

TABLE OF CONTENTS

Description of Organization—Rules of Procedure

Article I

Organization of Agency

Duties and authority of the office of the treasurer. 3-11- 1

Basic organization 3-11- 2

Course and method of operations 3-11- 3

Location of principal office 3-11- 4

Public information 3-11- 5

Article II

Scope and Construction of Rules

Part I

General Provisions

Procedure governed. 3-11- 6

Definitions. 3-11- 7

Waiver of rules 3-11- 8

Construction and amendment. 3-11- 9

Computation of time 3-11-10

Extension of time 3-11-11

Effect of filing 3-11-12

Part 2

Formal Requirements

Date of filing 3-11-13

Identification of communications. 3-11-14

Signatures 3-11-15

Formal requirements as to documents and other papers filed in proceedings 3-11-16

Service. 3-11-17

Part 3

Requirements for Applications and Petitions, General Provisions

General rule 3-11-18

Function of application 3-11-19

Required components, general 3-11-20

Original records	3-11-21
Fees	3-11-22
Date of filing, components, deficiencies	3-11-23

Part 4

Requirements for Applications and Petitions, Special Provisions

Petition requesting the promulgation, amendment or repeal of regulations	3-11-24
Petition for declaratory ruling	3-11-25

Article III

Personal Data

Definitions.	3-11-26
General nature and purpose of personal data	3-11-27
Categories of personal data.	3-11-28
Maintenance of personal data	3-11-29
Disclosure of personal data.	3-11-30
Contesting the content of personal data records	3-11-31
Uses to be made of the personal data	3-11-32
Availability of regulations	3-11-33

Description of Organization—Rules of Procedure

Article I

Organization of Agency

Sec. 3-11-1. Duties and authority of the office of the treasurer

The duties and authority of the Office of the Treasurer are primarily set out in Article Four, Section 22 of the Connecticut Constitution and in Title 3 of the Connecticut General Statutes. The Treasurer is responsible for the safe custody of the property and money belonging to the State. The Treasurer receives all monies belonging to the State, makes disbursements as directed by Statute, and manages, borrows, and invests all funds for the State. The Treasurer oversees a large investment portfolio of pension assets, as well as serving as sole fiduciary of all state trust funds. (Effective December 28, 1993)

Sec. 3-11-2. Basic organization

The Office of the Treasurer consists of five divisions which are as follows:

(1) **The Executive Office of the Treasurer** includes the Treasurer, the Deputy Treasurer, an Assistant Treasurer and executive and administrative assistants, and has responsibility for policy-setting, investor and corporate relations, legal and legislative affairs, public education and information, and the administration of all internal department functions, including human resources, business and office services, and special project planning, and the administration of the Unclaimed Property Program, by which the Treasurer holds all property, real and personal, left unclaimed by its owners.

(2) **The Investment Division**, under the direction of an Assistant Treasurer, manages the State's multi-billion dollar pension fund portfolio, manages and invests temporarily surplus cash from all sources, and administers the Secondary Market for Student Loans, under which the Treasurer may purchase federally subsidized student loans guaranteed by the Connecticut Student Loan Foundation.

(3) **The Cash Management Division and Information Services**, under the direction of an Assistant Treasurer, has responsibility for cash accounting and reporting, cash positioning and forecasting, bank and fund reconciliation, bank administration and check processing, as well as data processing and information services.

(4) **The Debt Management Division**, under the direction of an Assistant Treasurer, administers the State's bond and debt financing program, including the sales of state bonds.

(5) **The Second Injury Division**, under the direction of an Assistant Treasurer, is a worker's compensation program for employees with a pre-existing condition who sustain an injury on the job that results in a material worsening of the condition. (Effective December 28, 1993)

Sec. 3-11-3. Course and method of operations

(a) **Executive Office of the Treasurer.** The Treasurer has overall responsibility for the operation of the agency and provides supervision and direction with regard to all activities of the agency. By statute, the Treasurer is required to appoint a Deputy, who performs all duties of the Treasurer in case of the sickness or absence of the Treasurer. In addition, the Treasurer appoints Assistant Treasurers who, under the direction of the Treasurer, advise the Treasurer on the investment of funds of the State, oversee the general financing procedure in the borrowing of money by

the State, administer the State's unclaimed property program, and perform such other duties as the Treasurer may direct.

(b) **Investment Division.** Under the direction of an Assistant Treasurer, who acts as the agency's chief investment officer, the division manages the invested assets of the State's retirement funds for which the Treasurer is the sole trustee.

The Investment Division is organized into five units which perform the following functions:

(1) **Fixed Income Unit.** This unit manages one domestic bond fund and two short term investment funds. One STIF fund is dedicated to pension assets, the second provides a cash reserve and management service to State agencies and local governments.

(2) **Real Estate Unit.** This unit manages all real estate investments largely through the use of external managers. The unit monitors investment performance, makes recommendations on proposed investments, and makes recommendations on the hiring and termination of external managers.

(3) **Operations and Trading Unit.** This unit processes all securities transactions, reconciles daily with the master custodian bank all cash balances in the pension investment system, operates an internal domestic equities trading desk, provides administrative support for local government clients in the short term investment fund, and supervises the master custodian bank in the lending of securities.

