a concern about the closed-door budget talks that ended the first regular session in June.

It was an affront to Maine residents to craft a budget in private and refuse to allow members of the public to view the document until after it had been approved by the Legislature. The process was grossly contrary to all sense of transparency and accountability, and a clear deviation from the Legislature's Joint Rules that places sole decision-making authority on budget matters squarely with the Joint Standing Committee on Appropriations and Financial Affairs — not with legislative leadership.

The excuse that these are “not normal times” in Augusta does not authorize an abnormal budget process, and the closed-door negotiations were anything but “tweaks.” The outcome changed Maine's tax code without public hearing or debate, among other things, favoring the convenience of private talks over the valued trust that grows from discourse conducted in full public view.

The episode was so revolting to Mal Leary, a founding member of MFOIC, that he resigned his appointment on the Legislature's Right to Know Advisory Committee in protest. At the time, this much-respected journalist and public access advocate made a clear point to withdraw himself from his legislative appointment because he didn't want to have anything to do with a “process that excludes the public from even knowing about the proposed changes in laws that affect them.”

So, in the early days of the upcoming session, the MFOIC implores you individually and collectively to amend the Joint Rules to specifically ban closed-door meetings for budget negotiations — in conformance with Maine's Freedom of Access Act and your own Joint Rules — to ensure such an episode is not repeated. We suggest the following language be added to Joint Rule 304: “All hearings, work sessions and other meetings of committees, and subcommittees thereof, shall be open to the public.”

Very truly yours,



Suzanne D. Goucher, President, MFOIC
President & CEO, Maine Association of Broadcasters
For the Board of Directors of the Maine Freedom of Information Coalition:
Mal Leary, Maine Pro Chapter, Society of Professional Journalists
Judy Meyer, Maine Press Association
Jim Campbell, Maine Library Association
Jim Henderson, representing government/academic interests
Jon Brautigam, League of Women Voters of Maine
Rachel Healy, American Civil Liberties Union of Maine
Sig Schutz, Esq., Preti Flaherty

Cc:

The Honorable Garrett P. Mason
The Honorable Andre E. Cushing III
The Honorable Dawn Hill
The Honorable Jeff McCabe
The Honorable Sara Gideon
The Honorable Ellie Espling