



General Assembly

**Amendment**

January Session, 2005

LCO No. 6947

\*SB0000106947SD0\*

Offered by:  
SEN. DEFRONZO, 6<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1

File No. 381

Cal. No. 301

**"AN ACT CREATING THE OFFICE OF STATE ETHICS AND THE  
CITIZEN'S ETHICS ADVISORY BOARD."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (d) of section 1-79 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July*  
5 *1, 2005*):

6 (d) ["Commission" means the State Ethics Commission] "Board"  
7 means the Citizen's Ethics Advisory Board established in section 1-80,  
8 as amended by this act.

9 Sec. 2. Section 1-80 of the general statutes is repealed and the  
10 following is substituted in lieu thereof (*Effective July 1, 2005*):

11 (a) There shall be [a State Ethics Commission consisting of nine  
12 members to be appointed with the advice and consent of the General  
13 Assembly. One member] an Office of State Ethics that shall be an

14 independent state agency and shall constitute a successor agency to the  
15 State Ethics Commission, in accordance with the provisions of sections  
16 4-38d and 4-39. Such office shall consist of an executive director,  
17 general counsel, ethics enforcement officer and such other staff as  
18 hired by such executive director. Within the Office of State Ethics,  
19 there shall be the Citizen's Ethics Advisory Board that shall consist of  
20 nine members, appointed as follows: One member shall be appointed  
21 by the speaker of the House, one member by the president pro  
22 tempore of the Senate, one member by the majority leader of the  
23 Senate, one member by the minority leader of the Senate, one member  
24 by the majority leader of the House of Representatives, one member by  
25 the minority leader of the House of Representatives, and three  
26 members by the Governor. Members of the commission shall serve for  
27 four-year terms which shall commence on [October first] October 1,  
28 2005, except that members first appointed shall have the following  
29 terms: The Governor shall appoint two members for a term of three  
30 years and one member for a term of four years; the majority leader of  
31 the House [or] of Representatives, minority leader of the House of  
32 Representatives and the speaker of the House of Representatives shall  
33 each appoint one member for a term of two years; the president pro  
34 tempore of the Senate, the majority leader of the Senate and the  
35 minority leader of the Senate shall each appoint one member for a term  
36 of four years. No individual shall be appointed to more than one four-  
37 year term as a member of such [commission] board, provided that  
38 members may not continue in office [until a successor has been  
39 appointed and qualified] once their term has expired. No more than  
40 five members shall be members of the same political party. The  
41 members appointed by the majority leader of the Senate and the  
42 majority leader of the House of Representatives shall be selected from  
43 a list of nominees proposed by a citizen group having an interest in  
44 ethical government. The majority leader of the Senate and the majority  
45 leader of the House of Representatives shall each determine the citizen  
46 group from which each will accept such nominations. [On and after  
47 October 1, 2004, one] One member appointed by the Governor shall be  
48 selected from a list of nominees proposed by a citizen group having an

49 interest in ethical government. The Governor shall determine the  
50 citizen group from which the Governor will accept such nominations.

51 (b) All members shall be electors of the state. No member shall be a  
52 state employee. No member or employee of such [commission] board  
53 shall (1) hold or campaign for any public office; (2) have held public  
54 office or have been a candidate for public office for a three-year period  
55 prior to appointment; (3) hold office in any political party or political  
56 committee or be a member of any organization or association  
57 organized primarily for the purpose of influencing legislation or  
58 decisions of public agencies; or (4) be an individual who is a registrant  
59 as defined in subsection (q) of section 1-91.

60 (c) Any vacancy on the [commission] board shall be filled [for the  
61 unexpired portion of the term] by the appointing authority having the  
62 power to make the original appointment. An individual selected by the  
63 appointing authority to fill a vacancy shall be eligible for appointment  
64 to one full four-year term thereafter. Any vacancy occurring on the  
65 [commission] board shall be filled within thirty days.

66 (d) The [commission] board shall elect a chairperson who shall,  
67 except as provided in subsection (b) of section 1-82, as amended by this  
68 act, and subsection (b) of section 1-93, as amended by this act, preside  
69 at meetings of the [commission] board and a vice-chairperson to  
70 preside in the absence of the chairperson. Six members of the  
71 [commission] board shall constitute a quorum. Except as provided in  
72 subdivision (3) of subsection (a) of section 1-81, as amended by this act,  
73 subsections (a) and (b) of section 1-82, as amended by this act,  
74 subsection (b) of section 1-88, as amended by this act, subdivision (5) of  
75 section 1-92, as amended by this act, subsections (a) and (b) of section  
76 1-93, as amended by this act, and subsection (b) of section 1-99, a  
77 majority vote of the [quorum] members shall be required for action of  
78 the [commission] board. The chairperson or any [five] three members  
79 may call a meeting.

80 (e) Any matter before the [commission] board, except hearings held

81 pursuant to the provisions of subsection (b) of section 1-82, as  
82 amended by this act, or subsection (b) of section 1-93, as amended by  
83 this act, may be assigned by the [commission] board to two of its  
84 members to conduct an investigation or hearing, as the case may be, to  
85 ascertain the facts and report thereon to the [commission] board with a  
86 recommendation for action.

87 (f) Members of the [commission] board shall be compensated at the  
88 rate of fifty dollars per day for each day they attend a meeting or  
89 hearing and shall receive reimbursement for their necessary expenses  
90 incurred in the discharge of their official duties.

91 (g) The [commission] board shall not be construed to be a board or  
92 commission within the meaning of section 4-9a, as amended by this  
93 act.

94 (h) The members and employees of the [State Ethics Commission]  
95 Citizen's Ethics Advisory Board and the Office of State Ethics shall  
96 adhere to the following code of ethics under which the members and  
97 employees shall: (1) Observe high standards of conduct so that the  
98 integrity and independence of the [State Ethics Commission] Citizen's  
99 Ethics Advisory Board and the Office of State Ethics may be preserved;  
100 (2) respect and comply with the law and conduct themselves at all  
101 times in a manner which promotes public confidence in the integrity  
102 and impartiality of the [commission] board and the Office of State  
103 Ethics; (3) be faithful to the law and maintain professional competence  
104 in the law; (4) be unswayed by partisan interests, public clamor or fear  
105 of criticism; (5) maintain order and decorum in proceedings of the  
106 [commission] board and Office of State Ethics; (6) be patient, dignified  
107 and courteous to all persons who appear in [commission] board or  
108 Office of State Ethics proceedings and with other persons with whom  
109 the members and employees deal in their official capacities; (7) refrain  
110 from making any statement outside of a [commission] board or Office  
111 of State Ethics proceeding, which would have a likelihood of  
112 prejudicing a [commission] board or Office of State Ethics proceeding;  
113 (8) refrain from making any statement outside of a [commission] board

114 or Office of State Ethics proceeding that a reasonable person would  
115 expect to be disseminated by means of public communication if the  
116 member or employee should know that such statement would have a  
117 likelihood of materially prejudicing or embarrassing a complainant or  
118 a respondent; (9) preserve confidences of complainants and  
119 respondents; (10) exercise independent professional judgment on  
120 behalf of the [commission] board and Office of State Ethics; and (11)  
121 represent the [commission] board and Office of State Ethics  
122 competently.

123 (i) No member or employee of the board or Office of State Ethics  
124 may make a contribution, as defined in section 9-333b, to any person  
125 subject to the provisions of this part.

126 (j) Members of the board shall recuse themselves from participating  
127 in any proceeding or matter undertaken pursuant to this chapter that  
128 involves the person who appointed such member to the board.

129 (k) No member of the board may represent any business or person,  
130 other than themselves, before the board for a period of one year  
131 following the end of such member's service on the board. No business  
132 or person that appears before the board shall employ or otherwise  
133 engage the services of a former member of the board for a period of  
134 one year following the end of such former member's service on the  
135 board.

136 (l) No member of the board may hold any other position in state  
137 employment for a period of one year following the end of such  
138 member's service on the board, including, but not limited to, service as  
139 a member on a state board or commission, service as a judge of the  
140 Superior Court or service as a state agency commissioner.

141 (m) Upon request of any aggrieved party, the board shall delay the  
142 effect of any decision rendered by such board for a period not to  
143 exceed more than seven days following the rendering of such decision.

144 Sec. 3. Section 1-81 of the general statutes is repealed and the

145 following is substituted in lieu thereof (*Effective July 1, 2005*):

146 (a) The [commission] board and general counsel and staff of the  
147 Office of State Ethics shall:

148 (1) Compile and maintain an index of all reports, advisory opinions,  
149 informal staff letters, memoranda filed under the provisions of  
150 subsection (f) of section 1-82a and statements filed by and with the  
151 [commission] Office of State Ethics to facilitate public access to such  
152 reports and advisory opinions, informal staff letters, memoranda  
153 statements as provided by this part;

154 (2) Preserve advisory opinions and informal staff letters,  
155 permanently; preserve memoranda filed under subsection (f) of section  
156 1-82a, and statements and reports filed by and with the [commission]  
157 board for a period of five years from the date of receipt;

158 (3) Upon the concurring vote of [five of its members] a majority of  
159 the board present and voting, issue advisory opinions with regard to  
160 the requirements of this part, upon the request of any person subject to  
161 the provisions of this part, and publish such advisory opinions in the  
162 Connecticut Law Journal. Advisory opinions rendered by the  
163 [commission] board, until amended or revoked, shall be binding on the  
164 [commission] board and shall be deemed to be final decisions of the  
165 [commission] board for purposes of [section 1-87] appeal to the  
166 superior court, in accordance with the provisions of section 4-175 or 4-  
167 183. Any advisory opinion concerning the person who requested the  
168 opinion and who acted in reliance thereon, in good faith, shall be  
169 binding upon the [commission] board, and it shall be an absolute  
170 defense in any criminal action brought under the provisions of this  
171 part, that the accused acted in reliance upon such advisory opinion;

172 [(4) Report annually, prior to April fifteenth, to the Governor  
173 summarizing the activities of the commission; and]

174 (4) Respond to inquiries and provide advice regarding the code of  
175 ethics either verbally or through informal letters;

176 [(5) Adopt regulations in accordance with chapter 54 to carry out  
177 the purposes of this part.]

178 (5) Provide yearly training to all state employees regarding the code  
179 of ethics;

180 (6) Make legislative recommendations to the General Assembly; and

181 (7) Meet monthly with the office's executive director and ethics  
182 enforcement officer.

183 (b) The [commission may] Office of State Ethics shall employ an  
184 executive director, [and] general counsel and ethics enforcement  
185 officer, each of whom shall be exempt from classified state service. No  
186 one person may serve in more than one of the positions described in  
187 this subsection. The Office of State Ethics may employ necessary staff  
188 within available appropriations. Such necessary staff of the Office of  
189 State Ethics shall be in classified state service.

190 (c) The executive director, described in subsection (b) of this section,  
191 shall be appointed by the Citizen's Ethics Advisory Board for an open-  
192 ended term. The board shall annually evaluate the performance of  
193 such executive director, in writing, and may remove the executive  
194 director, in accordance with the provisions of chapter 67.