(4) **Pension Funds Analysis Unit.** This unit is responsible for monitoring, evaluating and reporting to the Treasurer and the Investment Advisory Council regarding the external managers of the International Stock Fund, the International Bond Fund, the Mutual Equity Fund (domestic stocks) and the Mutual Fixed Income Fund (domestic bonds), including interviewing and evaluating prospective managers. The unit assists in structuring and funding of assigned investment funds.

(5) **Pension Funds Accounting Unit.** This unit is responsible for all investment accounting for pension funds assets, reconciling financial reports of master custodian bank on investment funds. The unit provides financial statements to Treasurer and Assistant Treasurer.

(c) **Cash Management and Information Services Division.** Under the direction of an Assistant Treasurer, this division is responsible for the coordination of banking services for all State agencies. The Cash Management Division is organized into three units, each headed by a Director of Cash Management, which perform the following functions:

(1) **Bank Control Unit.** This unit tracks the receipts and disbursements of all State agencies, performs revenue accounting duties and prepares an annual financial report to the Governor, which consists of a reconciled statement of receipts and disbursement for each bank utilized by the State, for each State agency and for each fund administered by the Treasurer.

(2) **Bank Reconciliation Unit.** This unit coordinates the opening and closing of all State bank accounts, including selection and contracting with each bank. The unit reconciles all State vendor, payroll, trust fund, and centralized receipts bank accounts. The unit also performs check administration functions, such as processing stop payments and check reissues, as well as related research.

(3) **Cash Control Unit.** This unit monitors daily cash needs and maintains, through wire transfers, adequate balances for all agency bank accounts, and in conjunction with this function, analyzes and forecasts the State's cash flow needs. This unit also administers and performs accounting functions for the Short Term Investment Fund.

(d) **Debt Management Division.** Under the direction of an Assistant Treasurer, the division manages and coordinates all State of Connecticut bond and note issuance, including general obligation bonds, special tax obligation bonds, airport revenue bonds and short term borrowings, if and when the need arises, and maintains an overall program of debt planning. With respect to such bond and note issuance, the division: (1) coordinates the preparation of official statements and other disclosure documents, (2) coordinates the state's relationship with the credit rating agencies, (3) determines the structure, timing and the purposes included in each bond issue, (4) oversees the work of bond counsel, financial advisors and underwriters, and (5) coordinates the timing and size of bond issues with the expenditures of individual bond fund accounts and the overall cash flow needs of the state. The division also performs several tax-related functions to ensure that bond-fund programs and projects conform to Internal Revenue Code limitations and requirements for federal tax-exempt treatment. The division manages the College Savings Plan bond issuance program, which involves the special structuring of general obligation bond issues to serve as a means for families to save for college. The Debt Management Division also works in behalf of the Treasurer with each of the quasi-public authorities which issue revenue bonds.

(e) **Second Injury Division.** Under the direction of an Assistant Treasurer, the division is responsible for the operation of the Second Injury Fund. The division is organized into five units, which perform the following functions:

(1) **Claims Unit.** This unit (A) reviews legal documents, including voluntary agreements, findings and awards, for errors or omissions, (B) reviews medical reports for claimant status, injury compensability and bill payment authorization, (C) authorizes reimbursement requests from insurance carriers and (D) refers files to the medical case management unit.

(2) **Medical Case Management Unit.** This Unit's main function is to prevent abuse of Second Injury Fund programs by evaluating each claimant's medical condition and work capacity, providing education to the legal and medical community regarding rehabilitation of claimants and reintroduction of claimants into the work force, and monitoring treatment programs and equipment procurement.

(3) **Accounting Unit.** This unit is responsible for collecting all employer assessments which fund Second Injury Fund programs, producing bi-weekly claimant benefit checks and checks for insurance carriers and other vendors, and monitoring accounts receivable and reporting uncollectible accounts.

(4) **Investigations Unit.** This unit investigates employers to determine whether they have insured their worker's compensation risk. The unit investigates employee complaints of lack of worker's compensation insurance as well as initiating its own investigations, testifies at hearings, conducts asset searches and assists the Attorney General in collection actions.

(5) **Support Services Unit.** This unit maintains a computerized record of all files, provides data processing services for the entire division and provides other support services including mail, telephone, and equipment related services.

(Effective December 28, 1993)

Sec. 3-11-4. Location of principal office

The Office of the Treasurer is located at 55 Elm Street, Hartford, Connecticut 06106. Normal business hours are from 8:30 a.m. to 4:30 p.m. daily except Saturdays, Sundays, and holidays.

(Effective December 28, 1993)

Sec. 3-11-5. Public information

In conformity with the State's Freedom of Information Act (Secs. 1-15 and 1-18a to 1-21k, inclusive of the Connecticut General Statutes), it is the policy of the Office of the State Treasurer to make available for public inspection all files, records, and documents and other materials within its possession unless specifically prohibited by state or federal law.

(Effective December 28, 1993)

Article II

Scope and Construction of Rules

Part I

General Provisions

Sec. 3-11-6. Procedure governed

Sections 3-11-6 to 3-11-25, inclusive, of these rules govern practice and procedure before the Treasurer or any division of the Office of the Treasurer, an individual division head or a hearing officer, and apply to all proceedings including contested cases and proceedings on petition for regulations or declaratory rulings under the applicable laws of the State of Connecticut, but excluding proceedings under Chapter 568 of the Connecticut General Statutes and except where by statute otherwise provided.

(Effective December 28, 1993)

Sec. 3-11-7. Definitions

The definitions provided by sec. 4-166, C.G.S., shall govern the interpretation and application "sections 3-11-6 to 3-11-25, inclusive, of" these rules. In addition thereto and except as otherwise required by the context:

(a) "Agency" refers to the Office of the Treasurer.

