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Testimony of LeAnn R. Power, CRM

Public Records Administrator

Connecticut State Library

Concerning House Bill No. 5035

"An Act Reducing Mandates for Municipalities"

Planning and Development Committee – Public Hearing

February 22, 2012

Good morning distinguished members of the Planning and Development Committee. My name is LeAnn Power and I am representing the Connecticut State Library, Office of the Public Records Administrator. I am here today to testify in support of section 1 of Governor's Bill 5035 which adds language to Section 1-217(a) of the Connecticut General Statutes.

I am also aware of the potential emergency-certified bill to amend section 1-217 of the Freedom of Information Act. It is important that any amendments conform to existing statutes that address the preservation, safekeeping, and alteration of all public records.

In accordance with CGS Sec. 11-8, the Office of the Public Records Administrator is responsible for the design and implementation of the Records Management Program for all state agencies within the executive department, and the towns, cities, boroughs, districts, quasi-public agencies, and other political subdivisions of the state. The office creates records retention schedules and authorizes the legal destruction of public records when they are no longer useful, provided they have no permanent or historical value. This ensures that both citizens and governmental agencies will be able to obtain information for the appropriate amount of time. It also provides for the timely disposal of records, to improve efficiencies and reduce costs.

CGS Sec. 7-24 addresses the recording of instruments and the safekeeping of public records. CGS Sec. 7-23 specifies that recording may be done either by micrographic, electronic imaging or other approved process. Whatever the method employed, the record copy must reproduce the original instrument exactly. No changes in its content, short cuts or abbreviations are permitted. Errors in spelling or punctuation, omissions, or inadvertent repetitions occurring in the original may not be corrected; they must be recorded as they stand in the original.

It is essential that the original public records of Connecticut be preserved and protected. In accordance with CGS Sec. 1-240 and Sec. 53-153, public records may not be altered or redacted. Not only is it illegal, but the integrity and reliability of public records would be compromised. In addition, redaction of public records would be an administrative burden for a public agency as records exist in many different formats, such as paper, electronic, and microfilm.

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The Connecticut State Library, Office of the Public Records Administrator, is willing to work with the legislative task force to develop a solution that may protect those individuals who serve our state and municipal governments, while also ensuring the integrity of the land records and other essential public records.

Thank you for this opportunity to testify. I would be happy to answer any questions that you may have or you may contact me at 860-757-6540 or leann.power@ct.gov.

Respectfully submitted,

LeAnn R. Power, Public Records Administrator
Connecticut State Library