195 (d) The general counsel and ethics enforcement officer described in  
196 subsection (b) of this section, and other staff of the Office of State  
197 Ethics shall be appointed by the executive director of the Office of State  
198 Ethics. The executive director shall annually evaluate the performance  
199 of the general counsel, ethics enforcement officer and such other staff,  
200 in writing, and may remove the general counsel or ethics enforcement  
201 officer, in accordance with the provisions of chapter 67, or such other  
202 staff, in accordance with any applicable collective bargaining  
203 agreement.

204 (e) There shall be a legal division within the Office of State Ethics.  
205 The legal division shall provide the board with legal advice on matters

206 before said board and shall represent the board in all matters in which  
207 the board is a party, without the assistance of the Attorney General  
208 unless the board requests such assistance. The legal division shall,  
209 under the direction of the general counsel, provide information and  
210 written and verbal opinions to persons subject to the code and to the  
211 general public. The general counsel, described in subsection (b) of this  
212 section, shall supervise such division. No information received by the  
213 legal division may be used to investigate or instigate a complaint.

214 (f) There shall be an enforcement division within the Office of State  
215 Ethics. The enforcement division shall be responsible for investigating  
216 complaints brought to or by the board. The ethics enforcement officer,  
217 described in subsection (b) of this section, shall supervise such  
218 division. Such division shall employ such attorneys and investigators,  
219 as necessary, within available appropriations, and may refer matters to  
220 the office of the Chief State's Attorney, as appropriate. Such division  
221 shall review all appeals from any decision rendered by a municipal  
222 ethics commission and all appeals alleging a failure of a municipal  
223 ethics commission to properly render a decision and such division  
224 shall advise the board on the merits of hearing each such appeal.

225 (g) The Citizen's Ethics Advisory Board shall adopt regulations in  
226 accordance with chapter 54 to carry out the purposes of this part.

227 (h) In consultation with the executive director of the Office of State  
228 Ethics, the general counsel shall oversee yearly training of all state  
229 personnel in the code of ethics, provide training on the code of ethics  
230 to other individuals or entities subject to the code and shall make  
231 recommendations as to public education regarding ethics.

232 Sec. 4. Section 1-81a of the general statutes is repealed and the  
233 following is substituted in lieu thereof (*Effective July 1, 2005*):

234 (a) Notwithstanding any provision of the general statutes, the  
235 appropriations recommended for the [State Ethics Commission] Office  
236 of State Ethics, as established in section 1-80, as amended by this act,  
237 shall be the estimates of expenditure requirements transmitted to the

238 Secretary of the Office of Policy and Management by the executive  
239 director of the [commission] Office of State Ethics and the  
240 recommended adjustments and revisions of such estimates shall be the  
241 recommended adjustments and revisions, if any, transmitted by said  
242 executive director to the Office of Policy and Management.

243 (b) Notwithstanding any provision of the general statutes, the  
244 Governor shall not reduce allotment requisitions or allotments in force  
245 concerning the [State Ethics Commission] Office of State Ethics.

246 Sec. 5. Section 1-81b of the general statutes is repealed and the  
247 following is substituted in lieu thereof (*Effective July 1, 2005*):

248 The [State Ethics Commission] Office of State Ethics shall develop a  
249 plain language summary of state ethics laws concerning (1) persons,  
250 firms and corporations submitting bids or proposals for state contracts,  
251 and (2) state contractors. The [commission] Office of State Ethics shall  
252 publish said summary on the [commission's] Office of State Ethics' web  
253 site.

254 Sec. 6. Section 1-82 of the general statutes is repealed and the  
255 following is substituted in lieu thereof (*Effective July 1, 2005*):

256 (a) (1) Upon the complaint of any person on a form prescribed by  
257 the [commission] board, signed under penalty of false statement, or  
258 upon its own complaint, the [commission] ethics enforcement officer of  
259 the Office of State Ethics shall investigate any alleged violation of this  
260 part. Not later than five days after the receipt or issuance of such  
261 complaint, the [commission] board shall provide notice of such receipt  
262 or issuance and a copy of the complaint by registered or certified mail  
263 to any respondent against whom such complaint is filed and shall  
264 provide notice of the receipt of such complaint to the complainant.  
265 When the [commission] ethics enforcement officer of the Office of State  
266 Ethics undertakes an evaluation of a possible violation of this part  
267 prior to the filing of a complaint, [by the commission,] the subject of  
268 the evaluation shall be notified [within] not later than five business  
269 days after [a commission] an Office of State Ethics staff member's first

270 contact with a third party concerning the matter.

271 (2) In the conduct of its investigation of an alleged violation of this  
272 part, the [commission] Office of State Ethics shall have the power to  
273 hold hearings, administer oaths, examine witnesses, receive oral and  
274 documentary evidence, subpoena witnesses under procedural rules  
275 adopted by the [commission] Citizen's Ethics Advisory Board as  
276 regulations in accordance with the provisions of chapter 54 to compel  
277 attendance before the [commission] Office of State Ethics and to  
278 require the production for examination by the [commission] ethics  
279 enforcement officer of the Office of State Ethics of any books and  
280 papers which the [commission] Office of State Ethics deems relevant in  
281 any matter under investigation or in question. In the exercise of such  
282 powers, the [commission] Office of State Ethics may use the services of  
283 the state police, who shall provide the same upon the [commission's]  
284 office's request. The [commission] Office of State Ethics shall make a  
285 record of all proceedings conducted pursuant to this subsection. The  
286 ethics enforcement officer of the Office of State Ethics shall bring any  
287 alleged violation of this part before a judge trial referee assigned by the  
288 Chief Court Administrator for such purpose for a probable cause  
289 hearing. Such judge trial referee shall be compensated in accordance  
290 with the provisions of section 52-434 from such funds as may be  
291 available to the Office of State Ethics. Any witness summoned before  
292 the [commission] Office of State Ethics or a judge trial referee pursuant  
293 to this subsection shall receive the witness fee paid to witnesses in the  
294 courts of this state. During [the] any investigation conducted pursuant  
295 to this subsection or any probable cause hearing conducted pursuant  
296 to this subsection, the respondent shall have the right to appear and be  
297 heard and to offer any information which may tend to clear [him] the  
298 respondent of probable cause to believe [he] the respondent has  
299 violated any provision of this part. The respondent shall also have the  
300 right to be represented by legal counsel and to examine and cross-  
301 examine witnesses. Not later than ten days prior to the commencement  
302 of any hearing conducted pursuant to this subsection, the  
303 [commission] Office of State Ethics shall provide the respondent with a

304 list of its intended witnesses. [The commission shall make no finding  
305 that there is probable cause to believe the respondent is in violation of  
306 any provision of this part except upon the concurring vote of five of its  
307 members.] Any finding of probable cause to believe the respondent is  
308 in violation of any provisions of this part shall be made by a judge trial  
309 referee not later than thirty days after the general counsel brings such  
310 alleged violation before such judge trial referee, except that such thirty-  
311 day limitation period shall not apply if the judge trial referee  
312 determines that good cause exists for extending such limitation period.

313 (b) If a [preliminary investigation indicates] judge trial referee  
314 determines that probable cause exists for the violation of a provision of  
315 this part, the [commission] board shall initiate hearings to determine  
316 whether there has been a violation of this part. Any such hearing shall  
317 be initiated by the board not later than thirty days after the finding of  
318 probable cause by a judge trial referee and shall be concluded not later  
319 than ninety days after its initiation, except that such thirty or ninety-  
320 day limitation period shall not apply if the judge trial referee  
321 determines that good cause exists for extending such limitation period.  
322 A judge trial referee, who has not taken part in the probable cause  
323 determination on the matter shall be assigned by the Chief Court  
324 Administrator and [who] shall be compensated in accordance with  
325 section 52-434 out of funds available to the [commission,] Office of  
326 State Ethics and shall preside over such hearing and [shall] rule on all  
327 [matters] issues concerning the application of the rules of evidence,  
328 which shall be the same as in judicial proceedings. The trial referee  
329 shall have no vote in any decision of the [commission] board. All  
330 hearings of the [commission] board held pursuant to this subsection  
331 shall be open. At such hearing the [commission] board shall have the  
332 same powers as the Office of State Ethics under subsection (a) of this  
333 section and the respondent shall have the right to be represented by  
334 legal counsel, the right to compel attendance of witnesses and the  
335 production of books, documents, records and papers and to examine  
336 and cross-examine witnesses. Not later than ten days prior to the  
337 commencement of any hearing conducted pursuant to this subsection,

338 the [commission] Office of State Ethics shall provide the respondent  
339 with a list of its intended witnesses. The judge trial referee shall, while  
340 engaged in the discharge of [his] the duties as provided in this  
341 subsection, have the same authority as is provided in section 51-35  
342 over witnesses who refuse to obey a subpoena or to testify with respect  
343 to any matter upon which such witness may be lawfully interrogated,  
344 and may commit any such witness for contempt for a period no longer  
345 than thirty days. The [commission] Office of State Ethics shall make a  
346 record of all proceedings pursuant to this subsection. The  
347 [commission] board shall find no person in violation of any provision  
348 of this part except upon the concurring vote of [seven] two-thirds of its  
349 members present and voting. Not later than fifteen days after the  
350 public hearing conducted in accordance with this subsection, the  
351 [commission] board shall publish its finding and a memorandum of  
352 the reasons therefor. Such finding and memorandum shall be deemed  
353 to be the final decision of the [commission] board on the matter for the  
354 purposes of chapter 54. The respondent, if aggrieved by the finding  
355 and memorandum, may appeal therefrom to the Superior Court in  
356 accordance with the provisions of section 4-183.

357 (c) If [the commission] a judge trial referee finds, after a hearing  
358 pursuant to this section, that there is no probable cause to believe that  
359 a public official or state employee has violated a provision of this part,  
360 or if the board determines that a public official or state employee has  
361 not violated any such provision, or if a court of competent jurisdiction  
362 overturns a finding by [the commission] the board of a violation by  
363 such a respondent, the state shall pay the reasonable legal expenses of  
364 the respondent as determined by the Attorney General or by the court  
365 if appropriate. If any complaint brought under the provisions of this  
366 part is made with the knowledge that it is made without foundation in  
367 fact, the respondent shall have a cause of action against the  
368 complainant for double the amount of damage caused thereby and if  
369 the respondent prevails in such action, he may be awarded by the  
370 court the costs of such action together with reasonable attorneys' fees.

371 (d) No complaint may be made under this section except within five

372 years next after the violation alleged in the complaint has been  
373 committed.

374 (e) No person shall take or threaten to take official action against an  
375 individual for such individual's disclosure of information to the  
376 [commission] board or the general counsel, ethics enforcement officer  
377 or staff of the Office of State Ethics under the provisions of this part.  
378 After receipt of information from an individual under the provisions of  
379 this part, the [commission] Office of State Ethics shall not disclose the  
380 identity of such individual without [his] such individual's consent  
381 unless the [commission] Office of State Ethics determines that such  
382 disclosure is unavoidable during the course of an investigation.

