

State Auditors Robert M. Ward and John C. Geragosian

Testimony in Favor of Senate Bill 203

An Act Concerning American Legion State Fund Commission Transparency

Committee on Veterans' Affairs

February 23, 2016

Senator Flexer, Representative Hennessy, Senator Martin, Representative Yaccarino and members of the Committee on Veterans' Affairs. We would like to thank the committee for raising **SB 203, An Act Concerning American Legion State Fund Commission Transparency**. We are strongly in favor of this bill.

During the course of auditing state and quasi-public agencies, our auditors discover issues that merit the attention of the General Assembly. This bill implements a change that was recommended in our annual report. That report can be accessed on our website (<http://www.cga.ct.gov/apa/>). The relevant recommendation to this bill is Recommendation 13 on page 27 of our 2015 annual report.

Sections 27-138 through 27-140 of the General Statutes provide for the Soldiers', Sailors' and Marines' Fund to delegate the authority to administer that fund to the American Legion. The American Legion has established a subsidiary called the State Fund Commission for the purpose of carrying out the necessary provisions of the Soldiers', Sailors' and Marines' Fund, including the disbursement of funds.

The American Legion is clearly not a public agency for the purpose of the freedom of information laws. Those laws include the requirements to post meeting minutes, schedules of regular meetings for the ensuing year, or meeting agendas to the agency's website and file that information with the Office of the Secretary of the State. However, the State Fund Commission is essentially functioning as a public agency since it exists solely for the public purpose of administering a function that had previously been regarded as belonging to that of a state agency. Therefore, we believe that because the American Legion's State Fund Commission is performing a public function using public funds, it should be subject to the states freedom of information laws.