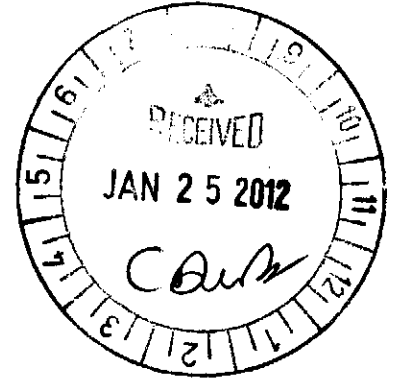


THOMASTON PUBLIC LIBRARY
SPECIAL LIBRARY BOARD MEETING

Tuesday, December 27, 2011
7:00 pm
Thomaston Public Library
Community Room



MINUTES

Attendance:

Library Trustees: Maryann Hyres, Beatrice M. Fuller, Karen G. O'Connell, James S. Kaniewski, F. Peter J. Foley, Laurie J. Barrett, Megan C. Protzmann, Rita M. Ostrander, Maryann L. Sandford, Kathleen Pesce, Amy S. McKearney

Library Director: Debra Radosevich

Public: None

Call to order: 7:00 PM

Public Comment: None

2012-2013 Budget

Rita Ostrander is the Budget Committee Chairperson, and spoke about meeting a couple of weeks ago, and discussed modifications and suggestions made to the budget.

Amy McKearney made a motion to approve sending the budget for \$299, 720.60 to the finance board. Beatrice Seconded. All in favor. Motion carried.

Adjournment: 7:30 PM by F. Peter J. Foley, Maryann L. Sandford seconded.

State Statute Imposes Onerous Burden on Public Agencies

Coalition Urges General Assembly to Introduce a Legislative Remedy

Coalition Members:

*CT Association of Assessor Officers
CT Association of Municipal Attorneys
CT Association of Realtors
CT Attorneys Title Insurance Company
CT Bankers Association
CT Bar Association
CT Conference of Municipalities
CT Council of Small Towns
CT Council on Freedom of Information
CT Daily Newspaper Association*

*CT Mortgage Bankers Association
CT State Library
CT Tax Collectors Association
CT Title Association
CT Town Clerks Association
CT Freedom of Information Commission
Registrar of Voters Association of CT
Secretary of the State of CT
State Elections Enforcement Commission*

State Supreme Court Rules on FOI Case

A recent State Supreme Court decision confirms the interpretation of a Freedom of Information Act provision which prohibits disclosure of residential addresses of certain Federal, State and Municipal employees. The impact of this decision could be crippling to state and local agencies and could undermine public confidence in the integrity of many government records.

Though the court's decision narrowly applies to motor vehicle records, legal counsel for state and municipal agencies, as well as attorneys for the FOI Commission, are advising that the court's decision will apply to all public records, including land records, voter lists, and tax rolls, as well as all other records in every office of every public agency in the state; and it applies to all formats of records, both printed and electronic.

The impact of this decision has an immediate effect on state agencies and municipalities and a legislative remedy is urgently needed and should be acted upon without delay.

Agencies Will Not be Able to Comply with the Court's Decision

Compliance with the court's decision promises to create immediate havoc by disrupting, for example, title searches, service of process, collection of debts, and notification of adjoining landowners in planning and zoning matters. Access to voter lists will be compromised, as will the records of tax assessors, municipal clerks, the Secretary of the State, and the State Elections Enforcement Commission. If a legislative remedy is not acted upon clerks, assessors, and registrars will not be able to meet their duties under the law to certify the accuracy and completeness of their records that must be open to the public. In addition they will no longer be able to comply with other Statutes that prohibit the alteration of certain public records.

Long Standing Access to Public Records in Jeopardy

Public agencies will not be able to ensure that all their records comply with the Supreme Court's decision; therefore many of these records will not be available to the public for viewing which is a concern to the users of these public records.

This decision has broad implications from the affect on government and commerce to the integrity of voting and town records. Redacting addresses that are integral to the purpose of the records that contain them irreparably damages the people's right to know that their government is functioning competently and fairly.

The coalition is in agreement that:

- With the Supreme Court's interpretation of CGS § 1-217 it places an unrealistic burden of identifying and redacting all public documents where protected individuals may appear.
- The costs associated with this unfunded mandate are extreme due to the scope and volume of public records that are in print, electronic and microfilm formats.
- It is impossible for any agency to ensure ongoing compliance, causing potential liability for municipal and state agencies.
- CGS § 1-217 conflict with other State Statutes (§ 1-240 and § 53-153) which prohibit the redaction or alteration of original public records.
- The Court's decision grievously harms our commercial and government institutions, which for centuries have relied on land records, tax rolls, voter lists, and other public records to be complete, accurate and open to the public.

Proposed Language:

§ 1-217. Nondisclosure of residential addresses of certain individuals

(a) No [public agency] state department, agency, board, council, commission or institution may disclose from its personnel records, under the Freedom of Information Act, the residential address of any of the following persons employed thereby, if such person submits a written request for such nondisclosure and furnishes his business address to the executive head of such department, agency, board, council, commission or institution.

This revision reverts to the pre-1999 text of the statute, but also clarifies the statute only applies to an agency's own employees and explicitly limits its scope to the personnel records of the state agency in question. There is also the requirement of a written request.

*** Section 1-217, G.S. provides:** No public agency may disclose, under the Freedom of Information Act, the residential address of any of the following persons:

(1) A federal court judge, federal court magistrate, judge of the Superior Court, Appellate Court or Supreme Court of the state, or family support magistrate;

(2) A sworn member of a municipal police department, a sworn member of the Division of State Police within the Department of Public Safety or a sworn law enforcement officer within the Department of Environmental Protection;

(3) An employee of the Department of Correction;

(4) An attorney-at-law who represents or has represented the state in a criminal prosecution;

(5) An attorney-at-law who is or has been employed by the Public Defender Services Division or a social worker who is employed by the Public Defender Services Division;

(6) An inspector employed by the Division of Criminal Justice;

(7) A firefighter;

(8) An employee of the Department of Children and Families;

(9) A member or employee of the Board of Pardons and Paroles;

(10) An employee of the judicial branch;

(11) An employee of the department of Mental Health and Addiction Services who provides direct care to patients; or

(12) A member or employee of the Commission on Human Rights and Opportunities.