383 Sec. 7. Section 1-82a of the general statutes is repealed and the  
384 following is substituted in lieu thereof (*Effective July 1, 2005*):

385 (a) Unless [the commission] a judge trial referee makes a finding of  
386 probable cause, a complaint alleging a violation of this part shall be  
387 confidential except upon the request of the respondent. [A  
388 commission] An evaluation of a possible violation of this part by the  
389 Office of State Ethics prior to the filing of a complaint [by the  
390 commission] shall be confidential except upon the request of the  
391 subject of the evaluation. If the evaluation is confidential, any  
392 information supplied to or received from the [commission] Office of  
393 State Ethics shall not be disclosed to any third party by a subject of the  
394 evaluation, a person contacted for the purpose of obtaining  
395 information or by [a commission or staff member] the ethics  
396 enforcement officer or staff of the Office of State Ethics. No provision  
397 of this subsection shall prevent the [Ethics Commission] Office of State  
398 Ethics from reporting the possible commission of a crime to the Chief  
399 State's Attorney or other prosecutorial authority.

400 (b) An investigation conducted prior to a probable cause finding  
401 shall be confidential except upon the request of the respondent. If the  
402 investigation is confidential, the allegations in the complaint and any  
403 information supplied to or received from the [commission] Office of

404 State Ethics shall not be disclosed during the investigation to any third  
405 party by a complainant, respondent, witness, designated party, or  
406 [commission] board or staff member of the Office of State Ethics.

407 (c) Not later than three business days after the termination of the  
408 investigation, the [commission] Office of State Ethics shall inform the  
409 complainant and the respondent of its finding and provide them a  
410 summary of its reasons for making that finding. The [commission]  
411 Office of State Ethics shall publish its finding upon the respondent's  
412 request and may also publish a summary of its reasons for making  
413 such finding.

414 (d) If [the commission] a judge trial referee makes a finding of no  
415 probable cause, the complaint and the record of [its] the Office of State  
416 Ethics' investigation shall remain confidential, except upon the request  
417 of the respondent and except that some or all of the record may be  
418 used in subsequent proceedings. No complainant, respondent, witness,  
419 designated party, or [commission] board or staff member of the Office  
420 of State Ethics shall disclose to any third party any information learned  
421 from the investigation, including knowledge of the existence of a  
422 complaint, which the disclosing party would not otherwise have  
423 known. If such a disclosure is made, the [commission] judge trial  
424 referee may, after consultation with the respondent if the respondent is  
425 not the source of the disclosure, publish its finding and a summary of  
426 its reasons therefor.

427 (e) The [commission] judge trial referee shall make public a finding  
428 of probable cause not later than five business days after [the  
429 termination of the investigation] any such finding. At such time the  
430 entire record of the investigation shall become public, except that the  
431 [commission] Office of State Ethics may postpone examination or  
432 release of such public records for a period not to exceed fourteen days  
433 for the purpose of reaching a stipulation agreement pursuant to  
434 subsection (c) of section 4-177. Any such stipulation agreement or  
435 settlement shall be approved by a majority of those members present  
436 and voting.

437 Sec. 8. Section 1-83 of the general statutes is repealed and the  
438 following is substituted in lieu thereof (*Effective July 1, 2005*):

439 (a) (1) All state-wide elected officers, members of the General  
440 Assembly, department heads and their deputies, members of the  
441 Gaming Policy Board, the executive director of the Division of Special  
442 Revenue within the Department of Revenue Services, members or  
443 directors of each quasi-public agency, members of the Investment  
444 Advisory Council, state marshals and such members of the Executive  
445 Department and such employees of quasi-public agencies as the  
446 Governor shall require, shall file, under penalty of false statement, a  
447 statement of financial interests for the preceding calendar year with the  
448 [commission] Office of State Ethics on or before the May first next in  
449 any year in which they hold such a position. Any such individual who  
450 leaves his or her office or position shall file a statement of financial  
451 interests covering that portion of the year during which such  
452 individual held his or her office or position. The [commission] Office of  
453 State Ethics shall notify such individuals of the requirements of this  
454 subsection [within] not later than thirty days after their departure from  
455 such office or position. Such individuals shall file such statement  
456 within sixty days after receipt of the notification.

457 (2) Each state agency, department, board and commission shall  
458 develop and implement, in cooperation with the [Ethics Commission]  
459 Office of State Ethics, an ethics statement as it relates to the mission of  
460 the agency, department, board or commission. The executive head of  
461 each such agency, department, board or commission shall be directly  
462 responsible for the development and enforcement of such ethics  
463 statement and shall file a copy of such ethics statement with the  
464 Department of Administrative Services and the [Ethics Commission]  
465 Office of State Ethics.

466 (b) (1) The statement of financial interests, except as provided in  
467 subdivision (2) of this subsection, shall include the following  
468 information for the preceding calendar year in regard to the individual  
469 required to file the statement and the individual's spouse and

470 dependent children residing in the individual's household: (A) The  
471 names of all businesses with which associated; (B) the category or type  
472 of all sources of income in excess of one thousand dollars, without  
473 specifying amounts of income; (C) the name of securities in excess of  
474 five thousand dollars at fair market value owned by such individual,  
475 spouse or dependent children or held in the name of a corporation,  
476 partnership or trust for the benefit of such individual, spouse or  
477 dependent children; (D) the existence of any known blind trust and the  
478 names of the trustees; (E) all real property and its location, whether  
479 owned by such individual, spouse or dependent children or held in the  
480 name of a corporation, partnership or trust for the benefit of such  
481 individual, spouse or dependent children; (F) the names and addresses  
482 of creditors to whom the individual, the individual's spouse or  
483 dependent children, individually, owed debts of more than ten  
484 thousand dollars; (G) any leases or contracts with the state held or  
485 entered into by the individual or a business with which he or she was  
486 associated; and (H) a description of any partnership, joint ownership  
487 or similar business affiliation between (i) a business included under  
488 subparagraph (A) of this subdivision with which the individual filing  
489 the statement, the individual's spouse or a dependent child of the  
490 individual is associated, and (ii) a lobbyist, a person that the individual  
491 filing the statement knows or has reason to know is doing business  
492 with or seeking to do business with the state or is engaged in activities  
493 that are directly regulated by the department or agency in which the  
494 individual is employed, or a business with which such lobbyist or  
495 person is associated.

496 (2) The statement of financial interests filed by state marshals shall  
497 include only amounts and sources of income earned in their capacity  
498 as state marshals.

499 (c) The statement of financial interests filed pursuant to this section  
500 shall be a matter of public information, except the list of names, filed in  
501 accordance with subparagraph (F) of subdivision (1) of subsection (b)  
502 of this section shall be sealed and confidential and for the use of the  
503 [commission] Office of State Ethics only after a complaint has been

504 filed under section 1-82, as amended by this act, and such complaint  
505 has been determined by a vote of the [commission] board to be of  
506 sufficient merit and gravity to justify the unsealing of such list or lists  
507 and not open to public inspection unless the respondent requests  
508 otherwise. If the [commission] board reports its findings to the Chief  
509 State's Attorney in accordance with subsection (c) of section 1-88, as  
510 amended by this act, the [commission] board shall turn over to the  
511 Chief State's Attorney such relevant information contained in the  
512 statement as may be germane to the specific violation or violations or a  
513 prosecutorial official may subpoena such statement in a criminal  
514 action. Unless otherwise a matter of public record, the [Ethics  
515 Commission] Office of State Ethics shall not disclose to the public any  
516 such subpoena which would be exempt from disclosure by the issuing  
517 agency.

518 (d) Any individual who is unable to provide information required  
519 under the provisions of subdivision (1) of subsection (b) of this section  
520 by reason of impossibility may petition the [commission] board for a  
521 waiver of the requirements.

522 Sec. 9. Section 1-84b of the general statutes is repealed and the  
523 following is substituted in lieu thereof (*Effective July 1, 2005*):

524 (a) No former executive branch or quasi-public agency public  
525 official or state employee shall represent anyone other than the state,  
526 concerning any particular matter (1) in which he participated  
527 personally and substantially while in state service, and (2) in which the  
528 state has a substantial interest.

529 (b) No former executive branch or quasi-public agency public  
530 official or state employee shall, for one year after leaving state service,  
531 represent anyone, other than the state, for compensation before the  
532 department, agency, board, commission, council or office in which he  
533 served at the time of his termination of service, concerning any matter  
534 in which the state has a substantial interest. The provisions of this  
535 subsection shall not apply to an attorney who is a former employee of

536 the Division of Criminal Justice, with respect to any representation in a  
537 matter under the jurisdiction of a court.

538 (c) The provisions of this subsection apply to present or former  
539 executive branch public officials or state employees who hold or  
540 formerly held positions which involve significant decision-making or  
541 supervisory responsibility and are designated as such by the [State  
542 Ethics Commission] Office of State Ethics in consultation with the  
543 agency concerned except that such provisions shall not apply to  
544 members or former members of the boards or commissions who serve  
545 ex officio, who are required by statute to represent the regulated  
546 industry or who are permitted by statute to have a past or present  
547 affiliation with the regulated industry. Designation of positions subject  
548 to the provisions of this subsection shall be by regulations adopted by  
549 the [State Ethics Commission] Citizen's Ethics Advisory Board in  
550 accordance with chapter 54. As used in this subsection, "agency"  
551 means the Office of Health Care Access, the Connecticut Siting  
552 Council, the Department of Banking, the Insurance Department, the  
553 Department of Public Safety, the office within the Department of  
554 Consumer Protection that carries out the duties and responsibilities of  
555 sections 30-2 to 30-68m, inclusive, the Department of Public Utility  
556 Control, including the Office of Consumer Counsel, the Division of  
557 Special Revenue and the Gaming Policy Board and the term  
558 "employment" means professional services or other services rendered  
559 as an employee or as an independent contractor.

560 (1) No public official or state employee, in an executive branch  
561 position designated by the [State Ethics Commission] Office of State  
562 Ethics shall negotiate for, seek or accept employment with any  
563 business subject to regulation by his agency.

564 (2) No former public official or state employee who held such a  
565 position in the executive branch shall within one year after leaving an  
566 agency, accept employment with a business subject to regulation by  
567 that agency.

568 (3) No business shall employ a present or former public official or  
569 state employee in violation of this subsection.

570 (d) The provisions of subsection (e) of this section apply to (1)  
571 present or former Gaming Policy Board or Division of Special Revenue  
572 public officials or state employees who hold or formerly held positions  
573 which involve significant decision-making or supervisory  
574 responsibility and are designated as such by the [State Ethics  
575 Commission] Office of State Ethics, in consultation with the agency  
576 concerned, and (2) present or former public officials or state employees  
577 of other agencies who hold or formerly held positions which involve  
578 significant decision-making or supervisory responsibility concerning  
579 the regulation or investigation of (A) any business entity (i) engaged in  
580 Indian gaming operations in the state, and (ii) in which a federally-  
581 recognized Indian tribe in the state owns a controlling interest, or (B) a  
582 governmental agency of a federally-recognized Indian tribe engaged in  
583 Indian gaming operations in the state, which positions are designated  
584 as such by the [State Ethics Commission] Office of State Ethics, in  
585 consultation with the agency concerned. Designation of positions  
586 subject to the provisions of this subsection shall be by regulations  
587 adopted by the [State Ethics Commission] Citizens' Ethics Advisory  
588 Board in accordance with chapter 54. As used in subsection (e) of this  
589 section, the term "employment" means professional services or other  
590 services rendered as an employee or as an independent contractor.

