

Legislative History for Connecticut Act

HB 5107	PA 519	1984
House - 122,	6071 - 6080	(11)
Senate - 160,	3188-3189, 3322	(4)
G.A.F. - 1,	4-5, 7-8, 16	(6)
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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
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PART 1

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House of Representatives

Wednesday, February 29, 1984

list of bills, List of Bills No. 8, dated February 29, 1984.

REP. GROppo: (63rd)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. John Groppo.

REP. GROppo: (63rd)

Mr. Speaker, I move that we waive the reading of the list of bills, and that they be referred to the appropriate committee.

SPEAKER STOLBERG:

Is there objection? Seeing no objection, it is so ordered.

CLERK:

For purposes of Change of Reference, the Clerk has House Bill 5107, AN ACT CONCERNING THE SUBPOENA POWERS OF THE STATE ETHICS COMMISSION. The Committee on Government Administration and Elections has met and has recommended a change of reference to the Committee on Judiciary.

SPEAKER STOLBERG:

So ordered.

CLERK:

Calendar for Wednesday, February 29, 1984, Calendar Page 1, Calendar No. 1. Senate Joint Resolution No. 7, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE

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GEN. ASSEMBLY  
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House of Representatives

Monday, May 7, 1984

CLERK:

SENATE Bill 261.

Total number voting	142
Necessary for passage	72
Those voting yea	142
Those voting nay	0
Those absent and not voting	9

SPEAKER STOLBERG:

The bill is passed.

CLERK:

Page 2, Calendar 443, Substitute for House Bill 5107,

AN ACT CONCERNING THE SUBPOENA POWERS OF THE STATE ETHICS COMMISSION. Favorable Report of the Committee on Appropriations.

REP. LYONS: (146th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Moira Lyons.

REP. LYONS: (146th)

Thank you, Mr. Speaker. Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance and passage. Will

you remark, madam?

REP. LYONS: (146th)

Yes, thank you, Mr. Speaker. Presently the State Ethics Commission does not have subpoena power until a complaint has been filed, and probable cause has been found. The Ethics Commission has testified that it is often difficult to find probable cause without subpoena power at all stages of its investigations.

Without subpoena power, at the confidential probable cause hearing, those involved in the respondent's alleged wrongdoing cannot be required to testify, and those who wish to cooperate, but feel the consequences, lack the protection of being legally compelled to provide evidence. The bill limits the right to use subpoena power to members of the commission. The commission believes that the most responsible course is to have as much evidence as possible before it finds probable cause, since such a finding is then made public. Thank you.

DEPUTY SPEAKER FRANKEL:

Will you remark further? Rep. Woodcock of the 14th District.

REP. WOODCOCK: (14th)

Mr. Speaker, the Clerk has an amendment, LCO 4098, I ask that he call the amendment, and I be permitted to

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summarize it.

DEPUTY SPEAKER FRANKEL:

REP. The Clerk has LCO No. 4098, which will be designated House "A". Would the Clerk please call the amendment.

CLERK: ENCLAVE FRANKEL:

LCO 4098, designated House "A" offered by Rep. VanNorstrand, et al.

DEPUTY SPEAKER FRANKEL:

Is there objection to summarization? Hearing none, you may proceed, Rep. Woodcock.

REP. WOODCOCK: (14th)

Thank you, Mr. Speaker. Members of the House, the amendment merely provides that the Ethics Commission shall meet upon the receipt of a complaint, and make a determination that there is sufficient evidence to further their investigations, and it also provides that the meeting will not be subject to the Freedom of Information Act, and it also provides for regulations to be adopted by the Ethics Commission, in the useage of the subpoena power that the bill will give them. I move its adoption.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the adoption of House "A"?

REP. SCHMIDLE: (106th)

Mr. Speaker.

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DEPUTY SPEAKER FRANKEL:

Rep. Mae Schmidle.

REP. SCHMIDLE: (106th)

Mr. Speaker, through you a question to Rep. Woodcock.

DEPUTY SPEAKER FRANKEL:

Please frame your question, madam.

REP. SCHMIDLE: (106th)

Thank you, sir. In line 11, after the period, where the change is made in relation to the Freedom of Information, at what point will this knowledge then become public, and at what point is this not public?

