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Date: February 2, 2009

To: Senator Slossberg
Representative Spallone
Senator McLachlan
Representative Hetherington
Members of the GAE Committee

From: Senator L. Scott Frantz

Re: *SB 772 An Act Concerning the Freedom of Information Act*

Good morning Chairman Slossberg, Chairman Spallone, Ranking Member McLachlan, Ranking Member Hetherington, and members of the Government Administration and Elections Committee, thank you for the opportunity to testify today concerning **SB 772, An Act Concerning the Freedom of Information Act**.

I appreciate the ongoing efforts of the GAE Committee to ensure proper public access to government records through Freedom of Information. Connecticut residents have a right to this information, and all levels of government have the responsibility to be transparent and open. However, I believe the General Assembly took an unnecessary step last year in requiring public agencies to post their meeting agendas and minutes on their web sites, if one is available (PA 08-03).

As you will hear today, local boards and commissions have had difficulty administering this mandate. In fact, some municipalities have shut down their websites entirely to avoid the provisions in last year's act, limiting the public's access to local information and contradicting the very point of Freedom of Information. Legislators from both parties, those from large cities and those small towns, have discussed the need for municipal relief from unfunded mandates this session. I believe this mandate is one that we can repeal.

SB 772, as currently written, attempts to make the provisions of last year's act more workable by holding harmless municipalities that fail to post their minutes online provided they offer a reason for such failure. However, this bill fails to address the requirement that agendas be posted online within 24 hours prior to that meeting. I appreciate the efforts to address some of the municipal concerns, but I feel that a simple repeal of the mandate is the proper remedy.

Thank you for your time and consideration.