591 (e) (1) No Gaming Policy Board or Division of Special Revenue  
592 public official or state employee or other public official or state  
593 employee described in subdivision (2) of subsection (d) of this section,  
594 in a position designated by the [State Ethics Commission] Office of  
595 State Ethics, shall negotiate for, seek or accept employment with (A) a  
596 business entity (i) engaged in Indian gaming operations in the state,  
597 and (ii) in which a federally-recognized Indian tribe in the state owns a  
598 controlling interest, or (B) a governmental agency of a federally-  
599 recognized Indian tribe engaged in Indian gaming operations in the  
600 state.

601 (2) No former Gaming Policy Board or Division of Special Revenue  
602 public official or state employee or other former public official or state  
603 employee described in subdivision (2) of subsection (d) of this section,  
604 who held such a position shall, within two years after leaving such  
605 agency, accept employment with (A) a business entity (i) engaged in  
606 Indian gaming operations in the state, and (ii) in which a federally-  
607 recognized Indian tribe in the state owns a controlling interest, or (B) a  
608 governmental agency of a federally-recognized Indian tribe engaged in  
609 Indian gaming operations in the state.

610 (f) No former public official or state employee (1) who participated  
611 substantially in the negotiation or award of (A) a state contract valued  
612 at an amount of fifty thousand dollars or more, or (B) a written  
613 agreement for the approval of a payroll deduction slot described in  
614 section 3-123g, or (2) who supervised the negotiation or award of such  
615 a contract or agreement, shall accept employment with a party to the  
616 contract or agreement other than the state for a period of one year after  
617 his resignation from his state office or position if his resignation occurs  
618 less than one year after the contract or agreement is signed.

619 (g) No member or director of a quasi-public agency who  
620 participates substantially in the negotiation or award of a contract  
621 valued at an amount of fifty thousand dollars or more, or who  
622 supervised the negotiation or award of such a contract, shall seek,  
623 accept, or hold employment with a party to the contract for a period of  
624 one year after the signing of the contract.

625 [(h) The regulations required to implement the provisions of  
626 subsection (c) of this section may be adopted by the State Ethics  
627 Commission prior to January 7, 1987, but may not take effect prior to  
628 that date.]

629 [(i)] (h) The provisions of subsections (a), (b) and (f) of this section  
630 shall not apply to any employee of a quasi-public agency who leaves  
631 such agency before July 1, 1989.

632 [(j)] (i) No Treasurer who authorizes, negotiates or renegotiates a

633 contract for investment services valued at an amount of fifty thousand  
634 dollars or more shall negotiate for, seek or accept employment with a  
635 party to the contract prior to one year after the end of the Treasurer's  
636 term of office within which such contract for investment services was  
637 authorized, negotiated or renegotiated by such Treasurer.

638 Sec. 10. Section 1-86 of the general statutes is repealed and the  
639 following is substituted in lieu thereof (*Effective July 1, 2005*):

640 (a) Any public official or state employee, other than an elected state  
641 official, who, in the discharge of [his] such official's or employee's  
642 official duties, would be required to take an action that would affect a  
643 financial interest of [himself, his] such official or employee, such  
644 official's or employee's spouse, parent, brother, sister, child or the  
645 spouse of a child or a business with which [he] such official or  
646 employee is associated, other than an interest of a de minimis nature,  
647 an interest that is not distinct from that of a substantial segment of the  
648 general public or an interest in substantial conflict with the  
649 performance of official duties as defined in section 1-85 has a potential  
650 conflict of interest. Under such circumstances, [he] such official or  
651 employee shall, if [he] such official or employee is a member of a state  
652 regulatory agency, either excuse himself or herself from the matter or  
653 prepare a written statement signed under penalty of false statement  
654 describing the matter requiring action and the nature of the potential  
655 conflict and explaining why despite the potential conflict, [he] such  
656 official or employee is able to vote and otherwise participate fairly,  
657 objectively and in the public interest. [He] Such public official or state  
658 employee shall deliver a copy of the statement to the [commission]  
659 Office of State Ethics and enter a copy of the statement in the journal or  
660 minutes of the agency. If [he] such official or employee is not a  
661 member of a state regulatory agency, [he] such official or employee  
662 shall, in the case of either a substantial or potential conflict, prepare a  
663 written statement signed under penalty of false statement describing  
664 the matter requiring action and the nature of the conflict and deliver a  
665 copy of the statement to [his] such official's or employee's immediate  
666 superior, if any, who shall assign the matter to another employee, or if

667 [he] such official or employee has no immediate superior, [he] such  
668 official or employee shall take such steps as the [commission] Office of  
669 State Ethics shall prescribe or advise.

670 (b) No elected state official shall be affected by subsection (a) of this  
671 section.

672 (c) No person required to register with the [State Ethics  
673 Commission] Office of State Ethics under section 1-94 shall accept  
674 employment with the General Assembly or with any member of the  
675 General Assembly in connection with legislative action, as defined in  
676 section 1-91, as amended by this act. No member of the General  
677 Assembly shall be a lobbyist.

678 Sec. 11. Section 1-86d of the general statutes is repealed and the  
679 following is substituted in lieu thereof (*Effective July 1, 2005*):

680 (a) Any public official or state employee who establishes a legal  
681 defense fund, or for whom a legal defense fund has been established,  
682 shall file a report on said fund with the [State Ethics Commission]  
683 Office of State Ethics not later than the tenth day of January, April, July  
684 and October. Each such report shall include the following information  
685 for the preceding calendar quarter: (1) The names of the directors and  
686 officers of the fund, (2) the name of the depository institution for the  
687 fund, (3) an itemized accounting of each contribution to the fund,  
688 including the full name and complete address of each contributor and  
689 the amount of the contribution, and (4) an itemized accounting of each  
690 expenditure, including the full name and complete address of each  
691 payee and the amount and purpose of the expenditure. The public  
692 official or state employee shall sign each such report under penalty of  
693 false statement. The provisions of this subsection shall not apply to any  
694 person who has made a contribution to a legal defense fund before  
695 June 3, 2004.

696 (b) (1) In addition to the prohibitions on gifts under subsections (j)  
697 and (m) of section 1-84 and subsection (a) of section 1-97, no public  
698 official or state employee shall accept, directly or indirectly, any

699 contribution to a legal defense fund established by or for the public  
700 official or state employee, from (A) a member of the immediate family  
701 of any person who is prohibited from giving a gift under subsection (j)  
702 or (m) of section 1-84 or subsection (a) of section 1-97, or (B) a person  
703 who is appointed by said public official or state employee to serve on a  
704 paid, full-time basis. No person described in subparagraph (A) or (B)  
705 of this subdivision shall make a contribution to such a legal defense  
706 fund, and no such person or any person prohibited from making a gift  
707 under subsection (j) or (m) of section 1-84 or subsection (a) of section 1-  
708 97 shall solicit a contribution for such a legal defense fund.

709 (2) A public official or state employee may accept a contribution or  
710 contributions to a legal defense fund established by or for the public  
711 official or state employee from any other person, provided the total  
712 amount of such contributions from any such person in any calendar  
713 year shall not exceed one thousand dollars. No such person shall make  
714 a contribution or contributions to said legal defense fund exceeding  
715 one thousand dollars in any calendar year. The provisions of this  
716 subdivision shall not apply in 2004, to any person who has made a  
717 contribution or contributions to a legal defense fund exceeding one  
718 thousand dollars in 2004, before June 3, 2004, provided said legal  
719 defense fund shall not accept any additional contributions from such  
720 person in 2004, and such person shall not make any additional  
721 contributions to said fund in 2004.

722 (3) Notwithstanding the provisions of subdivision (2) of this  
723 subsection, a public official or state employee may accept a  
724 contribution or contributions, in any amount, to a legal defense fund  
725 established by or for the public official or state employee from a  
726 relative of the public official or state employee or a person whose  
727 relationship with the public official or state employee is not dependent  
728 on the official's or employee's status as a public official or state  
729 employee. The factors that the [State Ethics Commission] board shall  
730 consider in determining whether a person's relationship is so  
731 dependent shall include, but not be limited to, whether the person may  
732 be able to benefit from the exercise of official authority of the public

733 official or state employee and whether the person made gifts to the  
734 public official or state employee before the official or employee began  
735 serving in such office or position.

736 Sec. 12. Section 1-87 of the general statutes is repealed and the  
737 following is substituted in lieu thereof (*Effective July 1, 2005*):

738 Any person aggrieved by any final decision of the [commission]  
739 board, made pursuant to this part, may appeal such decision in  
740 accordance with the provisions of section 4-175 or section 4-183.

741 Sec. 13. Section 1-88 of the general statutes is repealed and the  
742 following is substituted in lieu thereof (*Effective July 1, 2005*):

743 (a) The [commission] board, upon a finding made pursuant to  
744 section 1-82, as amended by this act, that there has been a violation of  
745 any provision of this part, shall have the authority to order the violator  
746 to do any or all of the following: (1) Cease and desist the violation of  
747 this part; (2) file any report, statement or other information as required  
748 by this part; and (3) pay a civil penalty of not more than ten thousand  
749 dollars for each violation of this part.

750 (b) Notwithstanding the provisions of subsection (a) of this section,  
751 the [commission] board may, after a hearing conducted in accordance  
752 with sections 4-176e to 4-184, inclusive, upon the concurring vote of  
753 [seven] two-thirds of its members, present and voting impose a civil  
754 penalty not to exceed ten dollars per day upon any individual who  
755 fails to file any report, statement or other information as required by  
756 this part. Each distinct violation of this subsection shall be a separate  
757 offense and in case of a continued violation, each day thereof shall be  
758 deemed a separate offense. In no event shall the aggregate penalty  
759 imposed for such failure to file exceed ten thousand dollars.

760 (c) The [commission] board may also report its finding to the Chief  
761 State's Attorney for any action deemed necessary. The [commission]  
762 board, upon a finding made pursuant to section 1-82, as amended by  
763 this act, that a member or member-elect of the General Assembly has

764 violated any provision of this part, shall notify the appropriate house  
765 of the General Assembly, in writing, of [its] such finding and the basis  
766 for such finding.

767 (d) Any person who knowingly acts in [his] such person's financial  
768 interest in violation of section 1-84, 1-85, 1-86, as amended by this act,  
769 or 1-86d, as amended by this act, or any person who knowingly  
770 receives a financial advantage resulting from a violation of any of said  
771 sections shall be liable for damages in the amount of such advantage. If  
772 the [commission] board determines that any person may be so liable, it  
773 shall immediately inform the Attorney General of that possibility.

774 (e) Any employee [or member of the commission] of the Office of  
775 State Ethics or member of the Citizen's Ethics Advisory Board who, in  
776 violation of this part, discloses information filed in accordance with  
777 [subparagraph (B) or] subparagraph (F) of subdivision (1) of  
778 subsection (b) of section 1-83, as amended by this act, shall be  
779 dismissed, if an employee, or removed from the [commission] board, if  
780 a member.

