

PA13-244

SB0900

Government Admin. & Elections	1008-1013, 1032-1036, 1299-1304	17
House	10741-10742, 10761- 10763	5
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		26

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL.56
PART 31
10451 - 10795**

law/gbr
HOUSE OF REPRESENTATIVES

551
June 5, 2013

further on the bill as amended? Representative
Willis.

REP. WILLIS (64th):

Yes, Mr. Speaker. May I -- this resolution --
bill be moved on the Consent Calendar.

SPEAKER SHARKEY:

The motion is to move this item to the Consent
Calendar. Is there objection? Is there objection?
So ordered. Will the Clerk please call Calendar 555.

THE CLERK:

Calendar 555, favorable report of the joint
standing Committee on Planning and Development,
substitute Senate Bill 964, AN ACT CONCERNING THE
SOUTH CENTRAL CONNECTICUT REGIONAL WATER AUTHORITY.

SPEAKER SHARKEY:

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I'm about to list off a bunch of
Calendar numbers that we will be placing on the
Consent Calendar. It would be Calendar 555, Calendar
578, Calendar 596, Calendar 679, Calendar 684,
Calendar 692, Calendar 612, Calendar 665.

SB 964 SB 833
SB 383 SB 900
SJ 58 SB 1163
SB 1079
SB 709

SPEAKER SHARKEY:

If there's no objection, these items mentioned by

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Representative Aresimowicz will be placed on the
Consent Calendar. Will the Clerk please call Calendar
591.

THE CLERK:

On page 22, Calendar 591, favorable report of the
joint standing Committee on Judiciary, substitute
Senate Bill 1040, AN ACT CONCERNING COUNTERFEIT AND
NONFUNCTIONAL AIRBAGS.

SPEAKER SHARKEY:

Representative Anthony Guerrero.

REP. GUERRERA (29th):

Good evening, Mr. Speaker. I move acceptance of
the joint Committee's favorable report and passage of
the bill in concurrence with the Senate.

SPEAKER SHARKEY:

The question is acceptance of the joint
committee's favorable report and passage of the bill
in concurrence with the Senate. Will you remark, Sir?

REP. GUERRERA (29th):

Yes. This is a good bill and I would ask
everyone to vote for it. Thank you.

SPEAKER SHARKEY:

Thank you, Sir. I believe there's an amendment.

REP. GUERRERA (29th):

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HOUSE OF REPRESENTATIVES

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June 5, 2013

Nine four.

SPEAKER SHARKEY:

Nine four previously designated as Senate A.

THE CLERK:

Senate Amendment A, substitute Senate Bill 158,
LCO 5894.

REP. URBAN (43rd):

I move adoption.

REP. CAFERO (142nd):

Mr. Speaker. Mr. Speaker, we did not --

THE CLERK:

-- introduced by Senator Williams.

REP. URBAN (43rd):

Five eight nine four, I move adoption.

REP. CAFERO (142nd):

No. PT this. I mean I would request that.

Whatever you want to do.

SPEAKER SHARKEY:

The question is -- the question is PT. Without
objection so ordered. Clerk please call -- will the
Clerk please call Calendar 659. Six five nine. Yeah.

THE CLERK:

Bill number 1020, Bill number 1006, 963, 878,
964, 833, 383, 900, Senate Joint 58, 1163, 1079, 709,

1040, 326, 803, 886, 1065, 983, 190 and 158 on the
Consent Calendar.

SPEAKER SHARKEY:

Representative -- Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move adoption of the Consent
Calendar.

SPEAKER SHARKEY:

Staff and guests to the well of the House.

Members take your seats. The machine will be opened.
Open the board, Mr. Clerk. Open the board for the
Consent Calendar. Staff and guests to the well of the
House. Members take your seats. The machine will be
opened for the Consent Calendar.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will
members please come to the well of the Chamber please.
The House is voting immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members
voted? Members please check the board to make sure
your vote is properly cast. If all the members have
voted the machine will be locked and the Clerk will

take a tally. Will the Clerk please announce the tally.

