



General Assembly

Amendment

February Session, 2006

LCO No. 5050

HB0506305050HDO

Offered by:
REP. CARUSO, 126th Dist.

To: Subst. House Bill No. 5063 File No. 277 Cal. No. 188

"AN ACT CONCERNING THE EXTENSION OR RENEWAL OF CERTAIN CONTRACTS BY THE CONNECTICUT RESOURCES RECOVERY AUTHORITY."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (11) of section 9-333x of the 2006 supplement
4 to the general statutes is repealed and the following is substituted in
5 lieu thereof (*Effective from passage*):

6 (11) Any department head or deputy department head of a state
7 department who solicits a contribution on behalf of, or for the benefit
8 of, any candidate for state, district or municipal office or any political
9 party. For the purposes of this subdivision, "department head" means
10 an employee who heads any department of the state and who has
11 substantial supervisory control of a permanent nature over other state
12 employees.

13 Sec. 502. Section 9-333x of the 2006 supplement to the general

14 statutes is amended by adding subdivision (14) as follows (*Effective*
15 *from passage*):

16 (NEW) (14) Any member of the Governor's staff or any employee of
17 the Joint Committee on Legislative Management who solicits a
18 contribution on behalf of, or for the benefit of, any candidate for state,
19 district or municipal office or any political party while on duty or
20 within any period of time during which such staff member or
21 employee is expected to perform services for which such staff member
22 or employee receives compensation from the state.

23 Sec. 503. (NEW) (*Effective July 1, 2006*) As used in this section and
24 section 504 of this act:

25 (1) "Crime related to state, municipal or quasi-public agency office"
26 means any of the following criminal offenses committed by a person
27 while serving as a public official, state employee or municipal
28 employee:

29 (A) The committing, aiding or abetting of an embezzlement of
30 public funds in the amount of one thousand dollars or more, in the
31 aggregate, from the state, a municipality or district, or a quasi-public
32 agency or agencies;

33 (B) The committing, aiding or abetting of any felonious theft from
34 the state, a municipality or district, or a quasi-public agency or
35 agencies;

36 (C) Bribery in connection with service as a public official, state
37 employee or municipal employee; or

38 (D) The committing of any felony by such person who, wilfully and
39 with the intent to defraud, realizes or obtains, or attempts to realize or
40 obtain, a profit, gain or advantage for himself or herself or for some
41 other person, in the amount of five thousand dollars or more, in the
42 aggregate, through the use or attempted use of the power, rights,
43 privileges or duties of his or her position as a public official.

44 (2) "Public official" has the same meaning as provided in section 1-
45 79 of the 2006 supplement to the general statutes.

46 (3) "Quasi-public agency" has the same meaning as provided in
47 section 1-79 of the 2006 supplement to the general statutes.

48 (4) "State employee" has the same meaning as provided in section 1-
49 79 of the 2006 supplement to the general statutes.

50 (5) "Municipal employee" means a person employed full or part-
51 time by a municipality or a district. "Municipal employee" does not
52 include a municipal official.

53 Sec. 504. (NEW) (*Effective July 1, 2006*) (a) Notwithstanding any
54 provision of the general statutes, if any person is convicted or pleads
55 guilty or nolo contendere to any crime related to state, municipal or
56 quasi-public agency office, the court, as part of the sentence imposed,
57 may reduce or revoke any retirement or other benefit or payment of
58 any kind to which the person is otherwise entitled under the general
59 statutes for service as a public official, municipal employee or state
60 employee, provided any such reduction or revocation imposed in
61 accordance with this section does not result in the disqualification of
62 the applicable pension trust fund in accordance with the Internal
63 Revenue Code.

64 (b) In determining whether the retirement or other benefit or
65 payment shall be revoked or reduced, and the amount of any such
66 reduction, the court shall consider and make findings on the following
67 factors:

68 (1) The severity of the crime related to state, municipal or quasi-
69 public agency office for which the person has been convicted or to
70 which the person has pled guilty or nolo contendere;

71 (2) The amount of monetary loss suffered by the state, municipality
72 or district, or a quasi-public agency or by any other person as a result
73 of the crime related to state office;

74 (3) The degree of public trust reposed in the person by virtue of the
75 person's position as a public official, state employee or municipal
76 employee; and

77 (4) Any other factors as, in the judgment of the court, justice may
78 require.