781 Sec. 14. Section 1-89a of the general statutes is repealed and the  
782 following is substituted in lieu thereof (*Effective July 1, 2005*):

783 (a) In each odd-numbered calendar year, the [State Ethics  
784 Commission] Office of State Ethics, the Connecticut Humanities  
785 Council and the Joint Committee on Legislative Management shall  
786 conduct a conference on ethical issues affecting members of the  
787 General Assembly and lobbyists.

788 (b) In each even-numbered calendar year, the [State Ethics  
789 Commission] Office of State Ethics shall conduct a conference on  
790 ethical issues affecting executive branch and quasi-public agency  
791 public officials and state employees.

792 Sec. 15. Subsection (c) of section 1-91 of the general statutes is  
793 repealed and the following is substituted in lieu thereof (*Effective July*  
794 *1, 2005*):

795 (c) ["Commission" means the State Ethics Commission] "Board"  
796 means the Citizen's Ethics Advisory Board established under section 1-  
797 80, as amended by this act.

798 Sec. 16. Section 1-92 of the general statutes is repealed and the  
799 following is substituted in lieu thereof (*Effective July 1, 2005*):

800 [The commission shall:

801 (1) Adopt] (a) The Citizen's Ethics Advisory Board shall adopt  
802 regulations in accordance with chapter 54 to carry out the purposes of  
803 this part. Not later than January 1, 1992, the [commission] board shall  
804 adopt regulations which further clarify the meaning of the terms  
805 "directly and personally received" and "major life event", as used in  
806 subsection (e) of section 1-79 and subsection (g) of section 1-91;

807 [(2) Compile] (b) The general counsel and staff of the Office of State  
808 Ethics shall compile and maintain an index of all reports and  
809 statements filed with the [commission] Office of State Ethics under the  
810 provisions of this part and advisory opinions and informal staff letters  
811 issued by the [commission] board with regard to the requirements of  
812 this part, to facilitate public access to such reports, statements, letters  
813 and advisory opinions promptly upon the filing or issuance thereof;

814 [(3) Prepare] (c) The general counsel and staff of the Office of State  
815 Ethics shall prepare quarterly and annual summaries of statements  
816 and reports filed with the [commission] Office of State Ethics and  
817 advisory opinions and informal staff letters issued by the [commission]  
818 Office of State Ethics;

819 [(4) Preserve advisory opinions] (d) The general counsel and staff of  
820 the Office of State Ethics shall preserve advisory opinions and informal  
821 staff letters permanently; preserve memoranda filed under subsection  
822 (f) of section 1-93a, statements and reports filed by and with the  
823 [commission] Office of State Ethics for a period of five years from the  
824 date of receipt;

825 [(5)] (e) Upon the concurring vote of [five] a majority of its members  
826 [ ] present and voting, the board shall issue advisory opinions with  
827 regard to the requirements of this part, upon the request of any person,  
828 subject to the provisions of this part, and publish such advisory  
829 opinions in the Connecticut Law Journal. Advisory opinions rendered  
830 by [the commission] the board, until amended or revoked, shall be  
831 binding on the [commission] board and shall be deemed to be final  
832 decisions of the [commission] board for purposes of [section 1-98]  
833 appeal to the superior court, in accordance with the provisions of  
834 section 4-175 or 4-183. Any advisory opinion concerning any person  
835 subject to the provisions of this part who requested the opinion and  
836 who acted in reliance thereon, in good faith, shall be binding upon the  
837 [commission] board, and it shall be an absolute defense in any criminal  
838 action brought under the provisions of this part that the accused acted  
839 in reliance upon such advisory opinion;

840 [(6) Report annually, prior to February fifteenth, to the Governor  
841 summarizing the activities of the commission;

842 (7) Employ]

843 (f) The Office of State Ethics shall employ necessary staff within  
844 available appropriations.

845 Sec. 17. Section 1-93 of the general statutes is repealed and the  
846 following is substituted in lieu thereof (*Effective July 1, 2005*):

847 (a) (1) Upon the complaint of any person on a form prescribed by  
848 the [commission] Office of State Ethics, signed under penalty of false  
849 statement, or upon its own complaint, the [commission] ethics  
850 enforcement officer of the Office of State Ethics shall investigate any  
851 alleged violation of this part. Not later than five days after the receipt  
852 or issuance of such complaint, the [commission] Office of State Ethics  
853 shall provide notice of such receipt or issuance and a copy of the  
854 complaint by registered or certified mail to any respondent against  
855 whom such complaint is filed and shall provide notice of the receipt of  
856 such complaint to the complainant. When the [commission] Office of

857 State Ethics undertakes an evaluation of a possible violation of this  
858 part prior to the filing of a complaint, [by the commission] the subject  
859 of the evaluation shall be notified [within five business days after a  
860 commission staff member's] not later than five business days after a  
861 staff member of the Office of State Ethics undertakes the first contact  
862 with a third party concerning the matter.

863 (2) In the conduct of its investigation of an alleged violation of this  
864 part, the [commission] Office of State Ethics shall have the power to  
865 hold hearings, administer oaths, examine witnesses, receive oral and  
866 documentary evidence, subpoena witnesses under procedural rules  
867 adopted by the [commission] Citizen's Ethics Advisory Board as  
868 regulations in accordance with the provisions of chapter 54 to compel  
869 attendance before the [commission] Office of State Ethics and to  
870 require the production for examination by the [commission] ethics  
871 enforcement officer of the Office of State Ethics of any books and  
872 papers which the [commission] ethics enforcement officer of the Office  
873 of State Ethics deems relevant in any matter under investigation or in  
874 question. In the exercise of such powers, the [commission] Office of  
875 State Ethics may use the services of the state police, who shall provide  
876 the same upon the [commission's] office's request. The [commission]  
877 Office of State Ethics shall make a record of all proceedings conducted  
878 pursuant to this subsection. Any witness summoned before the  
879 [commission] Office of State Ethics or a judge trial referee pursuant to  
880 this subsection shall receive the witness fee paid to witnesses in the  
881 courts of this state. The ethics enforcement officer of the Office of State  
882 Ethics shall bring any alleged violation of this part before a judge trial  
883 referee assigned by the Chief Court Administrator for such purpose for  
884 a probable cause hearing. Such judge trial referee shall be compensated  
885 in accordance with the provisions of section 52-434 from such funds as  
886 may be available to the Office of State Ethics. The respondent shall  
887 have the right to appear at any hearing held pursuant to this  
888 subsection and be heard and to offer any information which may tend  
889 to clear [him] the respondent of probable cause to believe [he] the  
890 respondent has violated any provision of this part. The respondent

891 shall also have the right to be represented by legal counsel and to  
892 examine and cross-examine witnesses. Not later than ten days prior to  
893 the commencement of any hearing conducted pursuant to this  
894 subsection, the [commission] Office of State Ethics shall provide the  
895 respondent with a list of its intended witnesses. [The commission shall  
896 make no finding that there is probable cause to believe the respondent  
897 is in violation of this part, except upon the concurring vote of five of its  
898 members.] Any finding of probable cause to believe the respondent is  
899 in violation of any provision of this part shall be made by a judge trial  
900 referee not later than thirty days after the general counsel brings such  
901 alleged violation before such judge trial referee, except that such thirty-  
902 day limitation period shall not apply if the judge trial referee  
903 determines that good cause exists for extending such limitation period.

904 (b) If a [preliminary investigation] judge trial referee indicates that  
905 probable cause exists for the violation of a provision of this part, the  
906 [commission] board shall initiate hearings to determine whether there  
907 has been a violation of this part. Any such hearing shall be initiated by  
908 the board not later than thirty days after the finding of probable cause  
909 by a judge trial referee and shall be concluded not later than ninety  
910 days after its initiation, except that such thirty-day or ninety-day  
911 limitation period shall not apply if the judge trial referee determines  
912 that good cause exists for extending such limitation period. A judge  
913 trial referee, who has not taken part in the probable cause  
914 determination on the matter shall be assigned by the Chief Court  
915 Administrator and [who] shall be compensated in accordance with  
916 section 52-434 out of funds available to the [commission,] board and  
917 shall preside over such hearing and [shall] rule on all [matters] issues  
918 concerning the application of the rules of evidence, which shall be the  
919 same as in judicial proceedings. The trial referee shall have no vote in  
920 any decision of the [commission] board. All hearings of the  
921 [commission] board held pursuant to this subsection shall be open. At  
922 such hearing the [commission] board shall have the same powers as  
923 the Office of State Ethics under subsection (a) of this section and the  
924 respondent shall have the right to be represented by legal counsel, the

925 right to compel attendance of witnesses and the production of books,  
926 documents, records and papers and to examine and cross-examine  
927 witnesses. Not later than ten days prior to the commencement of any  
928 hearing conducted pursuant to this subsection, the [commission]  
929 Office of State Ethics shall provide the respondent with a list of its  
930 intended witnesses. The judge trial referee shall, while engaged in the  
931 discharge of [his] the duties as provided in this subsection, have the  
932 same authority as is provided in section 51-35 over witnesses who  
933 refuse to obey a subpoena or to testify with respect to any matter upon  
934 which such witness may be lawfully interrogated, and may commit  
935 any such witness for contempt for a period no longer than thirty days.  
936 The [commission] Office of State Ethics shall make a record of all  
937 proceedings pursuant to this subsection. The [commission] board shall  
938 find no person in violation of any provision of this part except upon  
939 the concurring vote of [six] two-thirds of its members present and  
940 voting. Not later than fifteen days after the public hearing conducted  
941 in accordance with this subsection, the [commission] board shall  
942 publish its finding and a memorandum of the reasons therefor. Such  
943 finding and memorandum shall be deemed to be the final decision of  
944 the [commission] board on the matter for the purposes of chapter 54.  
945 The respondent, if aggrieved by the finding and memorandum, may  
946 appeal therefrom to the Superior Court in accordance with the  
947 provisions of section 4-183.

948 (c) If any complaint brought under the provisions of this part is  
949 made with the knowledge that it is made without foundation in fact,  
950 the respondent shall have a cause of action against the complainant for  
951 double the amount of damage caused thereby and if the respondent  
952 prevails in such action, [he] the respondent may be awarded by the  
953 court the costs of such action together with reasonable attorneys' fees.

954 (d) No complaint may be made under this section except within five  
955 years next after the violation alleged in the complaint has been  
956 committed.

957 (e) No person shall take or threaten to take official action against an

958 individual for such individual's disclosure of information to the  
959 [commission] board or the general counsel, ethics enforcement officer  
960 or staff of the Office of State Ethics under the provisions of this part.  
961 After receipt of information from an individual under the provisions of  
962 this part, the [commission] Office of State Ethics shall not disclose the  
963 identity of such individual without [his] such person's consent unless  
964 the [commission] Office of State Ethics determines that such disclosure  
965 is unavoidable during the course of an investigation.