(b) "Appellant" refers to a person who takes an appeal to the Treasurer from a decision or ruling of a presiding officer.

(c) "Applicant" is a party applying for any license, right or authority from the Treasurer.

(d) "Treasurer" means the Treasurer of the State of Connecticut.

(e) "Complainant" is any person who complains to the Treasurer of any act or omission in violation of statutes or regulations within the jurisdiction of the Treasurer or an order of the Treasurer.

(f) "Contested case" means a proceeding in the Treasurer's disposition of matters delegated to his jurisdiction by law in which the legal rights, duties, or privileges of a party are determined by the Treasurer after an opportunity for a hearing. The definition stated in sec. 4-166 (2) C.G.S. shall further define this term.

(g) "Hearing" means that portion of the Treasurer's procedures in the disposition of matters delegated to his jurisdiction by law wherein an opportunity for presentation of evidence and argument occurs, which is preceded by due notice and which includes both an opportunity to present such written and oral testimony and argument as the presiding officer deems appropriate and an opportunity to examine and cross-examine any witness giving testimony therein. Any such hearing shall be a public hearing.

(i) "License" includes all forms of permission required by Chapter 32 of the General Statutes, and any other form of permit, certificate, approval, registration or

charter whose administration has been delegated to the Treasurer by law, but it does not include a license required solely for revenue purposes.

(j) “Intervenor” means a person admitted as a participant in a contested case who is not designated a party.

(k) “Person” means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character, other than an agency as defined by section 4-166 (1), C.G.S., to which sections 3-11-6 to 3-11-25, inclusive, of these rules of practice may apply where appropriate to the context of the regulations herein set forth.

(l) “Petitioner” is a person who has filed a petition seeking relief from the Treasurer.

(m) “Presiding officer” and “Hearing Officer” mean a person designated by the Treasurer who presides at any hearing.

(n) “Respondent” means a person against whom an order or a proceeding is directed.

(Effective December 28, 1993)

Sec. 3-11-8. Waiver of rules

Where good cause appears, the Treasurer or any presiding officer may permit deviation from sections 3-11-6 to 3-11-25, inclusive, of these rules, except where precluded by law.

(Effective December 28, 1993)

Sec. 3-11-9. Construction and amendment

Sections 3-11-6 to 3-11-25, inclusive, of these rules shall be construed by the Treasurer and any presiding officer as to secure just, speedy, and inexpensive determination of the issues presented hereunder. Amendments and additions to sections 3-11-6 to 3-11-25, inclusive, of these rules may be adopted by the Treasurer by being duly promulgated as regulations in accordance with Chapter 54, C.G.S.

(Effective December 28, 1993)

Sec. 3-11-10. Computation of time

Computation of any period of time referred to in sections 3-11-6 to 3-11-25, inclusive, of these rules begins with the first day following that on which the act which initiates such period of time occurs and ends on the last day of the period so computed. This last day of that period is to be included unless it is a day on which the Office of the Treasurer is closed, in which event the period shall run until the end of the next following business day. When such period of time, with the intervening Saturdays, Sundays, and legal holidays counted, is five (5) days or less, the said Saturdays, Sundays, and legal holidays shall be excluded from the computation; otherwise such days shall be included in the computation.

(Effective December 28, 1993)

Sec. 3-11-11. Extension of time

In the discretion of the Treasurer, or the presiding officer, for good cause shown, any time limit prescribed or allowed by sections 3-11-6 to 3-11-25, inclusive, of these rules may be extended. All requests for extensions shall be made before the expiration of the period originally prescribed or as previously extended. The Treasurer shall cause all parties to be notified of the action upon any such motion.

(Effective December 28, 1993)

Sec. 3-11-12. Effect of filing

(a) The filing with the Office of the Treasurer of any application, petition, complaint, or any other filing of any nature whatsoever shall not relieve any person of the obligation to comply with any statute, regulation or order of the Treasurer.

(b) Unless the Treasurer provides otherwise in writing, accepting the filing of any non-conforming petition, application, exhibit, annex, or document of any kind whatsoever, shall not be construed as a waiver of compliance with sections 3-11-6 to 3-11-25, inclusive, of these rules.

(c) Any petition or application filed for the purpose of securing from the Treasurer an approval or grant of permission under sections 3-11-6 to 3-11-25, inclusive, of these regulations and any supporting evidence annexed or filed as part of such petition or application shall be public records, except when expressly excluded by law. Such public records will include and not be limited to all written forms, required components, pre-filed testimony, exhibits, and other evidence attached to the application as part thereof.

(Effective December 28, 1993)

Part 2

Formal Requirements

Sec. 3-11-13. Date of filing

All orders, decisions, findings of fact, correspondence, motions, petitions, applications, and any other documents governed by sections 3-11-6 to 3-11-25, inclusive, of these rules, shall be deemed to have been filed or received on the date on which they are issued or received by the Office of the Treasurer at its principal office, except as hereinafter provided.

(Effective December 28, 1993)

Sec. 3-11-14. Identification of communications

Communications should embrace only one matter and should contain the name and address of the sender and an appropriate file reference to the subject of the communication. When the subject matter pertains to a proceeding pending before the Treasurer, the title of the proceeding and the docket number should be given.