79 (c) If the court determines that a retirement or other benefit or
80 payment of a person should be revoked or reduced and the state, a
81 quasi-public agency or municipality or district suffered a monetary
82 loss as a result of the crime related to state office, the retirement or
83 other benefit or payment to a person shall be withheld until there is
84 full restitution of such monetary loss.

85 (d) If the court determines that a retirement or other benefit or
86 payment of a person should be revoked or reduced, the court may,
87 after taking into consideration the financial needs and resources of any
88 innocent spouse, dependents and designated beneficiaries of the
89 person, order that some or all of the revoked or reduced benefit or
90 payment be paid to any innocent spouse, dependent or beneficiary as
91 justice may require.

92 (e) If the court does not revoke or reduce any retirement or other
93 benefit or payment of any kind to which the person is otherwise
94 entitled under the general statutes for service as a public official,
95 municipal employee or state employee under subsection (a) of this
96 section, the Attorney General may initiate a civil action in the Superior
97 Court for such revocation or reduction, provided any decision
98 rendered as a result of such civil action does not result in the
99 disqualification of the applicable pension trust fund in accordance
100 with the Internal Revenue Code. The provisions of subsections (b) to
101 (d), inclusive, of this section shall apply in any such civil action.

102 (f) The provisions of this section shall not affect any state health
103 insurance benefits to which the person and the spouse and dependents
104 of the person is entitled upon the person's retirement from the state.

105 Sec. 505. Section 4-61dd of the 2006 supplement to the general
106 statutes is repealed and the following is substituted in lieu thereof
107 (*Effective from passage*):

108 (a) Any person having knowledge of any matter involving
109 corruption, unethical practices, violation of state laws or regulations,
110 mismanagement, gross waste of funds, abuse of authority or danger to
111 the public safety occurring in any state department or agency or any
112 quasi-public agency, as defined in section 1-120, or any person having
113 knowledge of any matter involving corruption, violation of state or
114 federal laws or regulations, gross waste of funds, abuse of authority or
115 danger to the public safety occurring in any large state contract, may
116 transmit all facts and information in such person's possession
117 concerning such matter to the Auditors of Public Accounts. The
118 Auditors of Public Accounts shall review such matter and report their
119 findings and any recommendations to the Attorney General. Upon
120 receiving such a report, the Attorney General shall make such
121 investigation as the Attorney General deems proper regarding such
122 report and any other information that may be reasonably derived from
123 such report. Prior to conducting an investigation of any information
124 that may be reasonably derived from such report, the Attorney
125 General shall consult with the Auditors of Public Accounts concerning
126 the relationship of such additional information to the report that has
127 been issued pursuant to this subsection. Any such subsequent
128 investigation deemed appropriate by the Attorney General shall only
129 be conducted with the concurrence and assistance of the Auditors of
130 Public Accounts. At the request of the Attorney General or on their
131 own initiative, the auditors shall assist in the investigation. The
132 Attorney General shall have power to summon witnesses, require the
133 production of any necessary books, papers or other documents and
134 administer oaths to witnesses, where necessary, for the purpose of an
135 investigation pursuant to this section. Upon the conclusion of the
136 investigation, the Attorney General shall where necessary, report any
137 findings to the Governor, or in matters involving criminal activity, to
138 the Chief State's Attorney. In addition to the exempt records provision

139 of section 1-210, as amended, the Auditors of Public Accounts and the
140 Attorney General shall not, after receipt of any information from a
141 person under the provisions of this section, disclose the identity of
142 such person without such person's consent unless the Auditors of
143 Public Accounts or the Attorney General determines that such
144 disclosure is unavoidable, and may withhold records of such
145 investigation, during the pendency of the investigation.

