



**FAX MEMO**

**January 26, 2016**

**To: House Natural Resources Committee:**

**Andrea LaFontaine (R) Committee Chair, 32nd District, Bruce Rendon (R) Majority Vice-Chair, 103rd District, Anthony Forlini (R) 24th District, Ken Goike (R) 33rd District, Lisa Posthumus Lyons (R) 86th District, Ed McBroom (R) 108th District, John Kivela (D) Minority Vice-Chair, 109th District, Charles Smiley (D) 50th District and Julie Plawecki (D) 11th District**

**From: Jane Briggs-Bunting, Michigan Coalition for Open Government**

**RE: HB 4540**

After a review of a revised version of HB 4540, the Michigan Coalition for Open Government remains unconvinced this proposed change to the state Freedom of Information Act benefits the people of Michigan. Instead it clearly favors operators of so-called critical infrastructure businesses. What is proposed allows the proverbial fox to guard the chicken house.

Very cleverly, the bill shields from public disclosure any information voluntarily submitted to the Michigan Agency for Energy that the submitters decides should not be disclosed. This is a total perversion of the purpose and intent of the Michigan FOIA. The ongoing temptation post-911 is to close off all information. It's been done repeatedly and represents a grave threat to the ideals of a democracy and republic. It is our position and belief that Michigan already legislatively had sufficient protections within the FOIA in the exemption Section 13 (y).

There are many more than one example of how this proposed change to FOIA can potentially impact Michigan's citizens and the state's overall welfare. Previously the Sierra Club has raised concerns over Enbridge Pipeline 5 under the Straits of Mackinac. We share those concerns as does former Governor William Milliken and Michigan two U.S. Senators who have raised concerns at the federal level of the ramifications of a breach of the pipeline.

We would urge the House Natural Resources Committee to take a stand for the good and welfare of the people of Michigan and the vital Great Lakes that could be impacted in just this one example.

Please permanently defer any action or vote no on HB 4540.

The Michigan Coalition for Open Government is a tax exempt, Michigan nonprofit corporation founded to promote and protect transparency and accountability in the governments of the people, by the people and for the people at the local, state and federal levels.

Thank you for listening to our concerns on HB 4540.

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