THE CLERK:

On the Consent Calendar, Mr. Speaker.

Total Number Voting	146
Necessary for Adoption	74
Those voting aye	146
Those voting nay	0
Absent and not voting	4

SPEAKER SHARKEY:

The bill -- or the Consent Calendar passes.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker.

SPEAKER SHARKEY:

Mr. Majority Leader.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move we adjourn sine die.

SPEAKER SHARKEY:

The motion is to adjourn sine die. Seeing no objection, so ordered.

(On motion of Representative Aresimowicz of the 30th District, the House adjourned at 12:02 o'clock a. m.,

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
PART 14
4130 - 4472**

THE CLERK:

On Calendar page 18, Calendar Number 573, substitute for House Bill Number 6524, AN ACT CONCERNING THE MEMBERSHIP OF THE CODES AND STANDARDS COMMITTEE, Favorable Report from the Committee on Public Safety.

THE CHAIR:

Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you. Thank you, Mr. President.

Mr. President, a couple of additional items to mark at this time.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes. First, Mr. President, for an addition to our Consent Calendar, matter on Calendar page 7, Calendar 368, Senate Bill 900, would move to place that item on our Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President.

And, Mr. President, a matter to, to mark as, as go would be the next item to be taken up, Calendar

Madam President, if the other items marked go would now be marked passed retaining their place on the Calendar, and if the Clerk would read the items on the second Consent Calendar so that we might proceed to a vote on that second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On the second Consent Calendar for the day, page 6, Calendar 348, House Bill 5767; Calendar 352, House Bill Number 6452; also on page 6, Calendar 354, House Bill 6388; on page 7, Calendar 368, Senate Bill 900; page 18, Calendar 573, House Bill 6524; page 20, Calendar 591, House Bill 5727; Calendar 592, House Bill 5979; Calendar 593, House Bill 6523; Calendar 594, House Bill 6596; page 21, Calendar 605, House Bill 6567; page 23, Calendar 615, House Bill 6638; on page 24, Calendar 618, House Bill 6433; and Calendar 619, House Bill 6482; on page 33, Calendar 125, Senate Bill 906; and page 39, Calendar 422, House Bill 5718.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote. Oops, hold on a moment.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Just I wanted to indicate did we get the item on Calendar page 33 --

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

-- Calendar 125, Senate Bill 906?

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Good. Thank you very much, Madam President.

THE CHAIR:

Yeah.

SENATOR LOONEY:

I appreciate it and move that we vote the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on Consent Calendar 2 has been ordered in the Senate.

THE CHAIR:

The machine is open.

THE CHAIR:

Senator Boucher.

No problem.

Senator Maynard.

Thank you.

If all members have voted, all members have voted, the machine will be closed.

Mr. Clerk, will you call the tally.

THE CLERK:

On the second Consent Calendar for today,

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Thank you. The Consent Calendar, second Consent Calendar passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President, first of all for a, a journal notation.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, Senator Coleman was absent today due to illness. We hope that he will be back with us next week, missed votes today. And also for a point of personal privilege, Madam President.

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Thank you.

Madam President, two of our wonderful caucus colleagues on the, the Democratic staff in great

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 4
1000 - 1350**

2013

1
jf/gbr GOVERNMENT ADMINISTRATION & ELECTIONS COMMITTEE
March 11, 2013
11:00 A.M.

CHAIRMEN: Senator Musto
Representative Jutila

VICE CHAIRMEN: Senator Mayer
Representative Lesser

MEMBERS PRESENT:

SENATORS: McLachlan

REPRESENTATIVES: Conroy, D'Agostino, Hwang,
Labriola, Miller, Molgano,
Rebimbas, Sear

REP. JUTILA: Are there any remarks from my Co-Chair?
No remarks so we'll begin with the first
speaker. For the first hour we will take
testimony from public officials, and then we
will proceed to general public after that and
rotate back and forth if necessary. Please keep
your cell phones off or on vibrate, and if you
need to have conversations, please take them out
into the hallway. So with that, we'll get
going.

Our first speaker is going to be Carol Carson.