DEPUTY SPEAKER FRANKEL:

Rep. Woodcock, will you respond?

REP. WOODCOCK: (14th)

Through you, Mr. Speaker. It'll become public at the request of the respondent, and at such time as there is a meeting by the Ethics Commission to determine that there is indeed a valid complaint that has met the probable cause standard.

REP. SCHMIDLE: (106th)

Through you, sir, another question.

DEPUTY SPEAKER FRANKEL:

Rep. Schmidle.

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REP. SCHMIDLE: (106th)

Thank you. Can we back up before the meeting. What happens if an individual, before the meeting, makes a public statement, you know, I'm going to bring you to the Freedom of Information Commission, or I think this is an issue for Freedom of Information. Is that an open declaration? Who has the right to say this or do this?

DEPUTY SPEAKER FRANKEL:

Rep. Woodcock, will you respond?

REP. WOODCOCK: (14th)

Through you, Mr. Speaker, I really don't understand the question.

REP. SCHMIDLE: (106th)

Okay, prior to the meeting. I'm sorry, sir, through you. Prior to the meeting that is going to be held to make the determination as to whether there is probable cause, what if the complainant or someone involved in this whole situation declares that he is going to bring a complaint, or make public the fact that there is a possibility of a complaint being filed?

REP. WOODCOCK: (14th)

Through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Woodcock.

REP. WOODCOCK: (14th)

There is nothing in the present law, nor is there nothing in the file copy or this amendment that would prevent someone from making a public pronouncement to that effect, Rep. Schmidle.

REP. SCHMIDLE: (106th)

Through you, sir, may I continue my questioning.

DEPUTY SPEAKER FRANKEL:

Please frame your next question, madam.

REP. SCHMIDLE: (106th)

Okay. Then if, supposing I'm the one who's bringing a complaint, and I stand up, or I go to the paper, and I announce there's going to be a complaint for such and such a reason, and then the commission goes ahead and has a closed hearing, is this not already public information, whether or not there is probable cause?

REP. WOODCOCK: (14th)

Through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Woodcock.

REP. WOODCOCK: (14th)

Yes, it is indeed, public information, but it was not made public through any action of the Ethics Commission. It was made public by some individual who chose to do so.

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REP. SCHMIDLE: (106th)

Through you, sir.

DEPUTY SPEAKER FRANKEL:

Rep. Schmidle.

REP. SCHMIDLE: (106th)

Then an individual is not subject to this. Say, I as an individual, if I wanted to bring a complaint against you, I would not be subject to this. I could say whatever I needed to say or go to the press or do whatever I wanted to do, in spite of the fact that you're still going to have a closed meeting. That has no effect on me or anyone else bringing a complaint or involved in the complaint as an individual.

REP. WOODCOCK: (14th)

Through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Woodcock.

REP. WOODCOCK: (14th)

My understanding of the Ethics law, that that is indeed the case. An individual has that right to announce to the world that they have filed a complaint with the Ethics Commission. I don't believe there are any sanctions or penalties to prescribe that conduct.

REP. SCHMIDLE: (106th)

Thank you, sir.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the adoption of House

Amendment Schedule "A"? Will you remark further on its

adoption? If not, all those in favor, please signify

by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed, nay. The ayes have it. House "A"

is adopted.

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COMMISSION SHALL ADAPT SUCH REGULATIONS WITHIN ONE MONTH  
TWENTY House Amendment Schedule "A".

In line 10, after the word "shall", insert the following: ", AFTER MEETING AND DETERMINING THAT THERE IS SUFFICIENT EVIDENCE TO WARRANT SUCH INQUIRY,"

In line 11, after the period, insert the words MEETINGS OF THE COMMISSION HELD FOR THE PURPOSE OF MAKING SUCH DETERMINATIONS SHALL BE EXEMPT FROM THE PROVISIONS OF SECTIONS 1-15, 1-18a, 1-19 TO 1-19b, INCLUSIVE, AND 1-21 TO 1-21k, INCLUSIVE."

In line 12, insert an opening bracket before the word "receipt"

In line 13, after the word "complaint" insert a closing bracket and the words "SO MEETING"

In line 23, after the word "COMMISSION" insert the words "AS REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 54"

In line 28, after the period, insert the words "THE COMMISSION SHALL ADOPT SUCH REGULATIONS WITHIN ONE HUNDRED TWENTY DAYS AFTER THE EFFECTIVE DATE OF THIS ACT."