146 (b) (1) No state officer or employee, as defined in section 4-141, no
147 quasi-public agency officer or employee, no officer or employee of a
148 large state contractor and no appointing authority shall take or
149 threaten to take any personnel action against any state or quasi-public
150 agency employee or any employee of a large state contractor in
151 retaliation for such employee's or contractor's disclosure of
152 information (A) to an employee of ~~[(i)]~~ the Auditors of Public Accounts
153 or the Attorney General under the provisions of subsection (a) of this
154 section; ~~[(ii)]~~ (B) to an employee of the state agency or quasi-public
155 agency where such state officer or employee is employed; ~~[(iii)]~~ (C) to
156 an employee of a state agency pursuant to a mandated reporter statute;
157 or ~~[(iv)]~~ (D) in the case of a large state contractor, to such large state
158 contractor or an employee of the contracting state agency concerning
159 information involving the large state contract.

160 (2) If a state or quasi-public agency employee or an employee of a
161 large state contractor alleges that a personnel action has been
162 threatened or taken in violation of subdivision (1) of this subsection the
163 employee may notify the Attorney General, who shall investigate
164 pursuant to subsection (a) of this section.

165 (3) (A) Not later than ~~[thirty]~~ ninety days after learning of the
166 specific incident giving rise to a claim that a personnel action has been
167 threatened or has occurred in violation of subdivision (1) of this
168 subsection, a state or quasi-public agency employee, an employee of a
169 large state contractor or the employee's attorney may file a complaint
170 concerning such personnel action with the Chief Human Rights
171 Referee designated under section 46a-57. The Chief Human Rights

172 Referee shall assign the complaint to a human rights referee appointed
173 under said section 46a-57, who shall conduct a hearing and issue a
174 decision concerning whether the officer or employee taking or
175 threatening to take the personnel action violated any provision of this
176 section. If the human rights referee finds such a violation, the referee
177 may award the aggrieved employee reinstatement to the employee's
178 former position, back pay and reestablishment of any employee
179 benefits to which the employee would otherwise have been eligible if
180 such violation had not occurred, reasonable attorneys' fees, and any
181 other damages. For the purposes of this subsection, such human rights
182 referee shall act as an independent hearing officer. The decision of a
183 human rights referee under this subsection may be appealed by any
184 person who was a party at such hearing, in accordance with the
185 provisions of section 4-183.

186 (B) The Chief Human Rights Referee shall adopt regulations, in
187 accordance with the provisions of chapter 54, establishing the
188 procedure for filing complaints and noticing and conducting hearings
189 under subparagraph (A) of this subdivision.

190 (4) As an alternative to the provisions of subdivisions (2) and (3) of
191 this subsection (A) a state or quasi-public agency employee who
192 alleges that a personnel action has been threatened or taken may file an
193 appeal not later than thirty days after learning of the specific incident
194 giving rise to such claim with the Employees' Review Board under
195 section 5-202, or, in the case of a state or quasi-public agency employee
196 covered by a collective bargaining contract, in accordance with the
197 procedure provided by such contract, or (B) an employee of a large
198 state contractor alleging that such action has been threatened or taken
199 may, after exhausting all available administrative remedies, bring a
200 civil action in accordance with the provisions of subsection (c) of
201 section 31-51m.

202 (5) In any proceeding under subdivision (2), (3) or (4) of this
203 subsection concerning a personnel action taken or threatened against
204 any state or quasi-public agency employee or any employee of a large

205 state contractor, which personnel action occurs not later than [one
206 year] three years after the employee first transmits facts and
207 information concerning a matter under subsection (a) of this section to
208 the Auditors of Public Accounts or the Attorney General, there shall be
209 a rebuttable presumption that the personnel action is in retaliation for
210 the action taken by the employee under subsection (a) of this section.

211 (6) If a state officer or employee, as defined in section 4-141, a quasi-
212 public agency officer or employee, an officer or employee of a large
213 state contractor or an appointing authority takes or threatens to take
214 any action to impede, fail to renew or cancel a contract between a state
215 agency and a large state contractor, or between a large state contractor
216 and its subcontractor, in retaliation for the disclosure of information
217 pursuant to subsection (a) of this section to any agency listed in
218 subdivision (1) of this subsection, such affected agency, contractor or
219 subcontractor may, not later than ninety days from learning of such
220 action, threat or failure to renew, bring a civil action in the superior
221 court for the judicial district of Hartford to recover damages, attorney's
222 fees and costs.

