

**STATEMENT OF THE FREEDOM OF INFORMATION COMMISSION
IN SUPPORT OF RAISED BILL SB 340, AN ACT EXTENDING THE TERMS OF
CERTAIN MEMBERS OF THE FREEDOM OF INFORMATION COMMISSION**

March 7, 2016

The Freedom of Information (“FOI”) Commission supports SB 340, An Act Extending the Terms of Certain Members of the Freedom of Information Commission. The bill proposes to change the term of the legislatively appointed members of the FOI Commission from two years to four years. The number of FOI Commissioners increased from five to nine in 2011.¹ The four commissioners added in 2011 are appointed by the legislature, and currently serve two-year terms. This means that every two years, the terms of four of the nine commissioners come to an end at the very same time. The other five commissioners are appointed by the Governor to staggered four-year terms, meaning that their terms are twice as long and expire on a rotating basis rather than all at once.

This new structure is unwieldy. It also differs from that of two other watchdog agencies, the State Elections Enforcement Commission and the Office of State Ethics, neither of which have commissioner terms that are just two years long and neither of which are tied to the legislative political cycle. (*See* Conn Gen. Stat. §9-7a, five commissioners of the State Elections Enforcement Commission, with four legislative appointments and one gubernatorial appointment, wherein each member serves for three years; and Conn. Gen. Stat. §1-80, nine members of the Citizens Ethics Advisory Board, with six legislative appointments and three gubernatorial appointments, wherein each member serves a four year term).

Like these other watchdog agencies, as well as appointments of judges and other independent adjudicators, the FOI Commissioners’ terms should be uniform and longer than two years. It takes time to develop the particular expertise required to perform well as a Freedom of Information Commissioner. Uniform four year terms will foster continuity of decision-making and generate valuable institutional knowledge among the members. Moreover, elongating the terms and cutting the tie to the political cycle of the legislature will vastly reduce the appearance that such legislative appointees are obligated to serve the interests of their appointing authority, a factor which is very important for public perception and the continued independence of the FOI Commission.

For these reasons, the FOI Commission strongly supports this bill.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel at (860) 566-5682.

¹ *See* Public Act 11-48, An Act Implementing Provisions of the Budget Concerning General Government.