In line 145, after the word "shall", insert the following " ", AFTER MEETING AND DETERMING THAT THERE IS SUFFICIENT EVIDENCE TO WARRANT SUCH INQUIRY,"

In line 146, after the period, insert the words "MEETINGS OF THE COMMISSION HELD FOR THE PURPOSE OF MAKING SUCH DETERMINATIONS SHALL BE EXEMPT FROM THE PROVISIONS OF SECTIONS 1-15, 1-18a, 1-19 TO 1-19b, INCLUSIVE, AND 1-21 TO 1-21k, INCLUSIVE."

In line 147, insert an opening bracket before the word "receipt"

In line 148, after the word "complaint" insert a closing bracket and the words "SO MEETING"

In line 158, after the word "COMMISSION" insert the words " AS REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 54"

In line 163, after the period insert the words "THE COMMISSION SHALL ADOPT SUCH REGULATIONS WITHIN ONE HUNDRED TWENTY DAYS AFTER THE EFFECTIVE DATE OF THIS ACT."

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DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended by House "A"? Will you remark further? If not, staff and guests please come to the well of the House. The members please be seated. All unauthorized staff and guests to the well of the House, please. The Clerk please open the machine.

CLERK:

The House of Representatives is now voting by roll

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call. Members please return to the Chamber immediately.  
The House of Representatives is currently voting by roll.  
Members please return to the Chamber immediately.

DEPUTY SPEAKER FRANKEL:

Have all the members voted? If so, the machine  
will be locked, and the Clerk will please take a tally.

The Clerk please announce the tally.

CLERK:

House Bill 5107, as amended by House "A".

Total number voting	139
Necessary for passage	70
Those voting yea	138
Those voting nay	1
Those absent and not voting	12

DEPUTY SPEAKER FRANKEL:

The bill as amended is passed.

CLERK:

Calendar 490, Substitute for Senate Bill 540, AN

ACT CONCERNING UNVENTED FUEL BURNING ROOM HEATERS, as amended  
by Senate Amendment Schedule "A", correction Senate Amendment  
Schedule "B". Favorable Report of the Committee on Judiciary.

REP. SCULLY: (75th)

Mr. Speaker.

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

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ENVIRONMENT

HB 5250. An Act Concerning An Appropriation To The Council On Soil And Water Conservation.

Refer to Appropriations.

GOVERNMENT ADMINISTRATION AND ELECTIONS

HB 5107. An Act Concerning The Subpoena Powers Of The State Ethics Commission.

Refer to Judiciary.

LABOR AND PUBLIC EMPLOYEES

HB 5187. An Act Concerning Retirement Benefits For Part-Time Teachers.

Refer to Appropriations.

SENATE BILLS FAVORABLY REPORTED WITH A CHANGE OF REFERENCE

ENVIRONMENT

SB 116. An Act Concerning Low-Interest State Loans For Repair Of Dams.

Refer to Finance, Revenue and Bonding.

ENVIRONMENT

SB 130. An Act Concerning Town Clerk Fees For Kennel Licenses.

Refer to Finance, Revenue and Bonding.

LABOR AND PUBLIC EMPLOYEES

SB 80. An Act Concerning State Employees Retirement Credits For Prior Municipal Employment.

Refer to Appropriations.

LABOR AND PUBLIC EMPLOYEES

SB 82. An Act Concerning The Transfer Of Municipal Service Credits To The State Employee's Retirement System.

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CONNECTICUT  
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SENATE

PROCEEDINGS  
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TRAILER SESSION

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PART 9

3129-3515

SENATE

TUESDAY  
MAY 8, 1984

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ROC

If there are no objections, I would move it to the  
Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Cal. 776, File 567. Substitute for House Bill 5107.  
AN ACT CONCERNING THE SUBPOENA POWERS OF THE STATE ETHICS  
COMMISSION, as amended by House Amendment Schedule A.  
Favorable report of the Committee on Appropriations.

THE CHAIR:

Senator Daniels.