CAROL CARSON: Good morning, Chairman Musto, Chairman
Jutila, Ranking Member Senator McLachlan, and
distinguished members. For the record, I am
Carol Carson, Executive Director of the Office
of State Ethics. Thank you for this opportunity
to provide testimony concerning Senate Bill 900.
Senate Bill 900 is our Priority 1 legislation
for the 2013 legislative session, and I want to
thank the Committee for raising this bill.

The primary purpose of this legislation is to
make critical and necessary revisions to the
Code of Ethics. In sum, the bill expands the
gifts to the state exception to the prohibition

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ELECTIONS COMMITTEE

11:00 A.M.

on gifts. It was allow participation of public officials and state employees at events that facilitate state or quasi-public agency actions or functions. The proposed language was previously used in the gifts to state exception, but was removed in the -- during the 2007 legislative session.

A number of state agencies have indicated that such outright prohibitions on gifts to the state to support participation at educational events eliminates cost-effective opportunities for state agencies to train and improve the skills of their workforces. I note that such participation must facilitate state action or functions.

The bill also amends the terms for Citizen's Ethics Advisory Board, or CEAB members, to expand the pool of qualified candidates and to stagger terms to ensure a quorum of the CEAB. The bill would permit the Office of State Ethics to recover the amount of any financial benefit received by a state contractor for certain violations. It would give the office the authority to interpret -- to interpret Parts III and IV of the Code of Ethics, and it would exempt the office from certain court fee requirements.

The bill also makes other changes to the codes of ethics including adding the term intentionally to the provision that prohibits public officials and employees from counseling, authorizing, or sanction actions that violates the Code of Ethics. It would eliminate duplicative filing requirements by requiring public utilities regulatory authority directors to file statements of financial interest with the Office of State Ethics instead of a similar report currently filed with the Secretary of

State. I am happy to answer any questions you may have.

REP. JUTILA: Thank you.

Yes, Senator McLachlan.

SENATOR MCLACHLAN: Thank you, Mr. Chairman. And good morning, thanks for your testimony. Could you clarify for us the challenge that -- that you're facing with the terms of commissioners and the challenge of the lack of quorum.

CAROL CARSON: Sure. The board members serve four years staggered, non-renewable terms. Only five of the nine members may be of the same political party. Currently each year there is -- there is some changeover. Currently, well, except for one. Currently the changeover goes two new members, then the next year it's three new numbers, the next year it's four, and then the next year it's zero.

The problem with the four year where we lose four members is that for some of the actions that the board may be required to take, the board needs a quorum of six. And having four people leave at the same time would leave us with only five. There are times when we have not had a fully-seated board. When someone leaves, the appointing authority in some instances has a difficult time finding the right person because there are so many restrictions on being able to serve.

SENATOR MCLACHLAN: Thank you. And through you, Mr. Chairman, as it stands now or in other boards and commissions throughout state and local government, someone serves until they're replaced. And does that not work in this case where you -- your quorum problem can be

overcome?

CAROL CARSON: It -- it doesn't work because the board members serve a four-year term that starts on October 1 and ends four years later. There is a limited exception that it says that if someone was appointed to fill out a term, they're entitled to their own four-year term. I believe the -- the thought was to keep fresh membership coming into -- to the -- to the board each year.

SENATOR MCLACHLAN: Thank you. Thank you, Mr. Chair.

REP. JUTILA: Other questions from members of the Committee?

Representative Lesser.

REP. LESSER: Thank you, Mr. Chairman. Thank you, Carol, for your testimony here today and for your work in putting this bill together. Just a couple of questions, one, I think the intent of Section -- this is about -- regarding Section 5 of the bill which I think is intended to be technical in nature, although you may correct on that, it include -- adds the word former to the conflict of interest section about arguing before the board. I just want to be clear that we're not doing anything non-technical with that by inadvertently allowing members of the board to represent clients before the board. Obviously that would be inappropriate, but I just wanted to see if you had any thoughts about making sure that that continues to be prohibited.

