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Sunshine Week a Time to Celebrate, and Demand, Open Government

by Wes Smith

“A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives.” — James Madison, the fourth president of the United States and a major architect of our Constitution and the Bill of Rights



Today, March 12, marks the beginning of Sunshine Week, the annual celebration to promote openness and transparency for all levels of government. Sunshine Week was started 12 years ago by American Society of News Editors and Reporters Committee for Freedom of the Press to promote our country’s First Amendment Freedom of the Press rights in general, and, in particular, Open Meeting and Freedom of Information Acts and other laws that keep our government’s business in the open — in the sunshine.

The County Press joins our colleagues and fellow Michigan Press Association member newspapers all around Michigan and newspapers across the country in that celebration of those rights for all citizens — and in the call to maintain and expand open government.

Here in Michigan, Sunshine Week is an appropriate time to again remind citizens — and legislators — that Michigan remains one of only two states that completely exempt the governor’s office from its Freedom of Information Act (FOIA) and one of a handful that exempts the legislature. Many citizens were surprised those exemptions exist upon first hearing about them during the Flint Water Crisis.

Michigan’s FOIA exemption for our governor and state legislators is one of the reasons our state scored an “F” and ranked dead last in a 2015 national study on states’ ethics and transparency. The study was conducted by the Center for Public Integrity and Global Integrity, two nonprofit organizations that promote government transparency and ethics.

The push to reform Michigan’s open records laws has brought together groups that traditionally are at odds over legislative action and public policy. Both the free-market Mackinac Center for Public Policy think tank and the liberal Progress Michigan group have pushed to strengthen Michigan’s FOIA laws.

Last year, Michigan’s House of Representatives, on a bi-partisan vote, passed a package of bills co-sponsored by Lapeer County’s Rep. Gary Howell that would expand FOIA to include the governor’s office and create the Legislative Open Records Act (LORA). But the package died in the state senate where a condescending Senate Majority Leader Arlan Meekhof (R-West Olive) referred to the FOIA expansion as an “interesting concept” and expressed concerns about constituents’ communications with lawmakers becoming public, though the House bills would exempt them from disclosure. In January, Meekhof again patronized taxpayers when he told a room full of reporters and editors, “You guys are the only people who care about this,”

apparently still in denial that he is paid to do the public's work and that work should be open to the public's scrutiny.

In February, Howell and several other co-sponsors re-introduced the FOIA/LORA package in the House. The package was voted out of committee on Thursday and is expected to pass in the House on a bi-partisan vote. How it will fare in the Senate this time around, where Meekhof, as Majority Leader and gets to decide which bills see the light of day, is anyone's guess.

But you can help take out the guesswork. Call our state Sen. Mike Green and tell him you support the FOIA/LORA bills and expect him to do the same. Then call Meekhof and tell him you want him to bring the bills to a Senate floor vote after they arrive from the House.

Michigan's citizens deserve access to information about the state's business conducted on their behalf by elected officials. Let the sun shine in on every level of government in Michigan.

Contact State Senator Mike Green

By Mail: P.O. Box 30036, Lansing, MI 48909-7536

By Phone: 517-373-1777 or toll free 866-305-2131

By Fax: 517-373-5871

By Email: SenMGreen@senate.michigan.gov

Contact Senate Majority Leader Arlan Meekhof

By Mail: P.O. Box 30036, Lansing, MI 48909-7536

By Phone: 517-373-6920 or toll free: 866-305-2130

By Fax: 517-373-2751

By Email: SenAMeekhof@senate.michigan.gov