(Effective December 28, 1993)

Sec. 3-11-15. Signatures

Every application, notice, motion, petition, brief, and memorandum shall be signed by the filing person or by one or more attorneys in their individual names on behalf of the filing person.

(Effective December 28, 1993)

Sec. 3-11-16. Formal requirements as to documents and other papers filed in proceedings

(a) **Copies.** Except for routine correspondence and inquiries by the public, and as may be otherwise required by sections 3-11-6 to 3-11-25, inclusive, of these rules or by any other rules or regulations of the Treasurer or as ordered or expressly requested by the Treasurer, at the time motions, petitions, applications, documents, or other papers are filed with the Treasurer, there shall be furnished to the Treasurer the original of such papers. In addition to the original, there shall also be filed four

(4) copies for the use of the Treasurer, the staff, and the public, unless a greater or lesser number of such copies is expressly requested by the Treasurer.

(b) **Form.** Except for such forms as may from time to time be provided or adopted by the Treasurer and used where appropriate, all documents and papers including but not limited to motions, petitions, applications, notices, briefs, exhibits, and all other written materials filed for the purpose of any proceeding before the Treasurer shall be on only one side of eight and one half by eleven inch (8 1/2" x 11") paper, unless printed, and shall be double spaced. Mimeographed, multigraphed, photoduplicated or similarly reproduced copies of typewritten originals will be accepted as typewritten, provided all copies filed are clear and permanently legible.

(c) **Filing.** All motions, petitions, applications, documents or other papers relating to matters requiring action by the Treasurer shall be filed with the Treasurer, at the principal office above mentioned.

(d) Failure to comply with the provisions of this section will constitute a deficiency in filing and will be subject to the regulations governing that contingency.

(Effective December 28, 1993)

Sec. 3-11-17. Service

(a) **General rule.** Service of all documents and other papers filed in all contested cases, including but not limited to motions, petitions, applications, notices, briefs, and exhibits shall be by personal delivery or by first class mail, except as herein-after provided.

(b) **On whom served.** In addition to the filing requirements of subsection (a) of the preceding section, one copy of each document served on the Treasurer in any proceeding shall be served on every person that has theretofore been designated a party in the proceeding. Certification of such service shall be endorsed on all documents and other papers when filed with the Treasurer.

(c) **Service by the Treasurer.** A copy of any documents or other papers served by the Treasurer showing the names and addresses to whom the document or other paper was mailed and the date of mailing shall be placed in the Treasurer's files and shall be prima facie evidence of such service on the date thereof.

(d) **Service as written notice.** Written notice of all orders, decisions or authorizations, issued by the Treasurer, shall be given to all parties affected thereby and to such other person as the Treasurer may deem appropriate, by personal service upon such person or by first class mail, as the Treasurer determines.

(Effective December 28, 1993)

Part 3

Requirements for Applications and Petitions, General Provisions

Sec. 3-11-18. General rule

Petitions and applications shall include all proposals, requests, applications, petitions, and filings of whatever nature that are placed before the Office of the Treasurer pursuant to law including, but not limited to, petitions for declaratory ruling, petitions for regulations, and applications for any license.

(Effective December 28, 1993)

Sec. 3-11-19. Function of application

The petition or application and annexed materials will be treated by the Treasurer as a substantially complete statement of the case in chief of the applicant or petitioner.

(Effective December 28, 1993)

Sec. 3-11-20. Required components, general

(a) **Form.** The form to be followed in the filing of petitions and applications hereunder will vary to the extent necessary to provide for the nature of the legal rights, duties or privileges involved therein. In addition to the special provisions for particular types of petitions and applications provided by sections 3-11-6 to 3-11-25, inclusive, of these regulations, all petitions and applications shall include the following components:

(1) Each petition or application shall incorporate a statement setting forth clearly and concisely the authorization or other relief sought. The statement shall cite by appropriate reference the statutory provision or other authority under which such authorization or relief is to be granted by the Treasurer.

(2) The exact legal name of each person seeking the authorization or relief and the address or principal place of business of each such person. If any applicant or petitioner is a corporation, trust association or other organized group, it shall also give the state under the laws of which it was created or organized.

(3) The name, title, address and telephone number of the attorney or other person to whom correspondence or communications in regard to the petition or application shall be addressed. Notice, orders and other papers may be served upon the person so named; and such service shall be deemed to be service upon the petitioner or applicant.

(4) A concise and explicit statement of the facts on which the Treasurer is expected to rely in granting, the authorization or other relief sought.

(5) An explanation of any unusual circumstances involved in the petition or application to which the Treasurer will be expected to direct particular attention, including the existence of emergency conditions or any request for the granting of interlocutory relief by way of an interim order in the proceeding.

(b) **Annexed materials.** There shall be attached to the petition or application and filed as part thereof any and all exhibits, sworn written testimony, data, and all other materials that the petitioner or applicant deems necessary or desirable to support the granting of the petition or application. In addition, such annexed materials shall also include such exhibits, sworn written testimony, and other data that any statute or sections 3-11-6 to 3-11-25, inclusive, of these rules may require for the lawful determination of the petition or application.

(c) **Additional evidence submitted.** The enumeration of required items herein set forth as the minimum evidentiary submission shall not preclude the submission of additional evidence with the petition or application.

(Effective December 28, 1993)

Sec. 3-11-21. Original records

When so required, the petitioner or applicant shall furnish and make available for the use of the Treasurer the original books, papers, and documents from which any evidence supporting the granting of the petition or application is derived. Failure to furnish records as directed may be grounds for rejecting any component and, if appropriate, for the entry of a decision denying the petition or application.

