



General Assembly

January Session, 2003

Committee Bill No. 6090

LCO No. 4588

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT PROHIBITING MEMBERS OF THE STATE COMMISSION ON THE ARTS FROM SOLICITING CONTRIBUTIONS FROM GRANT RECIPIENTS AND CONCERNING MEMBERSHIP ON SAID COMMISSION.

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

1 Section 1. Section 9-333x of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 The following persons shall be guilty of illegal practices and shall be
4 punished in accordance with the provisions of section 9-333y:

5 (1) Any person who, directly or indirectly, individually or by
6 another person, gives or offers or promises to any person any money,
7 gift, advantage, preferment, entertainment, aid, emolument or other
8 valuable thing for the purpose of inducing or procuring any person to
9 sign a nominating, primary or referendum petition or to vote or refrain
10 from voting for or against any person or for or against any measure at
11 any election, caucus, convention, primary or referendum;

12 (2) Any person who, directly or indirectly, receives, accepts,

13 requests or solicits from any person, committee, association,
14 organization or corporation, any money, gift, advantage, preferment,
15 aid, emolument or other valuable thing for the purpose of inducing or
16 procuring any person to sign a nominating, primary or referendum
17 petition or to vote or refrain from voting for or against any person or
18 for or against any measure at any such election, caucus, primary or
19 referendum;

20 (3) Any person who, in consideration of any money, gift, advantage,
21 preferment, aid, emolument or other valuable thing paid, received,
22 accepted or promised to the person's advantage or any other person's
23 advantage, votes or refrains from voting for or against any person or
24 for or against any measure at any such election, caucus, primary or
25 referendum;

26 (4) Any person who solicits from any candidate any money, gift,
27 contribution, emolument or other valuable thing for the purpose of
28 using the same for the support, assistance, benefit or expenses of any
29 club, company or organization, or for the purpose of defraying the cost
30 or expenses of any political campaign, primary, referendum or
31 election;

32 (5) Any person who, directly or indirectly, pays, gives, contributes
33 or promises any money or other valuable thing to defray or towards
34 defraying the cost or expenses of any campaign, primary, referendum
35 or election to any person, committee, company, club, organization or
36 association, other than to a campaign treasurer, except that this
37 subdivision shall not apply to any expenses for postage, telegrams,
38 telephoning, stationery, express charges, traveling, meals, lodging or
39 photocopying incurred by any candidate for office or for nomination to
40 office, so far as may be permitted under the provisions of this chapter;

41 (6) Any person who, in order to secure or promote the person's own
42 nomination or election as a candidate, or that of any other person,
43 directly or indirectly, promises to appoint, or promises to secure or
44 assist in securing the appointment, nomination or election of any other

45 person to any public position, or to any position of honor, trust or
46 emolument; but any person may publicly announce the person's own
47 choice or purpose in relation to any appointment, nomination or
48 election in which the person may be called to take part, if the person is
49 nominated for or elected to such office;

50 (7) Any person who, directly or indirectly, individually or through
51 another person, makes a payment or promise of payment to a
52 campaign treasurer in a name other than the person's own, and any
53 campaign treasurer who knowingly receives a payment or promise of
54 payment, or enters or causes the same to be entered in the person's
55 accounts in any other name than that of the person by whom such
56 payment or promise of payment is made;

57 (8) Any person who knowingly and wilfully violates any provision
58 of this chapter;

59 (9) Any person who offers or receives a cash contribution in excess
60 of one hundred dollars to promote the success or defeat of any political
61 party, candidate or referendum question;

62 (10) Any person who solicits, makes or receives a contribution that
63 is otherwise prohibited by any provision of this chapter; [or]

64 (11) Any department head or deputy department head of a state
65 department who solicits a contribution on behalf of, or for the benefit
66 of, any candidate for state, district or municipal office or any political
67 party; or

68 (12) Any member of the State Commission on the Arts who solicits a
69 contribution on behalf of, or for the benefit of, any candidate for state,
70 district or municipal office, any political committee or any political
71 party from (A) an owner, director or officer of an entity that has
72 applied for or received a grant from the commission during the
73 preceding four years, (B) an employee of such an entity who has
74 managerial or discretionary responsibilities with respect to such a

75 grant, (C) the spouse or a dependent child of an individual described
76 in subparagraph (A) or (B) of this subdivision, or (D) a political
77 committee established by or on behalf of an individual described in
78 subparagraph (A), (B) or (C) of this subdivision.

