



General Assembly

Substitute Bill No. 5819

February Session, 2000

An Act Concerning Voting On Charter Revisions For Special Districts And The Establishment Of Ethics Agencies By Special Districts.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-328a of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) Any district, as defined by section 7-324, established by special
4 act may, by a two-thirds vote of the voters present at a district meeting,
5 elect to make its charter, including any amendments thereto adopted
6 by special act, subject to amendment by home rule action as hereinafter
7 provided, but no home rule charter amendment shall be adopted
8 which will grant to the district any authority exceeding that granted to
9 districts under this chapter.

10 (b) A home rule charter amendment shall be initiated by a two-
11 thirds vote of the entire membership of the board of directors or other
12 governing body of the district, or by a petition filed with the clerk of
13 the district for submission to the governing body and signed by not
14 less than ten per cent of the voters of the district. Upon the filing of
15 such petition the clerk shall determine its sufficiency by comparing the
16 signatures thereon with the names of the voters of the district and shall
17 certify its sufficiency or insufficiency to the governing body.

18 (c) The provisions of sections 7-189, 7-190 and 7-191 shall apply to

19 home rule charter amendments by districts; provided "appointing
20 authority" shall mean the board of directors or other governing body,
21 "electors of the town, city or borough" shall mean voters of a district,
22 "election" shall mean a district meeting or a regular election, and "town
23 or city clerk" shall mean the district clerk.

24 Sec. 2. Section 7-148h of the general statutes is repealed and the
25 following is substituted in lieu thereof:

26 (a) Any town, city, district, as defined in section 7-324, or borough
27 may, by charter provision or ordinance, establish a board, commission,
28 council, committee or other agency to investigate allegations of
29 unethical conduct, corrupting influence or illegal activities levied
30 against any [municipal] official, officer or employee of such town, city,
31 district or borough. The provisions of subsections (a) to (e), inclusive,
32 of section 1-82a shall apply to allegations before any such agency of
33 such conduct, influence or activities, to an investigation of such
34 allegations conducted prior to a probable cause finding, and to a
35 finding of probable cause or no probable cause. Any [such] board,
36 commission, council, committee or other agency established pursuant
37 to this section may issue subpoenas or subpoenas duces tecum,
38 enforceable upon application to the Superior Court, to compel the
39 attendance of persons at hearings and the production of books,
40 documents, records and papers.

41 (b) Notwithstanding the provisions of any special act, municipal
42 charter or ordinance to the contrary, an elected [municipal] official [,
43 in] of any town, city, district or borough [which] that has established a
44 board, commission, council, committee or other agency under
45 subsection (a) of this section, has an interest [which] that is in
46 substantial conflict with the proper discharge of [his] the official's
47 duties or employment in the public interest and of [his] the official's
48 responsibilities as prescribed by the laws of this state, if [he] the official
49 has reason to believe or expect that [he, his] the official, the official's
50 spouse [, a] or dependent child, or a business with which he is
51 associated, as defined in section 1-79, will derive a direct monetary

52 gain or suffer a direct monetary loss, as the case may be, by reason of
53 [his] the official's official activity. Any such elected [municipal] official
54 does not have an interest [which] that is in substantial conflict with the
55 proper discharge of [his] the official's duties in the public interest and
56 of [his] the official's responsibilities as prescribed by the laws of this
57 state, if any benefit or detriment accrues to [him, his] the official, the
58 official's spouse [, a] or dependent child, or a business with which he,
59 his spouse or such dependent child is associated as a member of a
60 profession, occupation or group to no greater extent than to any other
61 member of such profession, occupation or group. Any such elected
62 [municipal] official who has a substantial conflict may not take official
63 action on the matter.

GAE Committee Vote: Yea 21 Nay 0 JFS-LCO
PD Committee Vote: Yea 13 Nay 0 JF