

Office of the Secretary of the State



At a Glance

DENISE MERRILL, *Secretary of the State*

James Spallone, *Deputy Secretary of the State*

Established - 1639

Statutory authority - CGS Sec. 3-77ff State Constitution

*Central office - 30 Trinity Street,
Hartford, CT 06106*

*Number of employees - General Fund:
83 permanent full-time*

Recurring operating expenses:

General Fund: \$ 7,677,300.00 (FY 2013)

Revenue deposited -

General Fund: \$30,560,967.54 (FY 2013); \$13,698,907.79 (since 7/1/13)

Organizational structure – CRD Automation and Quality Improvement (Diane Steir, Manager); Commercial Recording/Business Services Division (Seth Klaskin, Director); Legislation and Elections Administration Division (Peggy Reeves, Director); Management and Support Services Division (Blanche Reeves-Tucker, Fiscal Administrative Manager); Human Resources (Gloria Sparveri, Manager); State Board of Accountancy (Diane Steir, Interim Manager); Information Technology (Terrance Babcock, Manager).

Mission

Through the commitment of a knowledgeable staff and advanced technology, the Office of the Secretary of the State works as a team to provide a wide range of services for the people and businesses of Connecticut.

We are a repository of records for the state, and provide important information and resources regarding business and commercial filings, elections, and authentication as prescribed by the constitution, and federal and state laws.

We seek to support business development opportunities, and foster a more inclusive political process by educating, informing and engaging communities in youth and civic participation.

Vision

Our vision is to be the leader in providing prompt quality service, increasing access to information, and promoting participation in the democratic process.

Statutory Responsibility

The Secretary of the State is designated by the Constitution and General Statutes of Connecticut as the official keeper of a wide array of public records and documents. The office is a vital source of information regarding various businesses, commercial lenders, elections, legislation, regulations and other areas, and responds to more than 600,000 requests for information annually. It also publishes, distributes and sells the State Register and Manual and other publications.

Connecticut law makes the Secretary of the State responsible for the administration of many aspects of business law including the approval of all certificates of incorporation, organization and dissolution, as well as annual and biennial reports. Trademarks are registered here as well.

As Commissioner of Elections for the State of Connecticut, the Secretary is charged to administer, interpret and implement election laws and ensure fair and impartial elections. Under the terms of the National Voter Registration Act of 1993, the Secretary has the same responsibility for federal elections.

Affirmative Action

The Office of the Secretary of the State is firmly committed to a personnel management program designed to ensure equal opportunity for all employees and applicants for employment without regard to race, color, religion, age, sex, marital status, national origin, ancestry, mental retardation, physical disability, prior convictions of a crime, sexual preference, past or present history of mental disorder or political affiliation. The elimination of sexual harassment and Workplace Violence is also an important element of the agency's comprehensive affirmative action program. The agency established a multi-cultural advisory committee in 2003 to assist in affirmative action/cultural issues.

Public Service

The office serves the public through five divisions:

- **Commercial Recording Division (CRD)** files and maintains legally required records showing the formation of and fundamental changes to corporations, limited liability companies, limited liability partnerships, limited partnerships and other businesses. The Commercial Recording Division (CRD) disseminates that information to the general public and the business, banking and legal communities. Transactions relevant to security interests in personal property are perfected by filing statements under the Uniform Commercial Code statutes with the Research and Response unit. These filings protect the holder of the security interest by

securing the lien and providing public notice that such interest exists. Trade, service, collective, certification and device marks are granted registration and the division investigates and collects fees and penalties from foreign corporations doing business in Connecticut without authority. CRD offers real time access to corporate and UCC (Uniform Commercial Code) documents via the Internet. Anyone who has access to the Internet can go to the Secretary of the State's website and then to CRD's database called "CONCORD". You may obtain names and addresses of corporate officers and directors, business addresses and a listing of all filings made for that business. Our Public Service Area is open for customers from 8:30 a.m.- 4:00 p.m. These expanded hours have given the business community more time during the business day to submit requests and file documents. The division is responsible for administering the Address Confidentiality Program (ACP), which provides services to victims of crime.

- ***Legislation and Elections Administration Division (LEAD)*** administers, interprets and implements all state and federal laws pertaining to elections, primaries, nominating procedures, and the acquisition and exercise of voting rights. The Division encourages and monitors the implementation of the National Voter Registration Act and other voter registration efforts in Connecticut. In conjunction with local Town Clerks and Registrars of Voters, the division provides training for local elected officials. The division, working with local officials, has put into operation a statewide-computerized voter registry system, which complies with the Help America Vote Act.

