



MARCH 6, 2015

Position Statement Supporting Senate Bill 695, With Amendment

Given before the Education, Health, and Environmental Affairs Committee

A State Public Information Act Compliance Board Would Increase Transparency By Protecting Access to Information

Openness and accountability are fundamental pillars of an effective and ethical democracy. The reverse is also true; corrupt behavior most often occurs in secrecy or behind closed doors.¹ To combat waste, fraud and abuse of state resources it is important to protect Marylanders' ability to obtain public records -- especially those that illustrate how government subsidies are spent. Creating a State Public Information Act Compliance Board would be useful in this regard. For this reason, the Maryland Center on Economic Policy supports Senate Bill 695, with minor amendment.

There is wide agreement that Maryland's Public Information Act is overdue for reform. Year after year, Maryland ranks among the most restrictive states in the country with regard to transparency. In its most recent state-by-state evaluation, the State Integrity Investigation gave Maryland an F for public access to information. This failing grade was based on the fact that only 22 percent of Maryland residents feel as though the state provides effective access to information.²

In today's information-driven economy there are fewer and fewer justifications for blocking Maryland residents' access to public information that carries fiscal, health, safety, and natural resource implications for the state. The creation of the State Public Information Act Compliance Board would improve the transfer of public information to the citizenry. Among other aspects, requiring recipients of state benefits such as tax credits to provide public records to the appropriate custodian, the state would be simultaneously increasing transparency for the public, while offering higher levels of accountability of those who receive these funds.

Despite our support of this bill, we do offer one amendment, to the summary and section 4-201(a)(2). We ask that the committee amend "a person" to "an entity."

Senate Bill 695 is an important step forward in providing access to information that Marylanders are truly concerned about.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Education, Health and Environmental Affairs Committee give a favorable report to Senate Bill 695 with the specified amendment.

¹ Maryland Common Cause, Holding Power Accountable, <http://www.commoncause.org/states/maryland/issues/transparency-and-accountability/>

³ State Integrity Investigation, State of Maryland Corruption Risk Report Card, 2013, <http://www.stateintegrity.org/maryland>