223 (c) Any employee of a state or quasi-public agency or large state
224 contractor, who is found to have knowingly and maliciously made
225 false charges under subsection (a) of this section, shall be subject to
226 disciplinary action by such employee's appointing authority up to and
227 including dismissal. In the case of a state or quasi-public agency
228 employee, such action shall be subject to appeal to the Employees'
229 Review Board in accordance with section 5-202, or in the case of state
230 or quasi-public agency employees included in collective bargaining
231 contracts, the procedure provided by such contracts.

232 (d) On or before September first, annually, the Auditors of Public
233 Accounts shall submit to the clerk of each house of the General
234 Assembly a report indicating the number of matters for which facts
235 and information were transmitted to the auditors pursuant to this
236 section during the preceding state fiscal year and the disposition of
237 each such matter.

238 (e) Each contract between a state or quasi-public agency and a large
239 state contractor shall provide that, if an officer, employee or
240 appointing authority of a large state contractor takes or threatens to
241 take any personnel action against any employee of the contractor in
242 retaliation for such employee's disclosure of information to any
243 employee of the contracting state or quasi-public agency or the
244 Auditors of Public Accounts or the Attorney General under the
245 provisions of subsection (a) of this section, the contractor shall be liable
246 for a civil penalty of not more than five thousand dollars for each
247 offense, up to a maximum of twenty per cent of the value of the
248 contract. Each violation shall be a separate and distinct offense and in
249 the case of a continuing violation each calendar day's continuance of
250 the violation shall be deemed to be a separate and distinct offense. The
251 executive head of the state or quasi-public agency may request the
252 Attorney General to bring a civil action in the superior court for the
253 judicial district of Hartford to seek imposition and recovery of such
254 civil penalty.

255 (f) Each large state contractor shall post a notice of the provisions of
256 this section relating to large state contractors in a conspicuous place
257 which is readily available for viewing by the employees of the
258 contractor.

259 (g) No person who, in good faith, discloses information to the
260 Auditors of Public Accounts or the Attorney General in accordance
261 with this section shall be liable for any civil damages resulting from
262 such good faith disclosure.

263 (h) As used in this section:

264 (1) "Large state contract" means a contract between an entity and a
265 state or quasi-public agency, having a value of five million dollars or
266 more; and

267 (2) "Large state contractor" means an entity that has entered into a
268 large state contract with a state or quasi-public agency.

269 Sec. 506. Subsection (k) of section 1-79 of the 2006 supplement to the
270 general statutes is repealed and the following is substituted in lieu
271 thereof (*Effective July 1, 2006*):

272 (k) "Public official" means any state-wide elected officer, any
273 member or member-elect of the General Assembly, any person
274 appointed to any office of the legislative, judicial or executive branch
275 of state government by the Governor or an appointee of the Governor,
276 with or without the advice and consent of the General Assembly, any
277 public member or representative of the teachers' unions or state
278 employees' unions appointed to the Investment Advisory Council
279 pursuant to subsection (a) of section 3-13b, any person appointed or
280 elected by the General Assembly or by any member of either house
281 thereof, [and] any member or director of a quasi-public agency and the
282 spouse of the Governor, but shall not include a member of an advisory
283 board, a judge of any court either elected or appointed or a senator or
284 representative in Congress.

285 Sec. 507. Section 1-83 of the 2006 supplement to the general statutes
286 is amended by adding subsection (e) as follows (*Effective July 1, 2006*):

287 (NEW) (e) On or before November first of each year, any public
288 official or state employee who is not required to file an annual
289 statement of financial interests pursuant to subsection (a) of this
290 section but who participates substantially in the contract award
291 process of any state agency shall file a statement disclosing the
292 following information: (1) Any outside employment of such official or
293 employee, (2) the employment of the official's or employee's spouse
294 and any dependent children residing in the household of the official or
295 the employee, and (3) the names of all businesses with which such
296 official, employee, spouse or dependent children residing in the
297 household of the official or employee are associated. Such statement
298 shall be filed on a form prescribed by the Office of State Ethics, under
299 penalty of false statement, with the executive head of the agency,
300 department, board or commission in which such official or employee is
301 employed.