In addition the division is the official keeper of all acts, orders, grants and resolutions of the General Assembly, receives and maintains legislation, regulations and a wide range of other public documents as required by statute, administers Connecticut's notary public program, and updates information on state, local, and federal government on a weekly basis.

- ***Information Technology*** is responsible for the administration, support, development and maintenance of all computer systems and related applications within the agency. It also provides support to the Centralized Voter Registration system, CONCORD (Connecticut Online Commercial Recording Database), Agency website and all E-Government initiatives within the agency.
- ***Management and Support Services*** supports the office in the areas of human resources, affirmative action, fiscal administration, business, revenue depositing, purchasing, data processing and other support services. It also publishes, distributes and serves as the sales agent for the Connecticut State Register and Manual (the "Blue Book") and other agency publications.

- ***The State Board of Accountancy*** protects the users of services rendered by Connecticut licensed accountants by regulating the authorized practice of public accountancy by certified public accountants (CPA) and public accountants as well as the unauthorized practice of public accountancy by unlicensed individuals and firms. The State Board of Accountancy (SBOA) was a stand-alone agency until July 1, 2011 when it was moved into the Secretary of the State's office through a budgetary consolidation.

The board consists of nine individuals appointed by the Governor of Connecticut pursuant to Connecticut General Statutes 20-280 and carries a full staff of five people, including a manager, unit supervisor, staff attorney, processing technician, and an office assistant. The board has been working closely over the last year with the Department of Administrative Services Bureau of Enterprise Systems and Technology and the Department of Consumer Protection to join the State's enterprise wide e-licensing system.

In addition, the Office of the Secretary of the State administers a wide range of programs and services for Connecticut's voters, citizens, and businesses. These include:

- **Civic Health Initiatives** – The Secretary of the State sponsored a first-of-its kind voter registration contest for high school students during the month of October 2013. With teams from different high schools competing against each other, the goal of the contest was for these high school students to register the highest number of eligible citizens to vote in their community before the voter registration deadline of October 29th prior to the November 5, 2013 municipal elections. The contest was won by a group of students at High School. This was a fun way for the Secretary to promote civic engagement for young people that is both concrete and meaningful.
- **The Address Confidentiality Program (ACP)** – The ACP program became effective on January 1, 2004. Program participants are residents of the State of Connecticut who have recently relocated and whose new location is unknown to the abuser and undocumented in government records. The goal of the ACP is to help crime victims (family violence, sexual assault, injury or risk of injury to a minor, or stalking) keep their new address confidential. The Address Confidentiality Program offers its participants two services, each of which helps keep the victim's new location private. One component is the participant's use of an ACP substitute mailing address. The ACP provides cost-free mail forwarding services. The Office of the Secretary of the State serves as each program participant's legal agent for service of process and receipt of first class mail. The second component of the program prevents public access to a participant's actual address on government records including voter registry lists and keeps marriage records confidential.
- **Business Initiatives** – The Secretary of the State's business initiatives include partnering with the U.S. Department of Commerce, the U.S. General Services

Administration, the Connecticut Business Expo, the Connecticut Business and Industry Association, the U.S. Small Business Administration, the Connecticut Small Business Development Center, as well as corporate partners such as Google to sponsor multiple events for hundreds of businesses in Connecticut all focused on opening up new channels of business through exports, launching websites, becoming federal contract vendors, and other initiatives. The Secretary of the State was able to communicate directly via email more than 100,000 Connecticut businesses all registered with the Secretary of the State's office to inform them of these very useful and informative events which if followed through successfully can lead to increased revenue, higher profits, and new jobs created. In several instances the events publicized by the Secretary of the State's office saw record turnout, where many networking connections were made that will hopefully lead to future business deals. Secretary Merrill also led an 8-day trade delegation to the People's Republic of China with leaders from Connecticut's Aerospace and Biotech industries to seek buyers for Connecticut's high-end manufactured goods and to seek investors in biotech start-up companies that could yield major breakthroughs in the near future.

- **Records Management** - The Records and Archiving Unit supports the Secretary's constitutional duty to "have the safe keeping and custody of the public records and documents" by providing records management, archives and library services to the Office of the Secretary of the State. It also serves as the office's liaison to the Public Records Administrator, as required by law. It maintains the Office library; administers on and off-site storage of, and access to, the wide variety of records filed with and generated by the Office; researches, prepares and implements record retention schedules for the Office; creates microfilm and digital copies of records (more than 695,412 images in fiscal year 2012/2013); responds to hundreds of annual staff and public reference requests; and creates indexes and guides to Office record series to facilitate staff and public access to information. In addition, the Unit provides indexing, access and preservation services for the original bills, acts and resolutions of the General Assembly, state agency regulations, and various special documents filed with the Office by state law.