CAROL CARSON: You're correct that it doesn't -- I mean it doesn't loosen while they're on the board the ability to represent anyone. It just makes clear that that section applies to board

members when they leave the board. It really is a technical, as you said.

REP. LESSER: All right. I just want to just -- I think we should just make sure that that doesn't inadvertently -- I don't think that was your intent, but inadvertently open up the possibility of allowing board members to represent clients before the board while they're serving on it which would be --

CAROL CARSON: I'll go back and look at that --

REP. LESSER: Okay.

CAROL CARSON: -- and I will get back to you and have a clarification.

REP. LESSER: Thank you. And I -- I just also hope -- because this is a proposal that this Committee has considered before.

CAROL CARSON: Yes.

REP. LESSER: At least parts of this are -- have been before us before. I understand that there's a slight distinction between the gifts to the state exception and -- this year that we're considering versus the changes that you were proposing in years past, and I was hoping you could clarify the change.

CAROL CARSON: Last year which in Senate Bill 36 we had language that -- that required the head of the agency to certify that attendance at this event by a public official or employee was -- would, in fact, facilitate a state action or function. The -- what -- by taking that out, it gives the authority to the Office of State Ethics to make such determinations. So we think it's stronger.

REP. LESSER: Okay. Well, I appreciate that. And I -- and I just want to -- I think last year I had expressed some concerns that this would help agencies become more dependent on the folks that they regulate for financing -- daily operations. I think this is a step in the right direction. But I'll just reiterate my concerns about making sure that we don't have agencies dependent for their funding as much as possible on -- on the institutions they regulate. I think that's created problems in other states and nationally when -- when that happens. I think this language change though is an improvement and I look forward to continuing to work with your office. Thank you.

CAROL CARSON: Thank you.

REP. JUTILA: Other questions from members of the Committee?

If not, thank you for your testimony.

CAROL CARSON: Thank you.

REP. JUTILA: The next speaker will be Secretary of State Denise Merrill

SECRETARY OF STATE DENISE MERRILL: Good morning once again to the GAE Committee, the Chairs, members of the Committee, and nice to be here again. I am Denise Merrill, for the record, Secretary of the State of Connecticut. There are many bills on the agenda today and many that affect the conduct and administration of elections. So in the interest of time, I will just testify on the bills that are most relevant to the Secretary of State's Office and then I can take questions afterwards if there are others.

SB775
SB777
HB428
SB774
SB779
SB901
SB1057

was done for security reasons.

But I think at this point it has moved to the point where I think we could have a log-in system. But that's the only difference, it would be the same software system. And I believe Converse 2 probably does have the capability of using the barcodes, it's just another field, the information is already on the driver's licenses. And probably especially when we implement the online voter registration system in 2014, it would be easy to add that information, you know, into Converse 2.

REP. LESSER: Well, thank you so much for your answers.

SECRETARY OF STATE DENISE MERRILL: Sure.

REP. JUTILA: Any other questions?

If not, thank you again, Secretary Merrill, for your testimony.

SECRETARY OF STATE DENISE MERRILL: Thank you. Nice to see you all.

REP. JUTILA: Good to see you.

The next speaker is Charles Chiusano and he will be followed by Robert Ward. Robert Ward and John Geragosian who I suspect may be testifying together.

CHARLES CHIUSANO: Good morning, Senator Musto, Representative Jutila, Ranking Member Senator McLachlan and distinguished Committee members. For the record, I am Charles F. Chiusano, Chairman of the Citizen's Ethics Advisory Board for the Office of State Ethics. Thank you for this opportunity to provide testimony concerning

SB900

Senate Bill 900.

The primary purpose of Senate Bill 900 is to provide necessary revisions to the codes of ethics. As you know, the CEAB is the governing body of the Office of State Ethics which is statutorily tasked with the interpretation of the codes of ethics through the issuance of advisory opinions and adjudication of ethics enforcement matters brought under the ethics laws. Members of the CEAB hail from all areas of the state and all walks of life. The CEAB cannot act unless it has a quorum of six members.

