FREEDOM OF INFORMATION COMMISSION STATEMENT REGARDING PROPOSED HOUSE BILL 5984, AN ACT REDUCING LEGISLATIVE PRINTING COSTS

March 7, 2011

House Bill 5984 proposes to reduce the state's printing costs and streamline state government, in part, by reducing the number of printed copies of certain legislative documents (including, but not limited to, bulletins, house and senate calendars, house and senate journals, daily list of bills, file copies) and to provide printed copies only upon request.

The Freedom of Information (FOI) Commission believes that the reduction of paper copies is economical and environmentally-friendly, *but* the limited availability of legislative documents in paper form raises significant concerns regarding the public's right to access such documents on a daily basis.

Prompt access to legislative documents is crucial (and required under the FOI Act) in maintaining transparency especially during the legislative session when legislators are making decisions that may have significant social, economic and public policy impacts.

The Commission recognizes that many legislative documents are available in electronic form on the General Assembly's website, and acknowledges that such availability enhances access via the Internet. Nevertheless, in practice, if the number of paper copies of legislative documents is reduced, and such documents are generally only available electronically, problems may arise.

Limited access to legislative documents in paper form may set up a system where those who do not have ready access to a computer will get less access than those who do. Will individuals who do not have access to a computer, and who can only receive printed copies upon request, be able to access documents at the same time that they are available to those individuals with computers? Will printed copies be made available, upon request, at the time of a committee meeting when new language is about to be considered or will they be available at an unspecified time that may vary from committee to committee or person to person? Without thought given to these issues and provisions made, a disparity of access may be created.

Although HB 5984 provides that printed copies will be made available upon request, additional provisions *must* be made to ensure that any individual can gain access in a prompt manner. The Commission has already received a complaint this legislative session alleging denial of access to legislative documents in printed form.

The Commission urges this Committee to take the above concerns into consideration so that the right to access public records and government transparency is not diminished or curtailed.

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