SENATOR DANIELS:

Thank you, Mr. President. Mr. President, I move adoption  
of the Committee's favorable report and passage of the bill  
in concurrence with House Amendment A.

THE CHAIR:

Will you remark?

SENATOR DANIELS:

yes. This bill would require the Ethics Commission to  
meet and determine that there is sufficient evidence to  
warrant an inquiry before a preliminary investigation is  
initiated. The bill, as amended by House Amendment A, added  
the provision relating to the determination of sufficient

## SENATE

TUESDAY  
MAY 8, 1984

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ROC

evidence before an investigation is conducted.

If there is no objection, Mr. President, I move that this bill be placed on the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered.

The Senate will stand at ease please. Mr. Clerk.

THE CLERK:

Cal. 777, Files 732 and 922. Substitute for House Bill 5733. AN ACT CONCERNING A PRIMARY MENTAL HEALTH PROGRAM. Favorable report of the Committee on Public Health.

THE CHAIR:

Senator Regina Smith.

SENATOR REGINA SMITH:

I move acceptance of the Committee's joint favorable report and passage of the bill, Mr. President.

THE CHAIR:

Will you remark?

SENATOR REGINA SMITH:

Yes, Mr. President. This bill would appropriate twenty-five thousand dollars for a one-year grant to selective school boards for programs to detect and prevent emotional behavioral learning problems in public school children.

If there is no objection, I move this to Consent.

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THE CHAIR:

Please give your attention to the Clerk who will call the items that were put on the Consent Calendar.

SB618-HB5294  
HB5742-HB5704  
HB5605-HB5755  
HB5824-HB5629  
HB5796-HB5162  
HB5088-HB5707

THE CLERK:

Page one - Cal. 570. Page two - Cals. 590, 642, 666, 673, 685, 737. Page three - Cals. 753, 762, 772, 775. Page four - Cals. 776, 777, 778 and 27. Page five - Cals. 38, 60, 61, 143, 147. Page six - Cals. 242, 271, 277, 282 and 345. Page seven - Cals. 369, 372, 383, 391, 465. Page eight - Cal. 501. Page nine - Cals. 302, 329. Page ten - Cal. 656.

HB5733-HB5239  
SB15-SB43-SB108  
SB312-SB489  
SB261-SB540  
SB379-SB536  
SB484-SB470  
SB276-SB455  
SB578-SB606  
SB346-HB5084

I believe that completes the list of items on today's Consent Calendar, Mr. President.

SB5078-HB5204  
SR15

THE CHAIR:

Any omissions, corrections? The machine is open. Please record your vote. Has everyone voted? The machine is closed. The Clerk please tally the vote. RESULT OF THE VOTE: 35 Yea. 0 Nay. THE CONSENT CALENDAR IS ADOPTED.

Senator Robertson.

SENATOR ROBERTSON:

Thank you very much, Mr. President. Mr. President, I would like to announce that the Republican caucus will begin at one-thirty, sir. And i would also like to ask in accordance

JOINT  
STANDING  
COMMITTEE  
HEARINGS

GOVERNMENT  
ADMINISTRATION  
AND ELECTIONS

PART 1

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1984

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State Capitol  
Room 408  
February 16, 1984  
10:00 A.M.

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kok GOVERNMENT ADMINISTRATION AND ELECTIONS

- PRESIDING CHAIRMAN: Representative Atkin
- COMMITTEE MEMBERS PRESENT:
- SENATORS: Daniels, Casey, Lovegrove
- REPRESENTATIVES: Atkin, Lyons, Giles, Jaekle, Keefe, Kusnitz, Osler, Schmidle, Swensson, Torpey

ass. 1

REP. ATKIN: Yes, I'd like to call this hearing to order, now that Sen. Lovegrove is ready. We will open the hearing with the legislators and agency heads. Signed up are Mr. Eaton from the Ethics Commission and Mr. Pearlman from FOI. First one, Mr. Eaton.

MR. J.D. EATON: Senator Daniels, Representative Atkin, and members of the committee, I'm J.D. Eaton, Executive Director and General Counsel of the State Ethics Commission. Our Chairperson, Commissioner Brown apologizes for not being here. She had planned to be out of state at this time and couldn't change her plans when this meeting, this hearing was scheduled.

