

MPI Info Testimony on SB241

January 28, 2009

Senate State Administration Committee

- Intro: Carl Graham, President MPI
- About MPI:
 - o Non-partisan, nonprofit Policy Research Center in Bozeman
 - o A major concern is citizens' detachment from their government due to lack of knowledge
 - Lack of transparency/accountability
 - Citizens "dropping out"
 - Government getting bigger, more complex (size and scope)
 - Traditional watchdogs (press) downsizing
 - Too hard, too complex to get smart and get involved
 - Bad for democracy, bad for the state
- MT Constitution Art. II §9 guarantees right to know - access to public records
 - o Ability to exercise this right is woefully inadequate
 - o MCA requirements have not kept pace with:
 - Volume of information
 - Types of information (broader collection and areas of responsibility)
 - Formats of information (electronic, machine readable, etc.)
 - Technology available to gather, store, disseminate information
- Two primary problems result from MCA requirements not keeping pace
 - o Requestor must have either expertise or time/patience
 - What info is available? Who has it? What do you ask for? How do you ask?
 - Unreasonable to demand this level of effort by citizens with today's technology
 - o Info is difficult to obtain and very difficult to effectively or efficiently use once in hand
 - Copy in originator's/holder's office (expensive, time consuming)
 - Copy and mail (may be expensive if large or part of something large)
 - Two major issues with data availability and format:
 - Time/Travel/Expense
 - Data usability for analysis (electronic format vs text)
 - o Data is available but not reasonably accessible.
- Technology can address both problems by creating a "Pull" capability similar to Google or Yahoo searches where citizens can reach for whatever information

they want in an accessible and intuitive way using key word searches, drill down capabilities and other search engine tools.

- It's a proven concept and one that would help maintain an informed and involved electorate.
- Another benefit is the potential for efficiencies and savings in government as a result of making information about the entire government more accessible to Agency employees and vendors.

- Compensation – should it be included?
 - o Two types of arguments: both argue for including compensation data
 - Legal: No fewer than six AG opinions have affirmed MT citizens' right to know who their employees are and what they are paying their employees.
 - Philosophical/Moral
 - Oversight:
 - o MT isn't a patronage state. Hiding employees and/or compensation could lead to abuses
 - o Transparency would encourage taxpayers to support compensation levels that are deemed fair by those who pay the bills
 - Fairness: Taxes are not voluntary so it's especially important that citizens have access to where their tax dollars are going. Hiding their dollars is inherently unfair when those dollars are taxed rather than donated or freely spent.
 - "Personal" information argument: It's not personal if you choose to work for the state. I know what my MPI employees make (both of them). Why shouldn't I know what my tax-supported employees make?
 - This isn't unique. A cursory search finds 14 sources of federal employee salary data and over 40 sources of state and local employee data from at least 24 states around the country.
 - Contractor compensation information is already available on request. Why are public employees different?
 - People want it.
 - o Our surveys show overwhelming desire to have compensation data available, to include name, position, and compensation.
 - o Other states' sites show this is one of the most used functions.