966 Sec. 18. Section 1-93a of the general statutes is repealed and the  
967 following is substituted in lieu thereof (*Effective July 1, 2005*):

968 (a) Unless [the commission] a judge trial referee makes a finding of  
969 probable cause, a complaint alleging a violation of this part shall be  
970 confidential except upon the request of the respondent. A  
971 [commission] Office of State Ethics evaluation of a possible violation of  
972 this part undertaken prior to a complaint being filed [by the  
973 commission] shall be confidential except upon the request of the  
974 subject of the evaluation. If the evaluation is confidential, any  
975 information supplied to or received from the [commission] Office of  
976 State Ethics shall not be disclosed to any third party by a subject of the  
977 evaluation, a person contacted for the purpose of obtaining  
978 information or by a [commission] board or staff member of the Office  
979 of State Ethics. No provision of this subsection shall prevent the [Ethics  
980 Commission] board or the Office of State Ethics from reporting the  
981 possible commission of a crime to the Chief State's Attorney or other  
982 prosecutorial authority.

983 (b) An investigation conducted prior to a probable cause finding  
984 shall be confidential except upon the request of the respondent. If the  
985 investigation is confidential, the allegations in the complaint and any  
986 information supplied to or received from the [commission] Office of  
987 State Ethics shall not be disclosed during the investigation to any third  
988 party by a complainant, respondent, witness, designated party, or  
989 [commission] Office of State Ethics or staff member.

990 (c) Not later than three business days after the termination of the  
991 investigation, the [commission] Office of State Ethics shall inform the  
992 complainant and the respondent of its finding and provide them a  
993 summary of its reasons for making that finding. The [commission]  
994 Office of State Ethics shall publish its finding upon the respondent's  
995 request and may also publish a summary of its reasons for making  
996 such finding.

997 (d) If [the commission] a judge trial referee makes a finding of no  
998 probable cause, the complaint and the record of its investigation shall  
999 remain confidential, except upon the request of the respondent and  
1000 except that some or all of the record may be used in subsequent  
1001 proceedings. No complainant, respondent, witness, designated party,  
1002 or [commission] Office of State Ethics or staff member shall disclose to  
1003 any third party any information learned from the investigation,  
1004 including knowledge of the existence of a complaint, which the  
1005 disclosing party would not otherwise have known. If such a disclosure  
1006 is made, the [commission] judge trial referee may, after consultation  
1007 with the respondent if the respondent is not the source of the  
1008 disclosure, publish its finding and a summary of its reasons therefor.

1009 (e) The [commission] judge trial referee shall make public a finding  
1010 of probable cause not later than five business days after [the  
1011 termination of the investigation] any such finding. At such time the  
1012 entire record of the investigation shall become public, except that the  
1013 [commission] Office of State Ethics may postpone examination or  
1014 release of such public records for a period not to exceed fourteen days  
1015 for the purpose of reaching a stipulation agreement pursuant to  
1016 subsection (c) of section 4-177. Any stipulation agreement or settlement  
1017 entered into for a violation of this part shall be approved by a majority  
1018 if its members present and voting.

1019 Sec. 19. Section 1-94 of the general statutes is repealed and the  
1020 following is substituted in lieu thereof (*Effective July 1, 2005*):

1021 A lobbyist shall register with the [commission] Office of State Ethics

1022 pursuant to this part if it or he:

1023 (1) Receives or agrees to receive compensation or reimbursement for  
1024 actual expenses, or both, in a combined amount of two thousand  
1025 dollars or more in a calendar year for lobbying, whether that receipt of  
1026 compensation or reimbursement or agreement to receive such  
1027 compensation or reimbursement is solely for lobbying or the lobbying  
1028 is incidental to that person's regular employment; or

1029 (2) Makes or incurs an obligation to make expenditures of two  
1030 thousand dollars or more in a calendar year for lobbying.

1031 Sec. 20. Section 1-95 of the general statutes is repealed and the  
1032 following is substituted in lieu thereof (*Effective July 1, 2005*):

1033 (a) Each registrant shall file every two years with the [commission]  
1034 Office of State Ethics on a registration form signed under penalty of  
1035 false statement on or before January fifteenth of odd-numbered years  
1036 or prior to the commencement of lobbying whichever is later. If the  
1037 registrant is not an individual, an authorized officer or agent of the  
1038 registrant shall sign the form. Such registration shall be on a form  
1039 prescribed by the [commission] board and shall include:

1040 (1) If the registrant is an individual, the registrant's name,  
1041 permanent address and temporary address while lobbying and the  
1042 name, address and nature of business of any person who compensates  
1043 or reimburses, or agrees to compensate or reimburse the registrant and  
1044 the terms of the compensation, reimbursement or agreement, but shall  
1045 not include the compensation paid to an employee for his involvement  
1046 in activities other than lobbying;

1047 (2) If the registrant is a corporation, the name, address, place of  
1048 incorporation and the principal place of business of the corporation;

1049 (3) If the registrant is an association, group of persons or an  
1050 organization, the name and address of the principal officers and  
1051 directors of such association, group of persons or organization. If the

1052 registrant is formed primarily for the purpose of lobbying, it shall  
1053 disclose the name and address of any person contributing two  
1054 thousand dollars or more to the registrant's lobbying activities in any  
1055 calendar year;

1056 (4) If the registrant is not an individual, the name and address of  
1057 each individual who will lobby on the registrant's behalf; and

1058 (5) The identification, with reasonable particularity, of areas of  
1059 legislative or administrative action on which the registrant expects to  
1060 lobby.

1061 (b) Each registrant shall pay a reasonable fee not in excess of the cost  
1062 of administering the registration form provided for in subsection (a) of  
1063 this section plus the cost of collecting, filing, copying and distributing  
1064 the information filed by registrants under section 1-96, but not less  
1065 than twenty-five dollars. A registrant who commences lobbying in an  
1066 even-numbered year shall file with the [commission] Office of State  
1067 Ethics, on or before January fifteenth of such even-numbered year or  
1068 prior to the commencement of lobbying, whichever is later, a  
1069 registration form signed under penalty of false statement and shall pay  
1070 one-half of the biennial registration fee established by the  
1071 [commission] board.

1072 (c) Each registrant shall file a notice of termination within thirty  
1073 days after he ceases the activity that required his registration, provided  
1074 the registrant does not intend to resume the activity during the  
1075 biennial period for which he is registered; but termination shall not  
1076 relieve him of the reporting requirements of section 1-96 for the period  
1077 preceding the date his notice of termination is received by the  
1078 [commission] Office of State Ethics or for the period commencing on  
1079 such date and ending on December thirty-first of the year in which  
1080 termination occurs.

1081 Sec. 21. Section 1-96 of the general statutes is repealed and the  
1082 following is substituted in lieu thereof (*Effective July 1, 2005*):

1083 (a) Each client lobbyist registrant shall file with the [commission]  
1084 Office of State Ethics between the first and tenth day of April, July and  
1085 January a financial report, signed under penalty of false statement. The  
1086 April and July reports shall cover its lobbying activities during the  
1087 previous calendar quarter and the January report shall cover its  
1088 lobbying activities during the previous two calendar quarters. In  
1089 addition to such reports, each client lobbyist registrant which attempts  
1090 to influence legislative action shall file, under penalty of false  
1091 statement, interim monthly reports of its lobbying activities for each  
1092 month the General Assembly is in regular session, except that no  
1093 monthly report shall be required for any month in which it neither  
1094 expends nor agrees to expend one hundred dollars or more in  
1095 furtherance of lobbying. Such interim monthly reports shall be filed  
1096 with the [commission] Office of State Ethics no later than the tenth day  
1097 of the month following the last day of the month reported. If the client  
1098 lobbyist registrant is not an individual, an authorized officer or agent  
1099 of the client lobbyist registrant shall sign the form. A communicator  
1100 lobbyist for a municipality or any subdivision of a municipality, a  
1101 branch of state government or any subdivision of state government or  
1102 a quasi-public agency shall file the reports described in this subsection  
1103 utilizing the client lobbyist reporting schedule.

1104 (b) Each individual communicator lobbyist registrant and each  
1105 business organization communicator lobbyist registrant shall file with  
1106 the [commission] Office of State Ethics between the first and tenth day  
1107 of January a report or reports, signed under penalty of false statement,  
1108 reporting the amounts of compensation and reimbursement received  
1109 from each of his clients during the previous year. In addition, each  
1110 individual communicator lobbyist registrant and each business  
1111 organization communicator lobbyist registrant shall: (1) Report the  
1112 fundamental terms of contracts, agreements or promises to pay or  
1113 receive compensation or reimbursement or to make expenditures in  
1114 furtherance of lobbying, including the categories of work to be  
1115 performed and the dollar value or compensation rate of the contract, at  
1116 the time of registration; (2) report, in accordance with the schedule set

1117 forth in subsection (a) of this section, any amendments to these  
1118 fundamental terms, including any agreements to subcontract lobbying  
1119 work; and (3) report, in accordance with the provisions of subsection  
1120 (a) of this section, any expenditures for the benefit of a public official in  
1121 the legislative or executive branch or a member of the staff or  
1122 immediate family of such official which are unreimbursed and  
1123 required to be itemized. Such report shall not include the disclosure of  
1124 food and beverage provided by a communicator lobbyist registrant to  
1125 a public official in the legislative or executive branch or a member of  
1126 his staff or immediate family at a major life event, as defined by the  
1127 [commission] Citizen's Ethics Advisory Board, of the registrant. All  
1128 such information shall be reported under penalty of false statement.

1129 (c) An individual communicator lobbyist registrant shall file a  
1130 separate report for each person from whom he received compensation  
1131 or reimbursement. Notwithstanding any provision of this subsection to  
1132 the contrary, a business organization to which one or more individual  
1133 communicator lobbyist registrants belong may file a single report for  
1134 each client lobbyist in lieu of any separate reports that individual  
1135 registrants are required to file pursuant to this subsection.

1136 (d) Each registrant who files a notice of termination under  
1137 subsection (c) of section 1-95 shall file with the [commission] Office of  
1138 State Ethics a financial report, under penalty of false statement,  
1139 between the first and tenth day of January of the year following  
1140 termination.

1141 (e) Each client lobbyist registrant financial report shall be on a form  
1142 prescribed by the [commission] board and shall state expenditures  
1143 made and the fundamental terms of contracts, agreements or promises  
1144 to pay compensation or reimbursement or to make expenditures in  
1145 furtherance of lobbying. Any such fundamental terms shall be  
1146 reported once in the monthly, quarterly or post-termination report  
1147 next following the entering into of such contract. Such financial report  
1148 shall include an itemized statement of each expenditure of ten dollars  
1149 or more per person for each occasion made by the reporting registrant

1150 or a group of registrants which includes the reporting registrant for the  
1151 benefit of a public official in the legislative or executive branch, a  
1152 member of his staff or immediate family, itemized by date, beneficiary,  
1153 amount and circumstances of the transaction. The requirement of an  
1154 itemized statement shall not apply to an expenditure made by a  
1155 reporting registrant or a group of registrants which includes the  
1156 reporting registrant for (1) the benefit of the members of the General  
1157 Assembly at an event that is a reception to which all such members are  
1158 invited or all members of a region of the state, as such term is used in  
1159 subdivision (11) of subsection (g) of section 1-91, are invited, unless the  
1160 expenditure is thirty dollars or more per person, or (2) benefits  
1161 personally and directly received by a public official or state employee  
1162 at a charitable or civic event at which the public official or state  
1163 employee participates in his official capacity, unless the expenditure is  
1164 thirty dollars or more per person, per event. If the compensation is  
1165 required to be reported for an individual whose lobbying is incidental  
1166 to his regular employment, it shall be sufficient to report a prorated  
1167 amount based on the value of the time devoted to lobbying. On the  
1168 first financial report following registration each client lobbyist  
1169 registrant shall include any expenditures incident to lobbying activities  
1170 which were received or expended prior to registration and not  
1171 previously reported to the [commission] Office of State Ethics.