302 Sec. 508. Section 1-84 of the 2006 supplement to the general statutes
303 is repealed and the following is substituted in lieu thereof (*Effective July*
304 *1, 2006*):

305 (a) No public official or state employee shall, while serving as such,
306 have any financial interest in, or engage in, any business, employment,
307 transaction or professional activity, which is in substantial conflict with
308 the proper discharge of his duties or employment in the public interest
309 and of his responsibilities as prescribed in the laws of this state, as
310 defined in section 1-85, as amended by this act.

311 (b) No public official or state employee shall accept other
312 employment which will either impair his independence of judgment as
313 to his official duties or employment or require him, or induce him, to
314 disclose confidential information acquired by him in the course of and
315 by reason of his official duties.

316 (c) No public official or state employee shall wilfully and knowingly
317 disclose, for financial gain, to any other person, confidential
318 information acquired by him in the course of and by reason of his
319 official duties or employment and no public official or state employee
320 shall use his public office or position or any confidential information
321 received through his holding such public office or position to obtain
322 financial gain for himself, his spouse, child, child's spouse, parent,
323 brother or sister or a business with which he is associated.

324 (d) No public official or state employee or employee of such public
325 official or state employee shall agree to accept, or be a member or
326 employee of a partnership, association, professional corporation or
327 sole proprietorship which partnership, association, professional
328 corporation or sole proprietorship agrees to accept any employment,
329 fee or other thing of value, or portion thereof, for appearing, agreeing
330 to appear, or taking any other action on behalf of another person
331 before the Department of Banking, the Claims Commissioner, the
332 Office of Health Care Access, the Insurance Department, the office
333 within the Department of Consumer Protection that carries out the

334 duties and responsibilities of sections 30-2 to 30-68m, inclusive, the
335 Department of Motor Vehicles, the State Insurance and Risk
336 Management Board, the Department of Environmental Protection, the
337 Department of Public Utility Control, the Connecticut Siting Council,
338 the Division of Special Revenue within the Department of Revenue
339 Services, the Gaming Policy Board within the Department of Revenue
340 Services or the Connecticut Real Estate Commission; provided this
341 shall not prohibit any such person from making inquiry for
342 information on behalf of another before any of said commissions or
343 commissioners if no fee or reward is given or promised in consequence
344 thereof. For the purpose of this subsection, partnerships, associations,
345 professional corporations or sole proprietorships refer only to such
346 partnerships, associations, professional corporations or sole
347 proprietorships which have been formed to carry on the business or
348 profession directly relating to the employment, appearing, agreeing to
349 appear or taking of action provided for in this subsection. Nothing in
350 this subsection shall prohibit any employment, appearing, agreeing to
351 appear or taking action before any municipal board, commission or
352 council. Nothing in this subsection shall be construed as applying (1)
353 to the actions of any teaching or research professional employee of a
354 public institution of higher education if such actions are not in
355 violation of any other provision of this chapter, (2) to the actions of any
356 other professional employee of a public institution of higher education
357 if such actions are not compensated and are not in violation of any
358 other provision of this chapter, (3) to any member of a board or
359 commission who receives no compensation other than per diem
360 payments or reimbursement for actual or necessary expenses, or both,
361 incurred in the performance of the member's duties, or (4) to any
362 member or director of a quasi-public agency. Notwithstanding the
363 provisions of this subsection to the contrary, a legislator, an officer of
364 the General Assembly or part-time legislative employee may be or
365 become a member or employee of a firm, partnership, association or
366 professional corporation which represents clients for compensation
367 before agencies listed in this subsection, provided the legislator, officer
368 of the General Assembly or part-time legislative employee shall take

369 no part in any matter involving the agency listed in this subsection and
370 shall not receive compensation from any such matter. Receipt of a
371 previously established salary, not based on the current or anticipated
372 business of the firm, partnership, association or professional
373 corporation involving the agencies listed in this subsection, shall be
374 permitted.