Pursuant to Section 1-82 and Section 1-83 of the General Statutes, the CEAB members must be physically present in order to vote on whether a violation of the codes of ethics has occurred. Lack of a quorum in the CEAB proceedings would have devastating consequences to the operations of the agency. In 2012, the CEAB issued 10 advisory opinions, approved 13 audits of registered client and communicator lobbyists, and was responsible for overseeing numerous settlements and Uniform Administrative Procedures Act hearing matters related to disclosures.

In addition, there are currently many pending enforcement matters that could potentially lead to adjudicatory board hearings requiring the CEAB to act as the fact finder. The proposed revisions to the governance of the CEAB presented in Senate Bill 900 will minimize the possibility of a lack of a quorum and provide for more gradual replacement of its members through a staggering of terms. Therefore, the board supports the language in Section 2 of Senate Bill 900 which alternates CEAB appointments in a way that will prevent more

than three terms from expiring in a single year.

This amendment would alter the replacement of members so that only two and in one instance three members would be replaced each year. Such revisions to the General Statutes will ensure that the CEAB is able to gather a quorum of six members during its proceedings. The board also supports language in Section 3 that excludes from the term public office a Justice of the Peace or a Notary Public and thus permits such individuals to serve on the CEAB.

The language in essence mirrors a similar provision that is found in the Elections Statutes. This amendment to the term public office will expand the pool of qualified candidates who could be eligible to serve on the CEAB without deluding the conflict of interest requirements of such appointments.

I look forward to working with the Government Administrations and Elections Committee and members of the General Assembly in the future to perhaps consider allowing board members to continue serving past the end of the terms for the limited purpose of -- to complete adjudicating a case. Again I thank you for raising Senate Bill 900 and thank you for your consideration of the Citizen's Ethics Advisory Board's views concerning the Office of State Ethics agency proposal.

REP. JUTILA: Thank you.

Questions from members of the Committee?

Senator McLachlan.

SENATOR MCLACHLAN: Thank you, Mr. Chairman. And thank you for your testimony, Mr. Chairman,

ELECTIONS COMMITTEE

today and for your service. You raise a good point about extending the term temporarily, and it's not unusual in government commissions and boards where a member whose term has expired continues to serve until such time as they're replaced by the appointing authority. Do you see any problem with your current rule of staggered terms and limit of -- limit of terms if that were to be the case?

CHARLES CHIUSANO: No sir, and I don't see them conflicting with one another. If we could eventually get the change to allow a member to continue just through a hearing that has already started before his or her term has expired, that would solve that problem.

SENATOR MCLACHLAN: Thank you. And as it currently exists now as a matter of practice, is the commission not beginning hearings when it's approaching term termination dates because of that current rule?

CHARLES CHIUSANO: We cannot delay starting a hearing because there is a time limit from the time facts are found stating the hearings should be started. We have no more than 30 days to start the hearing, so we can't take into account the expiration of a member's term. And it has happened where a hearing has started and it had to be adjourned because one of the members had timed out on his appointment.

SENATOR MCLACHLAN: Thank you. And in that case did that mean that the hearing had to start from scratch at a future date to -- to be completed?

CHARLES CHIUSANO: There are two possibilities. One is that we would have to adjourn and start all over with new members and then we have to start from the beginning because everyone who is

adjudicating that case must be physical present from beginning to end. It also could lead to the case being abandoned. And in either case, if a case is started and then we lose a member, it's costing the state money for something that may not ever come to fruition.

SENATOR MCLACHLAN: Thank you. Thank you for your answers and for being here today. Thank you, Mr. Chairman.

REP. JUTILA: Other questions from members of the Committee?

Yes, Mr. Chairman, just a quick question on the current law that excludes as public officials Justices -- Justices of the Peace and Notary Publics, I would think that's probably a pretty decent pool of people given the number of JPs in each town. Have there been officials holding these offices that you're aware of who would like to have served and perhaps would be well qualified to serve but haven't been able to because of the limitations in the current statute?

CHARLES CHIUSANO: I believe so, Representative Jutila. But it came before I became chairman of the board that there were members who were looked at to be appointed, but could not accept an appointment because of that.