1172 (f) The [commission] Citizen's Ethics Advisory Board shall, by  
1173 regulations adopted in accordance with chapter 54, establish minimum  
1174 amounts for each item required to be reported, below which reporting  
1175 may be made in the aggregate. The provisions of this subsection shall  
1176 not apply to expenditures made for the benefit of a public official or a  
1177 member of such person's staff or immediate family.

1178 (g) Each former registrant shall (1) report receipts or expenditures  
1179 incident to lobbying activities during his period of registration which  
1180 are received or expended following termination of registration and (2)  
1181 report each expenditure of ten dollars or more per person for each  
1182 occasion made by him for the benefit of a public official or a member  
1183 of such official's immediate family or staff which occurs within six

1184 months after termination of registration.

1185 (h) The [commission] Office of State Ethics shall, within thirty days  
1186 after receipt of a financial report which contains the name of a public  
1187 official in the legislative or executive branch or a member of such  
1188 official's staff or immediate family, send a written notice to such public  
1189 official, of the filing of the report and the name of the person who filed  
1190 it.

1191 Sec. 22. Subsection (b) of section 1-96a of the general statutes is  
1192 repealed and the following is substituted in lieu thereof (*Effective July*  
1193 *1, 2005*):

1194 (b) The [commission] Office of State Ethics may require, on a  
1195 random basis, any registrant to make all such documents  
1196 substantiating financial reports concerning lobbying activities on and  
1197 after October 1, 1991, available for inspection and copying by the  
1198 [commission] Office of State Ethics for the purpose of verifying such  
1199 financial reports, provided no registrant shall be subject to such  
1200 requirement more than one time during any three consecutive years.  
1201 The [commission] Office of State Ethics shall select registrants to be  
1202 audited by lot in a ceremony which shall be open to the public.  
1203 Nothing in this subsection shall require a registrant to make any  
1204 documents concerning nonlobbying activities available to the  
1205 [commission] Office of State Ethics for inspection and copying.

1206 Sec. 23. Section 1-96b of the general statutes is repealed and the  
1207 following is substituted in lieu thereof (*Effective July 1, 2005*):

1208 Each registrant required to file any financial reports under section 1-  
1209 96 shall do so in electronic form using the software created by the  
1210 [commission] Office of State Ethics for that purpose or another  
1211 software program which meets specifications prescribed by the  
1212 [commission] Office of State Ethics.

1213 Sec. 24. Section 1-98 of the general statutes is repealed and the  
1214 following is substituted in lieu thereof (*Effective July 1, 2005*):

1215 Any person aggrieved by any final decision of the [commission]  
1216 board, made pursuant to this part, may appeal such decision in  
1217 accordance with the provisions of section 4-175 or section 4-183.

1218 Sec. 25. Section 1-99 of the general statutes is repealed and the  
1219 following is substituted in lieu thereof (*Effective July 1, 2005*):

1220 (a) The [commission] board, upon a finding made pursuant to  
1221 section 1-93 that there has been a violation of any provision of this  
1222 part, shall have the authority to order the violator to do any or all of  
1223 the following: (1) Cease and desist the violation of this part; (2) file any  
1224 report, statement or other information as required by this part; or (3)  
1225 pay a civil penalty of not more than ten thousand dollars for each  
1226 violation of this part. The [commission] board may prohibit any person  
1227 who intentionally violates any provision of this part from engaging in  
1228 the profession of lobbyist for a period of not more than two years. The  
1229 [commission] board may impose a civil penalty on any person who  
1230 knowingly enters into a contingent fee agreement in violation of  
1231 subsection (b) of section 1-97 or terminates a lobbying contract as the  
1232 result of the outcome of an administrative or legislative action. The  
1233 civil penalty shall be equal to the amount of compensation which the  
1234 registrant was required to be paid under the agreement.

1235 (b) Notwithstanding the provisions of subsection (a) of this section,  
1236 the [commission] board may, after a hearing conducted in accordance  
1237 with sections 4-176e to 4-184, inclusive, upon the concurring vote of  
1238 [six] two-thirds of its members, impose a civil penalty not to exceed ten  
1239 dollars per day upon any registrant who fails to file any report,  
1240 statement or other information as required by this part. Each distinct  
1241 violation of this subsection shall be a separate offense and, in case of a  
1242 continued violation, each day thereof shall be deemed a separate  
1243 offense. In no event shall the aggregate penalty imposed for such  
1244 failure to file exceed ten thousand dollars.

1245 (c) The [commission] board may also report its finding to the Chief  
1246 State's Attorney for any action deemed necessary.

1247 Sec. 26. Section 1-101 of the general statutes is repealed and the  
1248 following is substituted in lieu thereof (*Effective July 1, 2005*):

1249 Each individual who is a lobbyist shall, while engaged in lobbying,  
1250 wear a distinguishing badge which shall identify him as a lobbyist.  
1251 The size, color, material and other requirements of such badge shall be  
1252 prescribed by regulation of the [commission] Citizen's Ethics Advisory  
1253 Board.

1254 Sec. 27. Section 1-96c of the general statutes is repealed and the  
1255 following is substituted in lieu thereof (*Effective July 1, 2005*):

1256 On and after January 1, 1999, the [State Ethics Commission] Office  
1257 of State Ethics shall make all computerized data from financial reports  
1258 required by section 1-96 available to the public through (1) a computer  
1259 terminal in the office of the [commission] Office of State Ethics, and (2)  
1260 the Internet or any other generally available on-line computer network.

1261 Sec. 28. Section 1-96e of the general statutes is repealed and the  
1262 following is substituted in lieu thereof (*Effective July 1, 2005*):

1263 Each registrant who pays or reimburses a public official or state  
1264 employee ten dollars or more for necessary expenses, as defined in  
1265 section 1-79, as amended by this act, shall, within thirty days, file a  
1266 statement with the [State Ethics Commission] Office of State Ethics  
1267 indicating the name of such individual and the amount of the  
1268 expenses.

1269 Sec. 29. Subsection (a) of section 1-99 of the general statutes is  
1270 repealed and the following is substituted in lieu thereof (*Effective July*  
1271 *1, 2005*):

1272 (a) The [commission] board, upon a finding made pursuant to  
1273 section 1-93, as amended by this act, that there has been a violation of  
1274 any provision of this part, shall have the authority to order the violator  
1275 to do any or all of the following: (1) Cease and desist the violation of  
1276 this part; (2) file any report, statement or other information as required

1277 by this part; or (3) pay a civil penalty of not more than ten thousand  
1278 dollars for each violation of this part. The [commission] board may  
1279 prohibit any person who intentionally violates any provision of this  
1280 part from engaging in the profession of lobbyist for a period of not  
1281 more than two years. The [commission] board may impose a civil  
1282 penalty on any person who knowingly enters into a contingent fee  
1283 agreement in violation of subsection (b) of section 1-97 or terminates a  
1284 lobbying contract as the result of the outcome of an administrative or  
1285 legislative action. The civil penalty shall be equal to the amount of  
1286 compensation which the registrant was required to be paid under the  
1287 agreement.

1288 Sec. 30. Section 4-9a of the general statutes is repealed and the  
1289 following is substituted in lieu thereof (*Effective July 1, 2005*):

1290 (a) The Governor shall appoint the chairperson and executive  
1291 director, if any, of all boards and commissions within the Executive  
1292 Department, except the Board of Governors of Higher Education,  
1293 provided the Governor shall appoint the initial chairman of said board  
1294 as provided in section 10a-2, the State Properties Review Board, the  
1295 State Elections Enforcement Commission, the Commission on Human  
1296 Rights and Opportunities, the [State Ethics Commission] Citizen's  
1297 Ethics Advisory Board, the Commission on Aging and the  
1298 Commission on Fire Prevention and Control.

1299 (b) Public members shall constitute not less than one-third of the  
1300 members of each board and commission within the Executive  
1301 Department, except the Gaming Policy Board and the Commission on  
1302 Human Rights and Opportunities. Public member means an elector of  
1303 the state who has no substantial financial interest in, is not employed  
1304 in or by, and is not professionally affiliated with, any industry,  
1305 profession, occupation, trade or institution regulated or licensed by the  
1306 relevant board or commission, and who has had no professional  
1307 affiliation with any such industry, profession, occupation, trade or  
1308 institution for three years preceding his appointment to the board or  
1309 commission. Except as otherwise specifically provided by the general

1310 statutes, this section shall not apply to the Commission on Fire  
1311 Prevention and Control, boards and commissions the membership of  
1312 which is entirely composed of state department heads, elected officials  
1313 or deputies appointed by such department heads or where the  
1314 membership of such board or commission is determined in accordance  
1315 with the provisions of any federal law.

1316 (c) Notwithstanding any provision of law to the contrary, the term  
1317 of each member of each board and commission within the executive  
1318 branch, except the State Board of Education, the Board of Governors of  
1319 Higher Education, the Gaming Policy Board, the Commission on  
1320 Human Rights and Opportunities, the State Elections Enforcement  
1321 Commission, the State Properties Review Board, the [State Ethics  
1322 Commission] Citizen's Ethics Advisory Board, the Commission on  
1323 Medicolegal Investigations, the Psychiatric Security Review Board, the  
1324 Commission on Fire Prevention and Control, the E 9-1-1 Commission,  
1325 the Connecticut Commission on Culture and Tourism, the Commission  
1326 on Aging, the board of trustees of each constituent unit of the state  
1327 system of higher education and the Board of Pardons and Paroles,  
1328 commencing on or after July 1, 1979, shall be coterminous with the  
1329 term of the Governor or until a successor is chosen whichever is later.

1330 (d) Each member of each board and commission within the  
1331 executive branch shall serve at the pleasure of the appointing authority  
1332 except where otherwise specifically provided by any provision of the  
1333 general statutes.

1334 Sec. 31. Subsection (a) of section 4b-4 of the general statutes is  
1335 repealed and the following is substituted in lieu thereof (*Effective July*  
1336 *1, 2005*):

1337 (a) No employee of the Properties Review Board shall hold another  
1338 state or municipal position, nor shall any such employee or any  
1339 nonclerical employee in the unit in the Department of Public Works  
1340 which is responsible for acquiring, leasing and selling real property on  
1341 behalf of the state, be directly involved in any enterprise which does

1342 business with the state or be directly or indirectly involved in any  
1343 enterprise concerned with real estate acquisition or development. Each  
1344 member and employee of the State Properties Review Board shall file,  
1345 with the board and with the [State Ethics Commission] Office of State  
1346 Ethics, and each such employee of the department shall file, with the  
1347 department and with the [State Ethics Commission] Office of State  
1348 Ethics, a financial statement indicating all sources of business income  
1349 of such person in excess of one thousand dollars, and the name of any  
1350 business with which he is associated, which shall have the same  
1351 meaning as defined in section 1-79, as amended by this act. Such  
1352 statement shall be a public record. Financial statements for the  
1353 preceding calendar year shall be filed with the commission on or  
1354 before April fifteenth of each year if the employee or member held  
1355 such a position during the preceding calendar year.