375 (e) No legislative commissioner or his partners, employees or
376 associates shall represent any person subject to the provisions of part II
377 concerning the promotion of or opposition to legislation before the
378 General Assembly, or accept any employment which includes an
379 agreement or understanding to influence, or which is inconsistent
380 with, the performance of his official duties.

381 (f) No person shall offer or give to a public official or state employee
382 or candidate for public office or his spouse, his parent, brother, sister
383 or child or spouse of such child or a business with which he is
384 associated, anything of value, including but not limited to, a gift, loan,
385 political contribution, reward or promise of future employment based
386 on any understanding that the vote, official action or judgment of the
387 public official, state employee or candidate for public office would be
388 or had been influenced thereby.

389 (g) No public official or state employee or candidate for public office
390 shall solicit or accept anything of value, including but not limited to, a
391 gift, loan, political contribution, reward or promise of future
392 employment, during the official's or employee's state service or such
393 candidacy and for one year after leaving state service or the
394 termination of such candidacy based on any understanding that the
395 vote, official action or judgment of the public official or state employee
396 or candidate for public office would be or had been influenced thereby.

397 (h) Nothing in subsection (f) or (g) of this section shall be construed
398 (1) to apply to any promise made in violation of subdivision (6) of
399 section 9-333x, as amended, or (2) to permit any activity otherwise
400 prohibited in section 53a-147 or 53a-148.

401 (i) No public official or state employee or member of the official or
402 employee's immediate family or a business with which he is associated
403 shall enter into any contract with the state, valued at one hundred
404 dollars or more, other than a contract of employment as a state
405 employee or pursuant to a court appointment, unless the contract has
406 been awarded through an open and public process, including prior
407 public offer and subsequent public disclosure of all proposals
408 considered and the contract awarded. In no event shall an executive
409 head of an agency, as defined in section 4-166, including a
410 commissioner of a department, or an executive head of a quasi-public
411 agency, as defined in section 1-79, as amended by this act, or the
412 executive head's immediate family or a business with which he is
413 associated enter into any contract with that agency or quasi-public
414 agency. Nothing in this subsection shall be construed as applying to
415 any public official who is appointed as a member of the executive
416 branch or as a member or director of a quasi-public agency and who
417 receives no compensation other than per diem payments or
418 reimbursement for actual or necessary expenses, or both, incurred in
419 the performance of the public official's duties unless such public
420 official has authority or control over the subject matter of the contract.
421 Any contract made in violation of this subsection shall be voidable by
422 a court of competent jurisdiction if the suit is commenced not later
423 than one hundred eighty days after the making of the contract.

424 (j) No public official, state employee or candidate for public office,
425 or a member of any such person's staff or immediate family shall
426 knowingly accept any gift, as defined in subsection (e) of section 1-79,
427 as amended, during the official's, employee's or staff member's state
428 service or such candidacy, or any such gift valued at one hundred
429 dollars or more for one year after leaving state service or the
430 termination of such candidacy, from a person known to be a registrant
431 or anyone known to be acting on behalf of a registrant.

432 (k) No public official or state employee shall accept a fee or
433 honorarium for an article, appearance or speech, or for participation at
434 an event, in the public official's or state employee's official capacity,

435 provided a public official or state employee may receive payment or
436 reimbursement for necessary expenses for any such activity in his
437 official capacity. If a public official or state employee receives such a
438 payment or reimbursement for lodging or out-of-state travel or both,
439 the official or employee shall, not later than thirty days thereafter, file a
440 report of the payment or reimbursement with the [commission] office,
441 unless the payment or reimbursement is provided by the federal
442 government or another state government. If a public official or state
443 employee does not file such report within such period, either
444 intentionally or due to gross negligence on the public official's or state
445 employee's part, the public official or state employee shall return the
446 payment or reimbursement. If any failure to file such report is not
447 intentional or due to gross negligence on the part of the public official
448 or state employee, the public official or state employee shall not be
449 subject to any penalty under this chapter. When a public official or
450 state employee attends an event in this state in the public official's or
451 state employee's official capacity and as a principal speaker at such
452 event and receives admission to or food or beverage at such event from
453 the sponsor of the event, such admission or food or beverage shall not
454 be considered a gift and no report shall be required from such official
455 or employee or from the sponsor of the event.