REP. JUTILA: Thank you.

Any other questions?

Thank you again for your testimony.

CHARLES CHIUSANO: Thank you for taking the time.

REP. JUTILA: Next up Robert Ward and John Geragosian

Written

Testimony of Tom Swan

Executive Director of the Connecticut Citizen Action Group (CCAG)

On Various Bills (SB 900, SB 901, SB 902, and HB 6580) Before the Government Administration and Elections Committee

March 11, 2013

Good Afternoon Senator Musto, Representative Jutila and other members of the GAE Committee, my name is Tom Swan and I am the Executive Director of the CT Citizen Action Group (CCAG). On behalf of CCAG's over 20,000 member families I want to thank you for holding today's hearing. I will be offering brief comments on a number of the bills before you today.

First, SB 900 AAC Revisions to the State Ethics Code. CCAG supports the amending of the terms of CEAB members and the ability to recover financial benefits received by a state contractor, and the technical change in the filing deadline. We want to take this opportunity to raise our concerns with the entire consolidation into the Office of Government Accountability and our opposition to Governor's proposed budget changes.

Second, SB 901 AAC Post Election Audits. We oppose this bill because the audits are instrumental in voters having faith in our elections system and the way this bill cuts them in half will lessen our confidence.

Third, CCAG supports SB 902 AAC legal Notices in Newspapers. We would actually propose the state create a web page where legal notices are hosted and eliminate this cost for municipalities. Newspaper readership continues to decline and the value these notices used to provide is no longer there. There are cheaper and more effective ways to notify the public and we should take advantage of them.

Finally HB 6580 AAC Failure to File a Report of an Independent Expenditure. CCAG supports the idea of increasing these penalties. We saw how secretive independent expenditures were successful in at least one race this year. The individuals and entities behind the attacks have not been punished. Clearly they did not see the possible punishment as enough of deterrent to make them follow the law. Therefore, we need make sure that the punishment is enough and structured in a manner to discourage breaking of the law or would match the violation, which is significant.

Thanks you for your time.



LEAGUE OF WOMEN VOTERS OF CONNECTICUT, INC.

CGA Government Administration and Elections Committee

March 11, 2013 Public Hearing

Comments Submitted by Pat Reilly, Connecticut League of Women Voters, Ethics Specialist

Comments On:

S.B. 900 AAC REVISIONS TO THE STATE CODES OF ETHICS

I am Pat Reilly, Ethics Specialist for the League of Women Voters of Connecticut. Thank you for the opportunity to submit comments for S.B. 900 AAC REVISIONS TO THE STATE CODES OF ETHICS.

The League of Women Voters of Connecticut, a statewide organization with over 1600 members, believes that the public should have confidence in the integrity of its government. Government officials and employees should be held accountable for carrying out their duties in both an effective and ethically responsible manner. To accomplish these ends, the League supports efforts to reform, strengthen and clarify Connecticut's Codes of Ethics for Public Officials, as well as measures to strengthen the functioning and governance of the Office of State Ethics (OSE).

In general the League supports Senate Bill 900. We highlight our support for the following provisions.

- The bill expands the pool of qualified candidates for the Citizen's Ethics Advisory Board (CEAB) to include the offices of justice of the peace or notary public and staggers terms to ensure a quorum.
- Under S.B.900, the OSE can recover the amount of any financial benefit received by a state contractor because of violations found in C.G.S Section 1-101nn, violations such as an intentional attempt to circumvent state competitive bidding. A comprehensive code of ethics applicable to state contractors is crucial to the transparent, efficient, cost effective operation of the state of Connecticut.
- The bill narrows the prohibition on gifts to the state by permitting participation of public officials and state employees at an event that facilitates state or quasi-public agency action or functions. We support the change because we share the concern of some agencies that the current prohibition on participation by officials and state employees limits cost-effective opportunities for state agencies to train and improve the skills of their workforces. For this provision to be successful, the qualification that such participation must facilitate state action or functions must be promulgated, adhered to, and enforced.
- S.B. 900 gives the OSE the authority to interpret Parts III and IV of chapter 10 of the general statutes. Part III Lobbying: Miscellaneous Provisions. Part IV Ethical Considerations Concerning Bidding and State Contracts.