1356 Sec. 32. Subsection (b) of section 5-266a of the general statutes is  
1357 repealed and the following is substituted in lieu thereof (*Effective July*  
1358 *1, 2005*):

1359 (b) A person employed in said classified service or Judicial  
1360 Department retains the right to vote as he chooses and to express his  
1361 opinions on political subjects and candidates and shall be free to  
1362 participate actively in political management and campaigns. Such  
1363 activity may include but shall not be limited to, membership and  
1364 holding of office in a political party, organization or club, campaigning  
1365 for a candidate in a partisan election by making speeches, writing on  
1366 behalf of the candidate or soliciting votes in support of or in opposition  
1367 to a candidate and making contributions of time and money to political  
1368 parties, committees or other agencies engaged in political action,  
1369 except that no such employee shall engage in such activity while on  
1370 duty or within any period of time during which such employee is  
1371 expected to perform services for which he receives compensation from  
1372 the state, and no such employee shall utilize state funds, supplies,  
1373 vehicles, or facilities to secure support for or oppose any candidate,  
1374 party, or issue in a political partisan election. Notwithstanding the  
1375 provisions of this subsection, any person employed in the classified

1376 state service or in the Judicial Department may be a candidate for a  
1377 state or municipal office, in any political partisan election. No person  
1378 seeking or holding municipal office or seeking state office in  
1379 accordance with the provisions of this subsection shall engage in  
1380 political activity or in the performance of the duties of such office  
1381 while on state duty or within any period of time during which such  
1382 person is expected to perform services for which such person receives  
1383 compensation from the state. The [State Ethics Commission] Citizen's  
1384 Ethics Advisory Board shall establish by regulation definitions of  
1385 conflict of interest which shall preclude persons in the classified state  
1386 service or in the Judicial Department from holding elective office.

1387 Sec. 33. Section 3-13l of the general statutes is repealed and the  
1388 following is substituted in lieu thereof (*Effective July 1, 2005*):

1389 (a) No person may, directly or indirectly, pay a finder's fee to any  
1390 person in connection with any investment transaction involving the  
1391 state, any quasi-public agency, as defined in section 1-120, or any  
1392 political subdivision of the state. No person may, directly or indirectly,  
1393 receive a finder's fee in connection with any investment transaction  
1394 involving the state, any quasi-public agency, as defined in section 1-  
1395 120, or any political subdivision of the state.

1396 (b) For purposes of this section:

1397 (1) "Finder's fee" means compensation in the form of cash, cash  
1398 equivalents or other things of value paid to or received by a third party  
1399 in connection with an investment transaction to which the state, any  
1400 political subdivision of the state or any quasi-public agency, as defined  
1401 in section 1-120, is a party for any services, and includes, but is not  
1402 limited to, any fee paid for lobbying, as defined in subsection (k) of  
1403 section 1-91, and as defined by the [Ethics Commission] Citizen's  
1404 Ethics Advisory Board, in consultation with the Treasurer, in the  
1405 regulations adopted under subparagraph (C)(ii) of subdivision (3) of  
1406 this subsection or as prescribed by the Treasurer until such regulations  
1407 are adopted.

1408 (2) "Finder's fee" does not mean (A) (i) compensation earned for the  
1409 rendering of investment services, as defined in subsection (f) of section  
1410 9-333n, or for acting as a licensed real estate broker or real estate sales  
1411 person under the provisions of section 20-312, or under a comparable  
1412 statute of the jurisdiction in which the subject property is located, or  
1413 (ii) marketing fees or due diligence fees earned by the payee in  
1414 connection with the offer, sale or purchase of any security or  
1415 investment interest, in accordance with criteria prescribed under  
1416 [subparagraph (ii) of] subparagraph (C)(ii) of subdivision (3) of this  
1417 subsection, (B) compensation paid to (i) persons who are investment  
1418 professionals engaged in the ongoing business of representing  
1419 investment services providers, or (ii) third parties for services  
1420 connected to the issuance of debt by the state, any political subdivision  
1421 of the state or any quasi-public agency, as defined in section 1-120, and  
1422 (C) any compensation which is so defined by the regulations adopted  
1423 under subparagraph (C)(ii) of subdivision (3) of this subsection, or any  
1424 compensation which meets criteria prescribed by the Treasurer until  
1425 such regulations are adopted. As used in this section, "offer" and "sale"  
1426 have the meaning provided in section 36b-3.

1427 (3) "Investment professional" means an individual or firm whose  
1428 primary business is bringing together institutional funds and  
1429 investment opportunities and who (A) is a broker-dealer or investment  
1430 adviser agent licensed or registered (i) under the Connecticut Uniform  
1431 Securities Act; (ii) in the case of an investment adviser agent, with the  
1432 Securities and Exchange Commission, in accordance with the  
1433 Investment Advisors' Act of 1940; or (iii) in the case of a broker-dealer,  
1434 with the National Association of Securities Dealers in accordance with  
1435 the Securities Exchange Act of 1934, or (B) is licensed under section 20-  
1436 312, or under a comparable statute of the jurisdiction in which the  
1437 subject property is located, or (C) (i) furnishes an investment manager  
1438 with marketing services including, but not limited to, developing an  
1439 overall marketing strategy focusing on more than one institutional  
1440 fund, designing or publishing marketing brochures or other  
1441 presentation material such as logos and brands for investment

1442 products, responding to requests for proposals, completing due  
1443 diligence questionnaires, identifying a range of potential investors, or  
1444 such other services as may be identified in regulations adopted under  
1445 subparagraph (ii) of this subparagraph and (ii) meets criteria  
1446 prescribed (I) by the Treasurer until regulations are adopted under this  
1447 subparagraph, or (II) by the [Ethics Commission] Citizen's Ethics  
1448 Advisory Board, in consultation with the Treasurer, in regulations  
1449 adopted in accordance with the provisions of chapter 54. Prior to  
1450 adopting such regulations, the [Ethics Commission] Citizen's Ethics  
1451 Advisory Board shall transmit the proposed regulations to the  
1452 Treasurer not later than one hundred twenty days before any period  
1453 for public comment on such regulations commences and shall consider  
1454 any comments or recommendations the Treasurer may have regarding  
1455 such regulations. In developing such regulations, the commission shall  
1456 ensure that the state will not be competitively disadvantaged by such  
1457 regulations relative to any legitimate financial market.

1458 (c) Any person who violates any provision of this section shall be  
1459 liable for a civil penalty of not less than the amount of the fee paid or  
1460 received in violation of this section and not more than three times said  
1461 amount.

1462 (1) The Attorney General, upon complaint of the Treasurer or the  
1463 [Ethics Commission] Citizen's Ethics Advisory Board, may bring an  
1464 action in the superior court for the judicial district of Hartford to  
1465 recover such penalty for a violation of this section which affects a fund  
1466 of the state. Any penalty imposed under this section for a violation  
1467 which affects any such fund shall be paid to the Treasurer who shall  
1468 deposit such moneys in such fund.

1469 (2) Any political subdivision of the state may bring an action in the  
1470 superior court to recover such penalty for a violation of this section  
1471 which affects any fund under the control of such subdivision. Any  
1472 penalty imposed under this section for a violation which affects any  
1473 such fund shall be paid to such subdivision which shall deposit such  
1474 moneys in such fund.

1475 (3) Any quasi-public agency, as defined in section 1-120, may bring  
 1476 an action in the superior court to recover such penalty for a violation of  
 1477 this section which affects any fund under the control of such agency.  
 1478 Any penalty imposed under this section for a violation which affects  
 1479 any such fund shall be paid to such agency which shall deposit such  
 1480 moneys in such fund.

1481 Sec. 34. (NEW) (*Effective July 1, 2005*) The Chief Court Administrator  
 1482 shall designate ten judge trial referees who shall be available to the  
 1483 Office of State Ethics to: (1) Preside over and rule at any hearing of the  
 1484 Office of State Ethics; and (2) make findings as to probable cause  
 1485 following any investigation conducted by the ethics enforcement  
 1486 officer of the Office of State Ethics.

1487 Sec. 35. (*Effective from passage*) There shall be an interim executive  
 1488 director of the Office of State Ethics appointed jointly by the Governor,  
 1489 the speaker of the House of Representatives and the president pro  
 1490 tempore of the Senate. Such interim executive director shall be  
 1491 responsible for overseeing the transfer of the responsibilities and  
 1492 duties of the State Ethics Commission to the Office of State Ethics and  
 1493 shall have those duties and powers described in section 3 of this act.  
 1494 Such interim executive director shall serve until the executive director  
 1495 of the Office of State Ethics is appointed by the members of the  
 1496 Citizen's Ethics Advisory Board."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	1-79(d)
Sec. 2	<i>July 1, 2005</i>	1-80
Sec. 3	<i>July 1, 2005</i>	1-81
Sec. 4	<i>July 1, 2005</i>	1-81a
Sec. 5	<i>July 1, 2005</i>	1-81b
Sec. 6	<i>July 1, 2005</i>	1-82
Sec. 7	<i>July 1, 2005</i>	1-82a
Sec. 8	<i>July 1, 2005</i>	1-83
Sec. 9	<i>July 1, 2005</i>	1-84b
Sec. 10	<i>July 1, 2005</i>	1-86

Sec. 11	<i>July 1, 2005</i>	1-86d
Sec. 12	<i>July 1, 2005</i>	1-87
Sec. 13	<i>July 1, 2005</i>	1-88
Sec. 14	<i>July 1, 2005</i>	1-89a
Sec. 15	<i>July 1, 2005</i>	1-91(c)
Sec. 16	<i>July 1, 2005</i>	1-92
Sec. 17	<i>July 1, 2005</i>	1-93
Sec. 18	<i>July 1, 2005</i>	1-93a
Sec. 19	<i>July 1, 2005</i>	1-94
Sec. 20	<i>July 1, 2005</i>	1-95
Sec. 21	<i>July 1, 2005</i>	1-96
Sec. 22	<i>July 1, 2005</i>	1-96a(b)
Sec. 23	<i>July 1, 2005</i>	1-96b
Sec. 24	<i>July 1, 2005</i>	1-98
Sec. 25	<i>July 1, 2005</i>	1-99
Sec. 26	<i>July 1, 2005</i>	1-101
Sec. 27	<i>July 1, 2005</i>	1-96c
Sec. 28	<i>July 1, 2005</i>	1-96e
Sec. 29	<i>July 1, 2005</i>	1-99(a)
Sec. 30	<i>July 1, 2005</i>	4-9a
Sec. 31	<i>July 1, 2005</i>	4b-4(a)
Sec. 32	<i>July 1, 2005</i>	5-266a(b)
Sec. 33	<i>July 1, 2005</i>	3-13l
Sec. 34	<i>July 1, 2005</i>	New section
Sec. 35	<i>from passage</i>	New section