(Effective December 28, 1993)

Sec. 3-11-22. Fees

(a) All application fees or other charges required or authorized by law shall be paid to the Treasurer by check or money order made payable to the Treasurer, State of Connecticut, at the time that the application is filed. Unless otherwise required

by law, he may return it, with any fee that was submitted with it, to the applicant for correction.

(Effective December 28, 1993)

Sec. 3-11-23. Date of filing, components, deficiencies

(a) The date of filing of any application with the Treasury shall be the date that the application is received by the Treasurer.

(b) An application shall consist of all of the required components and any special components set forth in sections 3-11-6 to 3-11-25, inclusive, of these regulations.

(c) Any application or petition which is incomplete or not in conformity with sections 3-11-6 to 3-11-25, inclusive, of these regulations may be rejected by the Treasurer.

(Effective December 28, 1993)

Part 4

Requirements for Applications and Petitions, Special Provisions

Sec. 3-11-24. Petition requesting the promulgation, amendment or repeal of regulations

(a) **General.** Any interested person may at any time petition the Treasurer requesting the promulgation, amendment or repeal of a regulation.

(b) **Form.** The petition shall conform to the general provisions of sections 3-11-6 to 3-11-25, inclusive, of these regulations where applicable and, in addition, shall set forth clearly and concisely the text of the proposed regulation or amendment or the provisions sought to be repealed. The petition shall also state the facts and arguments on which the petitioner relies either in the petition or in a brief annexed thereto.

(c) **Decision on petition.** Upon receipt of the petition, the Treasurer shall within thirty (30) days determine whether to deny the petition or to initiate regulation making proceedings in accordance with law.

(d) **Procedure on denial.** If the Treasurer denies the petition, the Treasurer shall give the petitioner notice in writing, stating the reasons for the denial.

(Effective December 28, 1993)

Sec. 3-11-25. Petition for declaratory ruling

(a) **General.** In addition to the provisions of Chapter 54, sections 3-11-6 to 3-11-25, inclusive, of these rules set forth the procedure to be followed by the Treasurer in the disposition of petitions for declaratory rulings as to the applicability of any statutory provision or of any regulation or order of the Treasurer.

(b) **Form of petition for declaratory ruling.** Any interested person may at any time petition for a declaratory ruling from the Treasurer with respect to the applicability to such petitioner of any statute, regulation or order enforced, administered, or promulgated by the Treasurer. Such petition shall be filed in accordance with the applicable provisions of sections 3-11-6 to 3-11-25, inclusive, of these regulations and shall in addition:

- (1) state clearly and concisely the substance and nature of the request;
- (2) identify the statute, regulation or order concerning which the inquiry is made; and

(3) identify the particular aspect thereof to which the inquiry is directed. The petition for a declaratory ruling shall be accompanied by a statement of any supporting data, facts, and arguments that support the position of the person making the inquiry.

(c) **Notice to other persons.** Within thirty days after receipt of a petition for a declaratory ruling, the Treasurer shall give notice to all persons entitled to notice under any provision of law, and to all persons who have requested notice of declaratory ruling petitions on the subject matter of the petition. The Treasurer may give notice to such other persons as he deems appropriate.

(d) **Additional parties; intervenors.**

(1) Petitions to become a party or to intervene in declaratory ruling proceedings shall be filed within forty-five days after receipt by the Treasurer of the petition for declaratory ruling. Any petition to become a party or to intervene shall be submitted in writing to the Treasurer, with copies sent to all parties and intervenors.

(2) A petition to become a party shall state the facts that demonstrate that the petitioner's legal rights, duties or privileges are affected by issuance of a declaratory ruling.

(3) A petition to intervene shall state facts that demonstrate that the petitioner's participation is in the interests of justice and will not impair the orderly conduct of the proceedings.

(4) The Treasurer will rule on petitions to become a party and petitions to intervene within fifteen days after receipt. Notice of such decision will be given to the petitioner and all parties and intervenors.

(e) **Submission of information where no hearing held.** The Treasurer may accept written statements of data, facts, argument or opinion from any party or intervenor, and from the agency. The Treasurer may require such statements to be filed under oath. All statements submitted shall be available to the public for inspection and copying, except as otherwise provided by federal law or the general statutes. Written statements filed under this section shall be submitted to the Treasurer within sixty days after receipt of the petition for declaratory ruling, but the Treasurer, in his discretion, may grant additional time for filing.

(f) **Hearing.** Within sixty days after receipt of a petition for declaratory ruling the Treasurer shall determine whether or not to hold a hearing. If a hearing is to be held notice of the time, place and nature of the hearing shall be sent to all parties and intervenors and the provisions of Sections 4-177c (b), 4-178 and 4-179 of the general statutes shall apply to the proceeding.

(g) **Action on petition where no hearing held.** Within sixty days after receipt of a petition for declaratory ruling, where no hearing is to be held, the Treasurer shall in writing:

- (1) Issue a declaratory ruling;
- (2) Order further specified proceedings;
- (3) Agree to issue a declaratory ruling by a specific date;
- (4) Decide not to issue a declaratory ruling and initiate regulation-making proceedings; or
- (5) Decide not to issue a declaratory ruling, stating his reasons for taking such action.

A copy of any written decision issued under this Section shall be served on all parties and intervenors as provided in § 3-11-17 (d).

