

# 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:  
85 permanent full-time*

*Recurring operating expenses:*

**General Fund: \$9,349,799.36 (FY 2012)**

*Revenue deposited -*

**General Fund: \$31,982,630 to date (Since 7/1/11)**

*Organizational structure – CRD Automation and Quality Improvement (Diane Steir, Manager); Commercial Recording Division (Seth Klaskin, Manager); Legislation and Elections Administration Division (Peggy Reeves, Executive Assistant); Management and Support Services Division (Blanche Reeves-Tucker, Fiscal Administrative Manager); Human Resources (Gloria Sparveri, Manager); State Board of Accountancy (Manager Vacant); 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 Election Video Contest for college students designed to answer the question “Why should I vote?” The goal of the contest was to produce a video that encouraged more voter participation among eligible voters aged 18-29. The contest was won by a group of students at Central Connecticut State University working through the Connecticut Public Broadcasting Media Lab. The winning video featured a fictitious Senator Grump C. Mudgeon, who satirically discouraged young people from voting because young voters “are not informed, don't read the newspapers, and are probably not even registered to vote.” Besides, Senator Grump mused, “We [politicians] are doing JUST FINE without you.” Viewers were then urged to prove Senator Grump wrong and register to vote, and cast ballots. The winning video was aired during the month of October 2012 as a public service announcement on Comcast cable, which donated more than \$52,000 of airtime to run the video to more than 500,000 residential cable subscribers in Connecticut.
- **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 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. Events publicized by the Secretary of the State's office include: Google Get your Business online, Poland Export Day, 365 to Export, and the federal contractor Matchmaker event. 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.
- **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 631,750 images in fiscal year 2011/2012); 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 2012**

- **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 is presently in negotiations with the Connecticut Data Collaborative to produce a Memorandum of Understanding to utilize the Collaborative's WEAVE software application as the visualization tool for the data. Also, a Statement of Work is being prepared for the build out of the Data Center with plans to begin the actual software programming and database set-up for the Center. 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.

- **Secretary's Legal Assistance Project** – The purpose of this project was for Secretary Merrill to have neutral, non-partisan observers to serve as the Secretary's designees who could be dispatched to polling places as needed. The Secretary of the State was given this authority pursuant to Public Act 11-46, which states that, "the Secretary of the State, or the Secretary's designee, shall be allowed access to each polling place within the state during any municipal, state or federal election, primary or recanvass for the purpose of reviewing each polling place and recanvass for compliance with state and federal law."

The project consisted of a partnership between Secretary of the State's office and the Connecticut Bar Association. The volunteer attorneys from the Connecticut Bar Association were only dispatched to polling places if a particular problem was reported to the Secretary of the State's office and it was determined that it was necessary to receive independent confirmation of the reported information. The designees had no authority in the polling place other than to observe the local administration of elections and report back to the Secretary's Office on the compliance with state and federal election laws. The volunteer attorneys had been trained in election administration by the Secretary of the State's office and had signed an agreement that they would not act in a partisan way on Election Day. In total, 95 Connecticut attorneys had volunteered to participate in the program and were available to serve in communities all over the state.

Once a call was placed from either a voter, Registrar, or other election official to the Secretary of the State's office or to the Election Day hotline, it would be

transferred to a staff attorney. The staff attorney would determine whether independent confirmation of the issue was needed at the polling place. If independent confirmation was needed, a volunteer attorney in the area would be contacted. The volunteer attorney would speak to the staff attorney to get a summary of the problem, and then would be emailed an official letter designating the volunteer attorney as a designee of Secretary Merrill with access to the polling place pursuant to Public Act 11-46. After arriving at the polling place and assessing the situation, the volunteer attorney would call the staff attorney and report his or her findings. If needed, the volunteer attorney would assist the Moderator at the polling place. Otherwise, the volunteer's work would be finished. On Election Day, 12 attorneys had to be dispatched to various polling places, including locations in Bridgeport, Cheshire, Hartford, Manchester, Stamford, and West Hartford to observe, report, and assist at the polling place as needed.

- **Connecticut Election Project 2012** –The Connecticut Election Project 2012 was an effort created by Secretary Merrill with the goal of bringing the year's elections alive in the classrooms of the state. The Secretary formed a steering committee that worked in conjunction with teachers, many partner organizations, and other individuals on this initiative. Materials covered the national 2012 Presidential race, U.S. Congressional races, and local Connecticut General Assembly races. This was part of one of the Secretary's overarching goals to get Connecticut's students engaged in civic life from an early age. The curriculum covered three main content areas: Election History, Election Literacy, and Election Math, with a special component for elementary schools.

The curriculum was introduced through a series of teacher webinars in July and early August. Complementary web pages were posted to the Secretary's website, including resources like lesson plans, on-demand expert videos, and links to other resources and tools. At a press conference on National Voter Registration Day in September, Secretary Merrill announced the scheduled broadcast of student webinars to be used either in the classroom or as out-of-class assignments. Webinars were produced in partnership with the Connecticut Distance Learning Consortium. The concluding activity was a first-of-its-kind student conference held at the Capitol complex. Over 100 students from schools across the state participated in hands-on election-related activities and heard from a panel of elected officials. In total, dozens of classrooms in grades three through twelve participated in the Connecticut Election Project.

- **Legislative Passage of Election Day Registration & Online Voter Registration** – During the 2012 legislative session, Secretary Merrill successfully sponsored House Bill 5024, *An Act Concerning Voting Rights*. There are two main components to this bill: the establishment of Election Day registration (EDR) and the implementation of online voter registration. 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 is expected to eliminate the need for presidential ballots by Connecticut residents since they may instead vote under the EDR provisions outlined in the bill. 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 will go into effect on July 1, 2013.

The other main component of HB 5024 provides for online voter registration. The bill 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. This section goes into effect on January 1, 2014.

- **Movement of Proposed Constitutional Amendment**– Another major component of Secretary Merrill’s 2012 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 amendment is now partway through a stringent process that must take place before it can take effect. First, it must pass in both the House and Senate chambers of the General Assembly two years in a row. During the 2012 legislative session the proposal completed its first passage. Secretary Merrill will pursue the second passage in the 2013 legislative session. If it passes both chambers in the 2013 session, the amendment will then be placed on the ballot for approval by voters in the next statewide election in 2014. If the majority of voters in the 2014 general election approve the amendment, it will then become part of the Connecticut’s constitution.

- **Illegal Business Investigations** - Secretary of the State Denise Merrill and Attorney General George Jepsen conducted a year-long crackdown on out-of-state companies doing business illegally in Connecticut. The joint effort recovered \$1,350,138.86 in FY 2011/2012 from over 321 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.



The Secretary of the State and Attorney General launched their aggressive 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 330 companies that were fined. Fines and penalties collected from each business range from \$285 to more than \$18,435. The collections total for fiscal years 2007-2012 is more than \$7.75 million.