Thank you for your consideration.

League of Women Voters of Connecticut, 1890 Dixwell Avenue, Suite 203, Hamden, CT 06514-3183
Phone (203) 288-7996 Fax (203) 288-7998 e-mail lwvct@lwvct.org Web site www lwvct.org

Written



Written

**TESTIMONY OF
CONNECTICUT HOSPITAL ASSOCIATION
SUBMITTED TO THE
GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
Monday, March 11, 2013**

SB 900, An Act Concerning Revisions To The State Codes Of Ethics

The Connecticut Hospital Association (CHA) appreciates this opportunity to submit testimony concerning **SB 900, An Act Concerning Revisions To The State Codes Of Ethics**. **CHA supports this bill.**

While SB 900 makes a variety of modifications to the State Codes of Ethics, this testimony will focus on Section 1 of the bill and its proposed changes to the definition of "goods or services" as it relates to gifts to the state. The newly proposed language will permit state employees to attend or participate in events, forums, or trainings that may be funded or provided by regulated entities, provided that the state employees' attendance at such events furthers the mission, action, or function of state government.

For a number of years, CHA has been collaborating with the Department of Public Health (DPH) to improve healthcare quality and safety for Connecticut's hospital patients. As you may know, DPH utilizes licensed nurses to inspect hospitals. Once a nurse becomes a DPH employee, he or she stops working in direct patient care and may only attend education or training sessions paid for by federal or state dollars. Through CHA's quality improvement efforts, we have been able to host nationally known quality leaders and speakers to provide firsthand training to hospital staff and leadership. Unfortunately, DPH staff participation in these educational programs is not permitted under the current law because the cost associated with the training is considered a gift to the state.

The new definition of goods or services in the bill would allow CHA and hospitals to host training sessions, forums, and events, both at the Association and at hospitals that could include participation by state employees. These forums would allow for the sharing of nationally recognized evidence-based quality improvement measures and practices, which is an essential part of improving care in Connecticut.

CHA welcomes the opportunity to further engage the state as a partner in improving the quality of care provided to Connecticut's residents, and urges you to support Section 1 of **SB 900**.

Thank you for your consideration of our position. For additional information, contact CHA Government Relations at (203) 294-7310.



STATE OF CONNECTICUT
OFFICE OF STATE ETHICS
CITIZEN'S ETHICS ADVISORY BOARD

*TESTIMONY PRESENTED BEFORE THE GOVERNMENT ADMINISTRATION
AND ELECTIONS COMMITTEE*

March 11, 2013

*Statement of Charles F. Chiusano, Chairman
Citizen's Ethics Advisory Board*

Senate Bill 900 – AAC Revisions to the State Codes of Ethics

Good morning, Senator Musto, Representative Jutila, Ranking Members Senator McLachlan and Representative Hwang, and distinguished Committee members. For the record, I am Charles Chiusano, Chairman of the Citizen's Ethics Advisory Board for the Office of State Ethics. Thank you for this opportunity to provide testimony concerning Senate Bill 900.

The primary purpose of Senate Bill 900 is to provide necessary revisions to the Codes of Ethics. As you know, the CEAB is the governing body of the Office of State Ethics, which is statutorily tasked with the interpretation of the Codes of Ethics through the issuance of Advisory Opinions and adjudication of ethics enforcement matters brought under the ethics laws.

Members of the CEAB hail from all areas of the state and all walks of life. The CEAB cannot act unless it has a quorum of six members. Pursuant to section 1-82 and section 1-83 of the general statutes, the CEAB members must be physically present in order to vote on whether a violation of the Codes of Ethics has occurred. Lack of a quorum in CEAB proceedings would have devastating consequences to the operations of the agency. In 2012, the CEAB issued ten Advisory Opinions, approved 13 audits of registered client and communicator lobbyists, and was responsible for overseeing numerous settlements and Uniform Administrative Procedures Act (UAPA) Hearing matters related to disclosures. In addition, there are currently many pending enforcement matters that can potentially lead to adjudicatory board hearings, requiring the CEAB to act as the fact finder.