(Effective December 28, 1993)

Article III

Personal Data

Sec. 3-11-26. Definitions

The following definitions shall apply to sections 3-11-26 to 3-11-33, inclusive of these regulations:

(a) "Category of Personal Data" means the classifications of personal information set forth in the Personal Data Act, Conn. Gen. Stat. 4-190 (9).

(b) "Other Data" means any information which because of name, identification number, mark or description can be readily associated with a particular person.

(c) Terms defined in Conn. Gen. Stat. Sec. 4-190 shall apply to sections 3-11-26 to 3-11-33, inclusive of these regulations.

(Effective December 28, 1993)

Sec. 3-11-27. General nature and purpose of personal data

The Office of the Treasurer maintains the following personal data systems:

(a) Personnel Records

(1) All personnel records are maintained in the Personnel Office of the State Treasurer, 55 Elm Street, Hartford, Connecticut.

(2) Personnel records are maintained in both automated and manual form.

(3) Personnel records are maintained for the purpose of retaining payroll, health, discipline and related personnel information concerning employees of the Office of the Treasurer.

(4) Personnel records are the responsibility of the Personnel Office of the State Treasurer, Hartford, Connecticut. All requests for disclosure or amendment of these records shall be directed to the Personnel Administrator.

(5) Routine sources for information retained in personnel records include the employee, previous employers of the employee, references provided by applicants for employment, the employee's supervisor, the Comptroller's Office, the Department of Administrative Services, Division of Personnel and Labor Relations, and State insurance carriers.

(6) Personal data in personnel records is collected, maintained and used under authority of the State Personnel Act, Conn. Gen. Stat. Sec. 5-193, et seq.

(b) Second Injury Records

(1) Second Injury Fund records are maintained at two locations: (1) Second Injury Fund, Office of the Treasurer, 10 Griffin Road North, Windsor, Connecticut; (2) Office of the Treasurer, 5th Floor Annex, 55 Elm Street, Hartford, Connecticut.

(2) Second Injury Fund records are maintained in the manual form.

(3) Second Injury Fund records are maintained to provide a complete inventory of all data required to process and document payment of claims under the jurisdiction of the Treasurer in his role as Custodian of the Second Injury Fund. In addition, records are maintained to document the fraudulent receipt of payments in regard to claims under the jurisdiction of the Second Injury Fund.

(4) The Assistant Treasurer, Second Injury Fund division, Office of the Treasurer is responsible for maintaining Second Injury Fund records. All requests for disclosure or amendment of these records shall be directed to the Assistant Treasurer, Second Injury Fund.

(5) The routine sources of information retained in Second Injury Fund records are documents filed by parties of interest to a claim under the jurisdiction of the Second Injury Fund.

(6) Second Injury Fund records are collected, maintained, and used under the authority of the Workers' Compensation Act Chapter 568, of the Connecticut General Statutes Sec. 31-275 et seq.

(c) Investment Portfolio Managers Records

(1) All investment portfolio manager records are maintained in the Investment Division, Office of the Treasurer, 55 Elm Street, Hartford, Connecticut.

(2) Investment portfolio manager records are maintained in manual form.

(3) Investment portfolio manager records are maintained in order to provide a record of the qualifications and employment and educational history of managers retained by the Treasurer.

(4) Investment portfolio manager records are the responsibility of the Assistant Treasurer - Investments. All requests for disclosure or amendment of these records should be directed to the Assistant Treasurer - Investments.

(5) The routine source for information retained in investment portfolio manager records is SEC Form ADV, submitted by managers in compliance with federal regulations.

(6) Investment portfolio manager records are collected, maintained and used under the authority of Conn. Gen. Stat. § 3-13a (b).

(d) Unclaimed Property Records

(1) All unclaimed property records are maintained in the Unclaimed Property Unit, Office of the Treasurer, 55 Elm Street, Hartford, Connecticut.

(2) Unclaimed property records are maintained in manual form.

(3) Unclaimed property records are maintained in order to provide a current listing of abandoned property which has been delivered to the Treasurer and has not been claimed by its owner, and to document payments made by the Treasurer to persons filing claims for recovery of abandoned property.

(4) Unclaimed property records are the responsibility of the Administrator of Unclaimed Property. All requests for disclosure or amendment of these records should be directed to the Administrator of Unclaimed Property.

(5) Routine sources for information retained in unclaimed property records are holder reports filed pursuant to Conn. Gen. Stat. § 3-65a and documents including claim forms filed by claimants for recovery of abandoned property.

(6) Unclaimed property records are collected, maintained and used under the authority of Conn. Gen. Stat. § 3-56a et seq., the state's Unclaimed Property Law. (Effective December 28, 1993)

Sec. 3-11-28. Categories of personal data

(a) Personnel Records

(1) The following categories of personal data may be maintained in personnel records:

(A) Educational records.

(B) Medical or emotional condition or history.

(C) Employment or business history.

(D) Other reference records.

(2) The following categories of other data may be maintained in personnel records:

(A) Addresses.

(B) Marital status.

(C) Telephone numbers.

(3) Personnel records are maintained on employees of the Office of the Treasurer and applicants for employment with the Office of the Treasurer.