The Ethics Commission supports Raised Committee Bills 44, 45, 47, 5107 and 5108. It supports the first four as they're written and it has a couple of recommendations with regard to the bill concerning confidentiality of preliminary investigations, 5108.

Since I'm a standin, although there are statements, I am going to run down the statements a little bit and try to follow the Commission's understanding.

The technical corrections in Raised Committee Bill No. 44 are supported. One of them is of immediate importance, it seems to me. You will recall that last year there were two new disclosure requirements I inserted in statements of financial interest. One was for the creditors to whom a filer owed \$10,000, over \$10,000, should be listed. The other was that leases and contracts

MR. EATON: (continued)

Raised Committee Bill No. 5107 would give the Ethics Commission subpoena power a little earlier in its proceedings. It would give the commission subpoena power once a complaint is filed. As you know now, the subpoena power is not available to the commission until probable cause is found, and it's not unusual to be unable to find probable cause because the commission doesn't have subpoena power.

The major problem is that a state employee may be willing to blow the whistle on his boss in confidence to the Ethics Commission, but he will not appear at the probable cause hearing at which his boss, as the respondent will be present, voluntarily. He won't testify unless he's subpoenaed. Obviously if it look as though he's volunteering this information, it could very well jeopardize his career. If he's subpoenaed, he can say, I have to appear or I will be found in contempt.

The commission also has trouble not getting, not only getting testimony, but documents that it needs to support a finding of probable cause.

The commission is caused considerably more trouble by this lack of subpoena power at an earlier stage because the probable cause hearings are much more thorough than was anticipated when the commission was established. At that time it was said if a complaint is filed and a person can't satisfactorily answer the charges or the complaint to the satisfaction of the commission, the commission can find probable cause.

The commission's finding of probable cause are made public and it is the commission's belief that perhaps sensational finding of probable cause will be remembered long after a formal public hearing finding of no violation will be forgotten, and I think it's fair to respondents to have a thorough probable cause hearing. It also saves the state some money.

Probable cause hearings are -- formal public hearings are quite expensive, particularly if an extensive transcript is involved, and if all the evidence that's available is brought out at a probable cause hearing the respondent

MR. EATON: (continued)  
may very well settle the matter at that stage.

The commission would prefer the unrestricted subpoena power that most state agencies have and that most agencies in other jurisdictions that have similar responsibilities. A list of the Connecticut agencies having unrestricted subpoena power, except in the case of the Ethics Commission and one other, is appended to the Chairperson's statement. However, the bill that you have raised, which would give the commission subpoena power once a complaint's filed, would solve almost all the problems that the commission suffers at the moment.

The final bill is Raised Committee Bill No. 5108, which concerns the confidentiality of preliminary investigations, the probable cause hearings I was talking about with regard to subpoena power. When the commission was established in 1977, our enforcement proceedings were made a two stage affair. The first stage which was the preliminary investigation into probable cause was intended to be confidential because of the possibility of unfounded or vicious complaint, and then followed by a formal public hearing into whether there had in fact been a violation.

The language to accomplish the confidentiality of the probable cause hearing was quite inadequate and last year the commission sponsored and the legislature enacted changes to the confidentiality provisions with regard to the persons who are affected by them, with regard to the findings and to the record, and a much more complete statement concerning confidentiality was introduced into our statutes.

The commission's recommendation was that everybody be affected by the confidentiality provision, and it was an absolute ban on anyone disclosing information concerning these proceedings. It was pointed out in the debate on this matter that this was questionable constitutionally, in that if the press were to find out something about this and publish it, our statute would impose a prior restraint on the press doing this.

Representative Tulisano brought this up and he deleted it from Part I, the Code of Ethics for Public Officials but he did not delete it from Part II. Now in Part I,

REP. OSLER: We will get --

REP. TORPEY: Is that against the law, you're bribing him or something? There must be something you're talking about.

MR. EATON: My last few comments were not all that important and they're in the statement.

REP. ATKIN: Thanks, Dave. Are there questions from the committee? Rep. Lyons

REP. LYONS: Yes, I'm not clear on something you said. When you have a (inaudible) --

REP. ATKIN: Use the mike, Moira. We're recording.