456 (l) No public official or state employee, or any person acting on
457 behalf of a public official or state employee, shall wilfully and
458 knowingly interfere with, influence, direct or solicit existing or new
459 lobbying contracts, agreements or business relationships for or on
460 behalf of any person.

461 (m) No public official or state employee or immediate family
462 member of such public official or state employee, shall knowingly
463 accept, directly or indirectly, any gift, as defined in subsection (e) of
464 section 1-79, as amended, during such official's or employee's state
465 service, or any such gift valued at one hundred dollars or more for one
466 year after such official or employee leaves state service from any
467 person the official or employee knows or has reason to know: (1) Is
468 doing business with or seeking to do business with the department or

469 agency in which the official or employee is employed; (2) is engaged in
470 activities which are directly regulated by such department or agency;
471 or (3) is prequalified under section 4a-100. No person shall knowingly
472 give, directly or indirectly, any gift or gifts in violation of this
473 provision. For the purposes of this subsection, the exclusion to the
474 term "gift" in subdivision (12) of subsection (e) of section 1-79, as
475 amended, for a gift for the celebration of a major life event and the
476 regulations adopted by the Citizen's Ethics Advisory Board pursuant
477 to subsection (a) of section 1-92 of the 2006 supplement to the general
478 statutes concerning such events shall not apply. Any person prohibited
479 from making a gift under this subsection shall report to the [State
480 Ethics Commission] Office of State Ethics any solicitation of a gift from
481 such person by a state employee or public official.

482 (n) (1) As used in this subsection, (A) "investment services" means
483 investment legal services, investment banking services, investment
484 advisory services, underwriting services, financial advisory services or
485 brokerage firm services, and (B) "principal of an investment services
486 firm" means (i) an individual who is a director of or has an ownership
487 interest in an investment services firm, except for an individual who
488 owns less than five per cent of the shares of an investment services
489 firm which is a publicly traded corporation, (ii) an individual who is
490 employed by an investment services firm as president, treasurer, or
491 executive or senior vice president, (iii) an employee of such an
492 investment services firm who has managerial or discretionary
493 responsibilities with respect to any investment services, (iv) the spouse
494 or dependent child of an individual described in this subparagraph, or
495 (v) a political committee established by or on behalf of an individual
496 described in this subparagraph.

497 (2) The State Treasurer shall not pay any compensation, expenses or
498 fees or issue any contract to any firm which provides investment
499 services when (A) a political committee, as defined in section 9-333a, as
500 amended, established by such firm, or (B) a principal of the investment
501 services firm has made a contribution, as defined in section 9-333b, as
502 amended, to, or solicited contributions on behalf of, any exploratory

503 committee or candidate committee, as defined in section 9-333a, as
504 amended, established by the State Treasurer as a candidate for
505 nomination or election to the office of State Treasurer. The State
506 Treasurer shall not pay any compensation, expenses or fees or issue
507 any contract to such firms or principals during the term of office as
508 State Treasurer, including, for an incumbent State Treasurer seeking
509 reelection, any remainder of the current term of office.

510 (o) If (1) any person (A) is doing business with or seeking to do
511 business with the department or agency in which a public official or
512 state employee is employed, or (B) is engaged in activities which are
513 directly regulated by such department or agency, and (2) such person
514 or a representative of said person gives to such public official or state
515 employee anything of value which is subject to the reporting
516 requirements pursuant to subsection (e) of section 1-96, as amended,
517 such person or representative shall, not later than ten days thereafter,
518 give such recipient and the executive head of the recipient's
519 department or agency a written report stating the name of the donor, a
520 description of the item or items given, the value of such items and the
521 cumulative value of all items given to such recipient during that
522 calendar year. The provisions of this subsection shall not apply to a
523 political contribution otherwise reported as required by law.