79 Sec. 2. Subsection (a) of section 10-369 of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective July*
81 *1, 2003*):

82 (a) There shall be a State Commission on the Arts. Commencing on
83 July 1, 1987, the commission shall consist of the president of the
84 Connecticut Advocates for the Arts, any member of the National
85 Council on the Arts who resides in Connecticut and twenty-one
86 members appointed as follows: On or before July 1, 1985, the Governor
87 shall appoint five members of the commission, two of whom shall be
88 working artists in the performing or visual arts and one of whom shall
89 be a person having a background of significant accomplishment in
90 business, to serve for terms of four years. Upon the expiration of such
91 terms, the Governor shall appoint five members to serve for terms of
92 four years. On or before July 1, 1993, the Governor shall appoint three
93 members to serve for terms of two years and shall appoint two
94 members to serve for terms of four years, except that the terms of the
95 three members whose terms expire on June 30, 1995, shall expire on
96 December 31, 1994, or when such member's successor is appointed and
97 qualified, whichever is later, and the terms of the two members whose
98 terms expire on June 30, 1997, shall expire on December 31, 1996, or
99 when such member's successor is appointed and qualified, whichever
100 is later. Upon the expiration of such terms, and thereafter, the
101 Governor shall appoint members to serve for terms of four years and
102 shall designate one of such members as the chairperson of the
103 commission. On or before July 1, 1987, the president pro tempore of
104 the Senate shall appoint five members and the minority leader of the
105 Senate shall appoint three members to serve for terms of two years and
106 the speaker of the House of Representatives shall appoint five
107 members and the minority leader of the House of Representatives shall

108 appoint three members to serve for terms of two years. Such
 109 appointments shall be made from among private citizens who are
 110 widely known for their knowledge, competence or experience in
 111 connection with the performing or visual arts, provided no owner,
 112 director, officer, employee or agent of an entity that receives a grant
 113 from the commission shall be appointed to the commission, during the
 114 term of such grant. Upon the expiration of such terms and thereafter,
 115 members shall be appointed to serve for terms of two years. Vacancies
 116 shall be filled by the appointing authority for the unexpired portion of
 117 the term. Members of said commission shall receive no compensation
 118 for their services as such but shall be reimbursed for their necessary
 119 expenses incurred in the performance of their duties. The commission
 120 shall meet at least once during each calendar quarter and at such other
 121 times as the chairperson deems necessary or upon the request of a
 122 majority of members in office. A majority of the members of the
 123 commission, but not less than seven, shall constitute a quorum. Any
 124 member who fails to attend three consecutive meetings or who fails to
 125 attend fifty per cent of all meetings held during any calendar year shall
 126 be deemed to have resigned from office. Except for the president of the
 127 Connecticut Advocates for the Arts and the members who are on the
 128 National Council on the Arts, no member shall serve more than two
 129 full consecutive terms which commence on or after July 1, 1985, or for
 130 more than eight consecutive years after said date, whichever is the
 131 longer period.

This act shall take effect as follows:	
Section 1	July 1, 2003
Sec. 2	July 1, 2003

Statement of Purpose:

To (1) prohibit members of the State Commission on the Arts from soliciting political contributions from grant recipients, and (2) prohibit owners, directors, officers, employees or agents of grant recipients from being appointed to the commission during the term of such grants.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. O'ROURKE, 32nd Dist.

H.B. 6090