REP. LYONS: Oh, sorry. When you have a probable cause hearing -- the before also -- the complaint of the person who feels he has a reason for this is kept confidential.

MR. EATON: Right.

REP. LYONS: And the -- what is occurring at the hearing itself, unless you find that there is a reason for this to go on, is that's -- what you're saying in this bill is those pieces are kept confidential unless there's a reason for disclosure.

MR. EATON: The complaint is kept confidential unless probable cause is found because, if probable cause is found, the whole record, which would include the complaint, would become a matter of public information.

REP. LYONS: And the probable cause hearing itself would be kept confidential unless --

MR. EATON: That's right. During the proceedings, what is going on would be kept confidential. But once probable cause is found then the record, which reflects the proceedings would become public according to this bill, if probable cause is found. If probable cause is not found, then the record and the proceedings remain confidential.

REP. LYONS: And then when you were asking for subpoena powers for probable cause hearings, you made a statement

NB 5107

REP. LYONS: (continued)

that to me seems a little contradictory in the sense of keeping things confidential. You said it would be -- not that it was important, but one of the issues of this would be the sensationalism from the press, the press coverage of probable cause. Because you have subpoena powers, that would be remembered longer than the final findings afterward. What did you mean by that, then?

MR. EATON: I didn't intend to say quite that. What I said is that without subpoena power, the commission goes on whatever information it can gather. It may find probable cause and that is made public. And if it's a sensational case, there can be a good deal of publicity involved. At the formal public hearing, the commission may find no violation, even though it's found probable cause which is on a lower grade of proof and based on evidence under much looser rules than the formal public hearing. It might find at the formal --and this has happened. The commission has found probable cause in one case and went through four days of formal public hearings -- five days -- and found no violation.

The probable cause finding is more sensational than the finding of no violation. What's going to be remembered is the probable cause finding. We think, therefore, -- the commission thinks -- the the probable cause finding should be based on as good information as possible. So we should have subpoena power for it.

REP. LYONS: All right. Thank you.

REP. ATKIN: Are there further questions? Rep. Torpey.

REP. TORPEY: Yes. I thought there was something in our State Constitution that said you couldn't -- you had to have probable cause first. That you didn't go out and go after somebody and go witch hunting for probable cause. That had to be first established before you bothered anybody.

MR. EATON: The commission doesn't go out witch hunting.

REP. TORPEY: Well maybe that was a poor choice --

MR. EATON: Complaints are filed by members of the public with the commission saying I believe that the Code of Ethics

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MR. PERLMAN: (continued)  
of the House, particularly, have tried to make a distinction that publish means to put in a journal or a newspaper or that. And, if that's the intent, that's fine. It just doesn't seem to make sense in this context. But, to eliminate that kind of possible error in intent, I would suggest using the phrase "make public."

REP. KEEFE: That's the explanation I was seeking.

MR. PERLMAN: Okay, thank you.

REP. ATKIN: Thank you, Mitch. Further questions? Thanks.

MR. PERLMAN: Thank you.

REP. ATKIN: Any other agency heads or legislators wishing to speak at this time? Okay, that concludes the legislator and agency heads section of this public hearing. We do have to wait until -- have to be here at 11:00, but I'll start in with the public. And, if the public finishes before 11:00 o'clock, we will stay around in case there are any other public that shows up after 11:00. The first person listed in the public sector is Betty Gallo, Common Cause.

BETTY GALLO: My name is Betty Gallo and I'm speaking today from Common Cause, Connecticut. It probably will not surprise this committee that we are here to strongly support the ethics bills before you today. I would like to speak briefly on two of the bills. One is An Act HB5107 Concerning the Subpoena Power of the State Ethics Commission. And the other one is An Act Concerning Confidentiality of Investigative and Enforcement Actions of the State Ethics Commission. HB5108

Both of these proposals were recommendations of the Ethics Study Committee of which I was a member, and approved by this committee last year. Common Cause believes these are important reforms, especially the provision regarding subpoena power. Connecticut has model ethics legislation, but that legislation is only as good as the enforcement power of the commission. Lack of subpoena power for probable cause stage of the commission seems to be an artificially imposed barrier to enforcement. All attorneys licensed in the State of Connecticut may issue subpoenas. The Executive Director and the Invesigator for the