The proposed revisions to the governance of the CEAB presented in Senate Bill 900 will minimize the possibility of a lack of a quorum and provide for more gradual replacement of its members through a staggering of terms. Therefore, the Board supports the language in section 2 of Senate Bill 900, which alternates CEAB appointments in a way that will prevent more than three terms from expiring in a single year. This amendment would alter the replacement of members, so that only two, and in one instance three, members would be replaced each year. Such revision to the general statutes will ensure that the CEAB is able to gather a quorum of six members during its proceedings.

*Chairman Chiusano
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The Board also supports the language in section 3 that excludes from the term "public office" a justice of the peace or a notary public and thus permits such individuals to serve on the CEAB. The language in essence mirrors a similar provision that is found in the elections statutes. This amendment to the term "public office" will expand the pool of qualified candidates who could be eligible to serve on the CEAB, without diluting the conflict of interest requirements for such appointments.

I look forward to working with the Government Administrations and Elections Committee and members of the General Assembly in the future to perhaps consider allowing Board members to continue serving past the end of their terms for the limited purpose to complete adjudicating a case.

Again, thank you for raising Senate Bill 900 and for your consideration of the Citizen's Ethics Advisory Board's views concerning the Office of State Ethics agency proposal.



STATE OF CONNE
OFFICE OF STATE ETHICS

*TESTIMONY PRESENTED BEFORE THE GOVERNMENT ADMINISTRATION
AND ELECTIONS COMMITTEE*

March 11, 2013

Statement of Carol Carson, Executive Director, Office of State Ethics

Senate Bill 900 – AAC Revisions to the State Codes of Ethics

Good morning, Senator Musto, Representative Jutila, Ranking Members Senator McLachlan and Representative Hwang, and distinguished Committee members. For the record, I am Carol Carson, Executive Director of the Office of State Ethics. Thank you for this opportunity to provide testimony concerning Senate Bill 900, which is the Office of State Ethics proposal that is on the Committee's agenda today.

Senate Bill 900 is our Priority 1 legislation for the 2013 legislative session and I want to thank the Committee for raising this bill. The primary purpose of this legislation is to make critical and necessary revisions to the Codes of Ethics.

In sum, the bill expands the "gifts to the state" exception to the prohibition on gifts by including participation of public officials and state employees at an event that facilitates state or quasi-public agency action or functions. The proposed language was previously used in the "gifts to the state" exception, but was removed during the 2007 legislative session out of concern that donors may target specific officials and employees. A number of state agencies have indicated that such outright prohibition on gifts to the state to support participation of public officials and state employees at events eliminates cost-effective opportunities for state agencies to train and improve the skills of their workforces. Such participation must facilitate state action or functions.

The bill also amends the terms for Citizen's Ethics Advisory Board ("CEAB") members to expand the pool of qualified candidates and to stagger terms to ensure a quorum of the CEAB; and eliminates duplicative filing requirements and makes technical changes for consistency and clarification.

The bill would permit the Office of State Ethics to recover the amount of any financial benefit received by a state contractor for certain violations. It would give the office the authority to interpret Parts III and IV of chapter 10 of the general statutes and it would exempt the office from certain court fee requirements.

The bill also makes other changes to the codes of ethics including adding the term "intentionally" to the provision that prohibits public officials and employees from counseling, authorizing or sanctioning action that violates the Code of Ethics. It would require Public Utilities Regulatory Authority directors to file Statements of Financial Interests and eliminate the filing of a similar report with the Secretary of the State.

Finally, the bill also makes a number of minor clarifications such as extending the May 1 filing deadline for Statements of Financial Interests to the next business day in cases where May 1 falls on a weekend or holiday, and making consistent the February 15 deadline for filing an Annual Report with the Governor.

Thank you for your consideration of our agency proposal.

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