(b) Second Injury Records

(1) The following categories of personal data may be maintained in second injury fund records:

- (A) Social Security numbers
- (B) Federal Tax identification numbers
- (C) Addresses
- (D) Marriage certificates
- (E) Death certificates
- (F) Birth certificates
- (G) Medical records
- (H) Prescription drug records
- (I) Spouse information
- (J) Dependent(s) information
- (K) Wage records
- (L) Employment records
- (M) Injury reports
- (N) Support garnishments
- (O) Liens
- (P) Promissory notes
- (Q) Bank account numbers
- (R) Insurance policy numbers
- (S) Incorporation information
- (T) Unemployment compensation records
- (U) Surveillance reports
- (V) Asset records
- (W) Workers' compensation commission records
- (X) Court records
- (Y) Voluntary agreements
- (Z) Stipulated agreements
- (AA) Compensation payment records
- (BB) Attorney(s) information
- (CC) Physician information

(2) Second injury fund records are maintained on individuals seeking and/or receiving payment for workers' compensation claims under the jurisdiction of the second injury fund. In addition, records are kept on employers of claimants receiving compensation payments from the second injury fund.

(c) Investment Portfolio Manager Records

(1) The following categories of personal data may be maintained in investment portfolio manager records.

- (A) Social security numbers
- (B) Federal tax identification numbers
- (C) Educational background
- (D) Employment and business history
- (E) Addresses

(2) Investment portfolio manager records are maintained on investment portfolio managers retained by the Treasurer.

(d) Unclaimed Property Records

(1) The following categories of personal data may be maintained in unclaimed property records.

- (A) Social security numbers

- (B) Federal tax identification numbers
- (C) Bank account numbers
- (D) Insurance policy numbers
- (E) Birth certificates
- (F) Death certificates
- (G) Wills
- (H) Probate court documents
- (I) Marriage licenses
- (J) Addresses

(2) Unclaimed property records are maintained on owners of abandoned property, including but not limited to persons filing claims for recovery of abandoned property. (Effective December 28, 1993)

Sec. 3-11-29. Maintenance of personal data

(a) Personal data will not be maintained unless relevant and necessary to accomplish the lawful purposes of the Office of the Treasurer. Where the Office of the Treasurer finds irrelevant or unnecessary public records in its possession, the Department shall dispose of the records in accordance with its records retention schedule and with the approval of the Public Records Administrator as per Conn. Gen. Stat. Sec. 11-8a, or if the records are not disposable under the record retention schedule, request permission from the Public Records Administrator to dispose of the records under Conn. Gen. Stat. Sec. 11-8a.

(b) The Office of the Treasurer will collect and maintain all records with accuracy and completeness.

(c) Insofar as it is consistent with its needs and mission, the Office of the Treasurer wherever practical, shall collect personal data directly from the persons to whom a record pertains.

(d) The Office of the Treasurer employees involved in the operation of the Agency's personal data systems will be informed of the provisions of (1) the Personal Data Act, (2) the Agency's regulations adopted pursuant to Sec. 4-196, (3) the Freedom of Information Act and (4) any other state or federal statute or regulations concerning maintenance or disclosure of personal data kept by the Agency.

(e) All Office of the Treasurer employees shall take reasonable precautions to protect personal data under their custody from the danger of fire, theft, flood, natural disaster and other physical threats.

(f) The Office of the Treasurer shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements or licenses for the operation of a personal data system or for research, evaluation and reporting of personal data for the Agency or on its behalf.

(g) When requesting personal data from any other state agency, the Office of the Treasurer shall have an independent obligation to insure that the personal data is properly maintained.

(h) Only employees who have a specific need to review personal data records for lawful purposes of the Agency shall be entitled to access to such records under the Personal Data Act.

(i) The Office of the Treasurer will keep a written up-to-date list of individuals entitled to access to each of the Agency's personal data systems.

(j) The Office of the Treasurer will insure against unnecessary duplication of personal data records. In the event it is necessary to send personal data records

through interdepartmental mail, such records will be sent in envelopes or boxes sealed and marked "confidential."

(k) The Office of the Treasurer will insure that all records in the manual personal data systems are kept under lock and key and, to the greatest extent practical, kept in controlled access areas.

(l) With respect to automated personal data systems the Office of the Treasurer shall:

(1) To the greatest extent practical, locate automated equipment and records in a limited access area.

(2) To the greatest extent practical, require visitors to such area to sign a visitor's log and permit access to said area on a bona-fide need-to-enter basis only.

(3) To the greatest extent practical, insure that the regular access to automated equipment is limited to operations personnel; and

(4) Utilize appropriate access control mechanisms to prevent disclosure of personal data to unauthorized individuals.

(Effective December 28, 1993)

Sec. 3-11-30. Disclosure of personal data

(a) Within four business days of receipt of a written request therefor, the Office of the Treasurer shall mail or deliver to the requesting individual a written response in plain language, informing him/her as to whether or not the Agency maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(b) Except where nondisclosure is required or specifically permitted by law, the Office of the Treasurer shall disclose to any person upon written request all personal data concerning that individual which is maintained by the agency. The procedures for disclosures shall be in accordance with Conn. Gen. Stat. Secs. 1-15 and 1-18a to 1-21k, inclusive. If the personal data is maintained in coded form, the Office of the Treasurer shall transcribe the data into a commonly understandable form before disclosure.

(c) The Office of the Treasurer is responsible for verifying the identity of any person requesting access to his/her own personal data.

(d) The Office of the Treasurer is responsible for ensuring that disclosure made pursuant to the Personal Data Act is conducted so as not to disclose any personal data concerning persons other than the person requesting the information.

