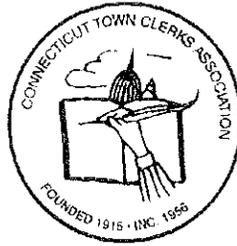


# ***Connecticut Town Clerks Association, Inc.***

## Committee Members

Joyce Mascena, Glastonbury  
Chair  
Patricia Strauss, Westport  
Vice-Chair  
Jeff Barske, Thompson  
Antoinette Spinelli, Waterbury  
Bernice Dixon, Vernon  
George Buckbee, New Milford  
Cal Brouwer, Ledyard  
Debra H. Denette, East Haddam



## Advisory Board Members

Joseph Camposeo, Manchester,  
CTCA President  
Lisa Terry, Montville,  
CTCA Vice-President  
Sandra Russo-Driska, Middletown,  
Past President  
Irene Masse, Meriden  
Katie Wall, Berlin  
Alan Jepson, Milford  
Therese Pac, Bristol

## ***2009 Legislative Committee***

---

Written Testimony  
Monday, March 23, 2009  
Government Administration and Elections Committee

### **HB 5957 An Act Concerning The Use of Portable Scanners to Copy Public Records.**

The Connecticut Town Clerks Association (CTCA) highly opposes this bill for many very important reasons.

First is the issue of damages to our Town's oldest, most valuable, permanent records. At present time, the reproduction equipment used in the Town Clerk's office is carefully evaluated for damage to the records. With guidance from the Public Records Administrator, we are careful that the equipment that is selected will not harm the books' pages or spines. While some of our permanent records are reproducible if damaged, but at a cost, many are not as they are the original, handwritten permanent records.

If we allow the use specified in this bill, the Town Clerks will have no control over the technology used to reproduce these permanent records and we do not have the resources to permanently staff a vault and on a daily basis to monitor this use. Unfortunately, we will not know how our permanent records are being treated when being reproduced with a variety of flatbed scanners. The operation of the current specified use of the battery-operated, hand-held scanner is such that it is designed to scan the record without touching it. We know that this technology is not even used properly as the scanners are often dragged against the paper permanent record creating the potential danger of damage to the permanent record.

Portable, flatbed scanners are designed to be compact in nature so as to maintain their portability. Our records are a variety of sizes ranging from 8½ x 11 to 8½ x 14, with the older ones being even larger than 11 x 17. First, the book has to be opened and often times taken apart to remove the page due to the size of the book. Then the page, or book if it is unable to be opened, is put on the glass. When the cover is closed on one of these sizes over 8½ x 11, the areas of the paper record outside of the glass area is crumpled by the cover thus causing damage to the permanent record. This is unacceptable in our minds and in the mind of the Public Records Administrator.

To be honest, the use of the battery-operated, hand-held scanner should not have been allowed in the first place. This legislation was included in an amendment tacked onto a totally unrelated Veterans' bill on confidentiality in the 11<sup>th</sup> hour and quickly voted upon. We weren't even aware of this piece of legislation until after its passage. We never had the benefit of testifying at a required public hearing like this to voice our concerns. If we had, CTCA and the Public Records Administrator would have opposed it with good reason.

Not to mention the misuse of the battery-operated, hand-held scanner, the use at all violates the laws and regulations for vaults due to the risk of fire and possible destruction of our oldest, most valuable, permanent, municipal public records.

Another reason we oppose this bill is the loss of an already shrinking revenue stream which our towns just cannot afford to lose, especially now. The hand-held scanner legislation only provides for a one-time fee of \$10 to scan as many records they want. Those making copies of our records may make hundreds of copies in one day. The present charge applicable to municipalities for a copy of a land record by State Statutes is \$1.00 per page and all other public records are \$.050. You can see the potential revenue loss to our towns is great.

You may ask why we did not subsequently come back to ask for a repeal of this initial hand-held scanner legislation. Within a very short period of time after allowing the hand-held scanner technology use, the equipment was no longer being manufactured, so the use has been very limited and we anticipated the law would eventually be rendered obsolete. This did in fact happen, so the decision was made not to pursue repeal at that time.

For these very important reasons, we ask that you please not support the adoption of this bill.

To solve the problem of damage to public records in general while still proving copies required by law, many towns have been working on electronic options which provide that the original records are never touched at all. The better way to reproduce land records is electronically from Town computers and printers that are already in place to comply with CGS Sec. 7-25a Electronic indexing system, which reads, "Not later than January 1, 2009, each town shall provide public access to an electronic indexing system that combines the grantor index and the grantee index of the town's land records, requiring a computer terminal for the public access that supplies a combined electronic grantor/grantee index for the land records as of 1/1/2009." We are happy to report that there is 100% compliance with this legislation.

In my town, Glastonbury, we are back to 1690 for land record indexes and images that are available in the electronic reproducible format. Another example is Manchester which is back to the 1700's. And there are many other towns as well like us. We see that all towns will be imaging their records that will eventually allow original records to remain preserved and protected from handling and reproduction. According to Section 7-35ee, the State Librarian will convene the Real Property Electronic Recording Advisory Committee will be established to address the future reproduction and distribution of electronic transmission of copies of records.

We as Town Clerks are charged by statute with the safeguarding of our town's oldest, most valuable, permanent public records. We take that charge very seriously and ask for your support with these safeguards by leaving the reproduction methods in our hands as well as safeguarding our municipal revenue streams.

If you have any questions, we would be most happy to address them.

Respectfully submitted,  
Joyce P. Mascena, Glastonbury Town Clerk  
Chair, CTCA Legislative Committee

Patricia Strauss, Westport Town Clerk  
Vice-Chair, CTCA Legislative Committee