

Testimony of James H. Smith, president of the Connecticut Council on Freedom of Information in opposition to raised bill No. 1148, before the Government Administration and Elections Committee March 25, 2013.

Sen. Musto, Rep. Jutila and members of the GAE Committee, I am James Smith, president of the Connecticut Council on Freedom of Information, which has been the state's premiere supporter of open government for more than a half century. Thank you for this opportunity to testify about legislation we find quite troubling.

One of the fundamental precepts of democracy is that the meetings of those the people elect to serve them in their government should be as open and public as possible. From the inception of Connecticut's FOI statutes, the pillar of transparency has been open meetings.

This legislature should not be trying to redefine what a public meeting is in the FOI statutes, especially when the proposed legislation appears to be designed to make meetings less public.

It remains unclear who is sponsoring raised bill 4831, but to propose allowing "members of different political parties who are in a leadership position" of the public agency to meet secretly even if they compose a quorum, and to keep secret what they deliberate, flies in the face of well established law on what constitutes a meeting of a public agency. Municipal and state public boards, commissions, councils and agencies must now formally vote to go into "executive session" and must state the specific reasons why. Letting leadership of such agencies discuss public policy in private is the wrong direction in which to take our FOI statutes.

It also, like too many recent FOI bills, is fundamentally contrary to the precepts of the government transparency laws adopted in 1975 with these words: "The legislature finds and declares that secrecy in government is inherently inconsistent with a true democracy."

The stated purpose of this bill is to "exempt certain negotiations between the leaders of political parties from being considered a meeting . . ." is absolutely anathema to the basic openness written into law in 1975, i.e.: that "the people have a right to be fully informed of the action taken by public agencies in order that they may retain control over the instruments they have created."

This is ill advised legislation that must be stopped now. Thank you.

**Spoken
3/25/13**