



NEW JERSEY LEGISLATURE
13TH LEGISLATIVE DISTRICT

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SENATOR

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December 15, 2020

Dear Speaker Coughlin:

We respectfully request that you post A-4813 for a vote on the Assembly floor at the December 17th voting session, and join us in signing on as a sponsor. A-4813 clarifies the Open Public Records Act (OPRA) provisions of the Emergency Health Powers Act (EHPA).

The text of the bill can be found here:

https://www.njleg.state.nj.us/2020/Bills/A5000/4813_R1.HTM

A-4813 has unanimously passed out of the Assembly Health Committee. The companion bill, S-2751 also unanimously passed out of the Senate.

Senator Weinberg and Senator Vitale are the prime sponsors in the Senate. In addition to being the prime sponsors of this bill that would clarify the EHPA, they were also the prime sponsors of the EHPA itself. Both Health Committee Chairs were strong proponents of the EHPA and both have since supported moving this needed clarifying legislation forward. Senators Weinberg and Vitale, both staunch supporters of good government and public transparency like yourself, introduced this legislation because they believe that the Governor has misconstrued the intent of the Emergency Health Powers Act. We strongly agree with their assertion.

It is understood that Governor Murphy believes the EHPA gives him carte blanche power to ignore OPRA requests. When S-2751 passed out of the Senate, Senator Vitale stated:

"Everyone understands that these are unprecedented times but we can't let the anxiety over uncertainty deny our residents their right to know what their government is doing"

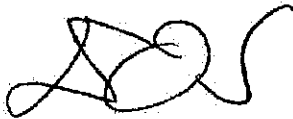
*and why they are doing it. This is a fundamental democratic principle and if we don't hold on to our principles in times of crisis, then we don't hold them at all."*¹

We could not agree more and applaud their dedication to the issue.

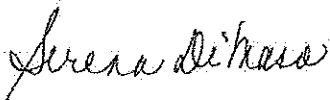
During these trying times, when a pen stroke from the Governor can cripple an entire business sector and send hundreds of thousands of constituents to unemployment, we owe the public absolute transparency. Without transparency, we stifle the free press, conspiracies are permitted to run rampant, and the public loses faith in their government and elected officials. This bill is necessary to restore the trust of those that put us in office.

With these sentiments, we again implore you to join us, and move this bill.

Sincerely,



Senator Declan O'Scanlon



Assemblywoman Serena DiMaso

¹ *Weinberg-Vitale Bill to Increase Government Transparency During COVID-19 Crisis Advances*, Insider NJ (8/20/2020) at <https://www.insidernj.com/press-release/weinberg-vitale-bill-increase-government-transparency-covid-19-crisis-advances/>