

124th Legislature

Senate of  
Maine

Senate District 25

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Testimony of Senator Lisa Marraché Introducing introduce L.D. 1353, "An Act Regarding Salary Information for Public Employees," April 30, 2009

Good afternoon Senator Bliss, Representative Priest, and members of the Judiciary Committee, my name is Lisa Marraché, and I am appearing before you today to introduce L.D. 1353, "An Act Regarding Salary Information for Public Employees."

I submitted this bill after first hearing from a number of constituents and then looking at the website. I have to admit, I was appalled, and I was persuaded that something needed to be done.

The bill as written simply says that position information is public, but employee and retiree names and their individual salaries are not. Under this legislation, the press could ask for specific information on specific positions, or on classes of positions, and receive all the same information that is currently available except the individual's name.

The public will still receive information by specified position, as was done in a FOIA request in 2007. The spreadsheet had records for 15,892 positions, organized and searchable in 11 different columns. To my knowledge, there is no news story or study that has been conducted to date in Maine that could not have been written or conducted in the same way under this legislation. In opposing this bill, some news organizations have suggested that the use of names would help identify family members working together. In fact, many people with the same name are unrelated, and some who are related have different names. In at least one instance, two (unrelated) people with the same name are lumped together as one person, combining the salaries for both.

I do not see this bill as being about freedom of information or freedom of speech. I see it as a protection of the elemental right of privacy that all people have, even government employees. The government, and through it the taxpayers, may own the positions and those taxpayers have every right to know how much the government is paying for those positions. They do not, however, own the people that work for the government, and they cannot take away their rights or put them in danger.

Make no mistake, in the age of the internet that is exactly what this information does. It opens employees up for identity theft, physical theft or stalking. I have attached an e-mail, which I have rendered appropriately anonymous, from a person who is paid for by grants and private fundraising, but because the money goes through the state, her name is on the list. She is escaping an abusive spouse, and she feels that this provides sufficient information for him to find her. She, and others like her, must be protected.

There are ways of listing the critical information without giving the full name. Either a unique number representing the individual employee, or even a first name and last initial could be used in placed of a full name. This is the way things are done in some other states, and I contend that this is sufficient to determine both if the appropriate salary is being paid for the job being done and if there is any wrongdoing being committed.

The other item that is particularly offensive about the website is the comments section. This is just a place for people who hate government to make statements promoting their agenda, with most of the commenters using pseudonyms which grant them the anonymity they seek to deny others. It allows people to criticize government employees with no requirement that that they back up any accusations with any sort of fact. As far as I know, it is a feature unique to Maine. While there is nothing in the bill that refers to this, there ought to be some protection or recourse against this sort of potentially libelous statements.

Thank you very much for your consideration on this matter. I will be glad to answer any questions.