(e) The Office of the Treasurer may refuse to disclose to a person medical, psychiatric or psychological data on that person if the agency determines that such disclosure would be detrimental to that person.

(f) In any case where the Office of the Treasurer refuses disclosure, it shall advise that person of his/her right to seek judicial relief pursuant to the Personal Data Act.

(g) If the Office of the Treasurer refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that person and non-disclosure is not mandated by law, the Agency shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's record to determine if the personal data should be disclosed. If disclosure is recommended by the person's medical doctor, the agency shall disclose the personal data to such person; if nondisclosure is recommended by such person's medical doctor, the Agency shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(h) The Office of the Treasurer shall maintain a complete log of each person, individual, agency or organization who has obtained access or to whom disclosure has been made of personal data under the Personal Data Act, together with the reason for each such disclosure or access. This log shall be maintained for not less than five years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(Effective December 28, 1993)

Sec. 3-11-31. Contesting the content of personal data records

(a) Any person who believes that the Office of the Treasurer is maintaining inaccurate, incomplete or irrelevant personal data concerning him/her may file a written request with the Agency for correction of said personal data.

(b) With 30 days of receipt of such request, the Office of the Treasurer shall give written notice to that person that it will make the requested correction, or if the correction is not to be made as submitted, the agency shall state the reason for its denial of such request and notify the person of his/her right to add his own statement to his/her personal data records.

(c) Following such denial by the Office of the Treasurer, the person requesting such correction shall be permitted to add a statement to his or her personal data records setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Agency's personal data system and shall be disclosed to any individual, agency or organization to which the disputed data is disclosed.

(Effective December 28, 1993)

Sec. 3-11-32. Uses to be made of the personal data

(a) Personnel Records

(1) Personnel records are routinely used for evaluating the qualifications of employment applicants, for processing promotions, reclassifications, transfers to another agency, retirements, and other personnel actions, and for evaluating the work performance of employees of the Office of the Treasurer. Users include the Personnel Administrator and other state officers and employees with responsibility for evaluating the work performance of employees of the agency, and others where permitted or required by law.

(2) The Office of the Treasurer retains personnel records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(b) Second Injury Fund Records

(1) Second Injury Fund records are used by the Treasurer to fulfill his statutory duties as Custodian of the Second Injury Fund under the provisions of the Workers' Compensation Act including but not limited to:

(A) For processing the payment of compensation claims under the Second Injury Fund statutes.

(B) For use by the Attorney General's Office in representing the Second Injury Fund in legal proceedings, and informal and formal hearings before the Workers' Compensation Commission.

(C) For the collection of monies due the Second Injury Fund by employers on whose behalf payment of compensation was made.

(D) For the purpose of making assessments on employers and insurance carriers acting on behalf of employers to finance the operations of the Second Injury Fund.

(E) For the investigation of fraudulent claims made against the Second Injury Fund. Users include the Assistant Treasurer and employees of the Second Injury

Fund who assist the Treasurer in his role as custodian of the Second Injury Fund, employees of the Attorney General's Office who act as the Second Injury Fund's legal representative, and others permitted by law.

(2) The Office of the Treasurer, Second Injury Fund division, keeps a permanent record of all files created pursuant to the Connecticut General Statutes, Chapter 568, the Worker's Compensation Act, Sec. 275 et seq. All Second Injury Fund records are maintained according to the guidelines published by the Public Records Administrator, Connecticut State Library.

(c) Investment Portfolio Manager Records

(1) Investment portfolio manager records are used by the Treasurer in the process of evaluating applicants seeking positions as investment portfolio managers. Users include the Assistant Treasurer-Investments and employees in the Investment Division who assist the Treasurer in selecting investment portfolio managers and others where permitted or required by law.

(2) The Office of the Treasurer retains investment portfolio manager records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(d) Unclaimed Property Records

(1) Unclaimed property records are used by the Treasurer to fulfill his statutory duties under the Unclaimed Property Law including but not limited to:

(A) Annual publication of notice of property presumed abandoned and transferred to the Treasurer in the previous year;

(B) Formal escheat proceedings;

(C) Evaluation of claims filed for recovery of abandoned property; and

(D) Examination of holders of abandoned property. Users include the Unclaimed Property Administrator and employees in the Unclaimed Property Unit who assist the Treasurer in fulfilling the above duties, and others where permitted or required by law.

(2) The Office of the Treasurer keeps a permanent record of all holder reports filed pursuant to Conn. Gen. Stat. § 3-65a, and retains all other unclaimed property records according to guidelines published by the Public Records Administrator, Connecticut State Library.

(e) When an individual is asked to supply personal data to the Office of the Treasurer the agency shall disclose to that individual, upon request:

(1) The name of the Agency and division within the Agency requesting the personal data;

(2) The legal authority under which the Office of the Treasurer is empowered to collect and maintain the personal data;

(3) The individual's rights pertaining to such records under the Personal Data Act and agency regulations;

(4) The known consequences arising from supplying or refusing to supply the requested personal data;

(5) The proposed use to be made of the requested personal data.

(Effective December 28, 1993)

Sec. 3-11-33. Availability of regulations

All the regulations and currently pending proposed regulations of the Office of the Treasurer shall be available for inspection during normal business hours at the Treasurer's principal office. Copies of all such regulations shall be available to any person on request. The Treasurer may charge a reasonable fee for each copy.

(Effective December 28, 1993)