Improvements/Achievements 2013

- **Implementation of Election Day Registration & Online Voter Registration** – Secretary Merrill successfully worked with local election officials and the Connecticut Department of Motor Vehicles to implement Public Act No. 12-56 "*An Act Concerning Voting Rights*" which was passed during the 2012 legislative session, proposed by Secretary Merrill and Governor Dannel Malloy. The two main components to this law established Election Day registration (EDR) in Connecticut that took effect for the November 5, 2013 municipal elections; and enacted online voter registration,

to take effect January 1, 2014. The EDR component allows eligible voters to both register to vote and cast a ballot on Election Day (for both state and municipal elections). The establishment of EDR eliminates need for presidential ballots by Connecticut residents since they may instead vote under the EDR provisions outlined in the law. The Secretary of the State's office worked closely with Registrars of Voters throughout Connecticut to establish protocols and procedures for how eligible yet unregistered voters can come into town or city offices on Election Day, register, and vote at the same time. These provisions and requirements address the following: application procedures and identification requirements, voting procedures to be followed, counting procedures, and the process of checking voter eligibility. All provisions concerning EDR went into effect on July 1, 2013 and were successfully implemented in all Connecticut municipalities on Election Day November 5, 2013. Early indications are that at least 2,000 new EDR voters were accommodated statewide on Election Day 2013. Higher usage of this new right is expected for 2014, a substantially higher turnout election than 2013.

The other main component of Public Act No. 12-56 permits any eligible Connecticut voter with a driver's license to register to vote online. The law requires the Secretary of the State to create and maintain a system that will allow new voters to register online, as well as allow existing voters to make changes to their registrations, such as updating their addresses. The system will cross reference and verify information from other state or federal government databases. The Secretary of the State's office has been working with the state Department of Motor Vehicles, the Department of Administrative Services and private contractor PCC computing technologies to develop and test an online system that interface the Connecticut Motor Vehicle database with the Connecticut Voter Registration System. Final testing has begun with online voter registration going live in real time on January 1, 2014.

- **Final Legislative Passage of Constitutional Amendment**– Another major component of Secretary Merrill's 2013 legislative package was House Joint Resolution 2. This amendment would grant increased authority to the General Assembly regarding election administration. Essentially this amendment would eliminate the requirement that voters gather at polling places only Election Day to cast their votes and allow for changes in current restrictions on absentee voting. This amendment would remove restrictive language in Connecticut's constitution, allowing the legislature to consider actions such as early voting or no-excuse absentee voting.

The proposed constitutional amendment received final legislative passage on May 8, 2013 after passing both houses of the Connecticut General Assembly for two consecutive years (in 2012 and 2013). After passing these two hurdles in the Connecticut General Assembly, the amendment will appear on the statewide ballot for ratification by Connecticut voters in the state election on

November 4, 2014. If the majority of voters in the 2014 general election approve the amendment, it will then become part of the Connecticut's constitution. The General Assembly will then be empowered to enact early voting.

- **Foreign Business Investigations** - Secretary of the State Denise Merrill and Attorney General George Jepsen collected \$1.3 Million in penalties from out-of-state companies transacting business in Connecticut without proper legal authority. The joint effort recovered \$1,300,208.66 in FY 2012/2013 from over 261 out-of-state companies.

The requirement to obtain authority to do business exists to protect domestic entities from unfair competition and place domestic and foreign firms on an equal footing. The law also protects consumers with a grievance against an out-of-state business, by specifying where and what manner the company can be served with legal papers.

Under previous administrations the Secretary of the State and Attorney General launched their enforcement efforts in 2007, pursuing hundreds of delinquent out-of-state businesses and threatening legal action. To the businesses' credit, no legal action has been required and cases have been closed for all 261 companies paying penalties. Fines and penalties collected from each business range from \$200 to \$54,570. The collections total for fiscal years 2007-2013 is more than \$9 million.

- **Connecticut Business Data Center** – In seeking to expand the public information role of the Secretary of the State's Office, in 2011 Secretary Merrill proposed a bill that was passed into law establishing a Connecticut Business Data Center at the Secretary of the State's office. The data center is a much-needed tool that will collect information on Connecticut businesses and the economy. This can then be provided to those studying economic development or business trends, and will be available to the public. The Business Data Center will build upon information already collected by the Secretary of the State in the course of the agency's established interactions with the business community.

In 2012 the effort to build the Connecticut Business Data Center took shape. The Commercial Recording Division has mapped out a staffing plan and justification for hiring the necessary staff. Finally, the CRD Director has performed outreach to determine what type of data would be most helpful to collect, and in what priority order, so that the Center is immediately useful from the date of its completion.