

**Testimony of  
Kendall F. Wiggin, State Librarian**

**Concerning Senate Bill No. 30  
AN ACT CONCERNING LEGISLATIVE AND JUDICIAL RECORDS AND  
CONCERNING THE FREEDOM OF INFORMATION ACT EXEMPTION FROM  
DISCLOSURE FOR PRELIMINARY DRAFTS OR NOTES.  
March 8, 2010**

The Connecticut State Library supports Section 1 of Senate Bill 30. The public's right to know is dependent upon a records management program that insures consistent policies and handling of public records as well as a transparent and accountable destruction process. Section 1 of Senate Bill 30 would place Judicial and Legislative records under the public records program that currently applies to local government agencies and state agencies within the executive branch.

Pursuant to CGS § 11-8 and § 11-8a, the Office of the Public Records under the direction of the State Library Board is responsible for designing and implementing the Public Records Program for local government agencies and for state agencies within the executive department of government. The State Librarian, through the Office of the Public Records Administrator, oversees the life cycle of public records; develops standards for record creation, including permanent papers and records stored in electronic format; publishes records retention schedules and provides records management guidelines. It publishes manuals, general letters, guidelines and standards to keep state and local government agencies informed about current records management issues and requirements. By statute, the Public Records Administrator and State Archivist must approve the disposition of all public records. However, this responsibility does not extend to records created by the Judicial or Legislative branches. In 9 states the equivalent of our Office of Public Records Administrator has responsibility for a records program for all three branches; in 3 states they have authority over Executive and Legislative Records but not Judicial; and in 1 state the Executive and Judicial Branch but not the Legislative.

Retention schedules insure that records are retained for the minimum period required by federal or state law, generally accepted accounting practices, court decisions or court orders, and best practices. They provide for uniform handling of records common across agencies. They also are developed in cooperation with agencies for records specific to those agencies. Records management, especially adherence to storage and destruction requirements, is reviewed when agencies are audited.

A records management program prevents arbitrary decisions, especially to destroy records, from being made and in an open records state such as Connecticut, the reasonable management of **all** public records is essential to the public's right to know.

I urge you to act favorably on Section 1 of this bill.