524 (p) (1) No public official or state employee or member of the
525 immediate family of a public official or state employee shall knowingly
526 accept, directly or indirectly, any gift costing one hundred dollars or
527 more from a public official or state employee who is under the
528 supervision of such public official or state employee.

529 (2) No public official or state employee or member of the immediate
530 family of a public official or state employee shall knowingly accept,
531 directly or indirectly, any gift costing one hundred dollars or more
532 from a public official or state employee who is a supervisor of such
533 public official or state employee.

534 (3) No public official or state employee shall knowingly give,

535 directly or indirectly, any gift in violation of subdivision (1) or (2) of
536 this subsection.

537 (q) No public official or state employee shall knowingly accept,
538 directly or indirectly, any goods or services provided to the state under
539 subdivision (5) of subsection (e) of section 1-79, as amended, by a
540 person prohibited from making gifts to public officials and state
541 employees under this section or section 1-97, as amended by this act.

542 (r) No public official or state employee shall counsel, authorize or
543 otherwise sanction action that violates any provision of this part.

544 (s) No public official or state employee shall knowingly contract for
545 goods or services, for personal use, with any person doing business
546 with or seeking to do business with the department or agency in which
547 the official or employee is employed unless the terms of such contract
548 are not distinct from the terms that would apply to a substantial
549 segment of the population.

550 (t) No public official or state employee shall accept any gift valued
551 at one hundred dollars or more that would not have been offered
552 except for the position held by such official or employee. No person
553 shall offer or give any such gift. The provisions of this subsection: (1)
554 Shall not prohibit a normal and customary exchange of gifts between a
555 public official or state employee and other persons if the practice of
556 such an exchange predated such official's or employee's service in such
557 position, and (2) shall apply to gifts that are not otherwise prohibited
558 under this chapter.

559 Sec. 509. Section 1-84b of the 2006 supplement to the general statutes
560 is repealed and the following is substituted in lieu thereof (*Effective July*
561 *1, 2006*):

562 (a) No former executive branch or quasi-public agency public
563 official or state employee shall represent anyone other than the state,
564 concerning any particular matter (1) in which he participated
565 personally and substantially while in state service, and (2) in which the

566 state has a substantial interest.

567 (b) No former executive branch or quasi-public agency public
568 official or former executive branch, legislative branch or quasi-public
569 agency state employee shall, for one year after leaving state service,
570 represent anyone, other than the state, for compensation before [the]
571 any department, agency, board, commission, council or office in which
572 he served [at] during the one-year period before the time of his
573 termination of service, concerning any matter in which the state has a
574 substantial interest. The provisions of this subsection shall not apply to
575 an attorney who is a former employee of the Division of Criminal
576 Justice, with respect to any representation in a matter under the
577 jurisdiction of a court.

578 (c) The provisions of this subsection apply to present or former
579 executive branch public officials or state employees who hold or
580 formerly held positions which involve significant decision-making or
581 supervisory responsibility and are designated as such by the Office of
582 State Ethics in consultation with the agency concerned except that such
583 provisions shall not apply to members or former members of the
584 boards or commissions who serve ex officio, who are required by
585 statute to represent the regulated industry or who are permitted by
586 statute to have a past or present affiliation with the regulated industry.
587 Designation of positions subject to the provisions of this subsection
588 shall be by regulations adopted by the Citizen's Ethics Advisory Board
589 in accordance with chapter 54. As used in this subsection, "agency"
590 means the Office of Health Care Access, the Connecticut Siting
591 Council, the Department of Banking, the Insurance Department, the
592 Department of Public Safety, the office within the Department of
593 Consumer Protection that carries out the duties and responsibilities of
594 sections 30-2 to 30-68m, inclusive, as amended, the Department of
595 Public Utility Control, including the Office of Consumer Counsel, the
596 Division of Special Revenue and the Gaming Policy Board and the
597 term "employment" means professional services or other services
598 rendered as an employee or as an independent contractor.

599 (1) No public official or state employee, in an executive branch
600 position designated by the Office of State Ethics shall negotiate for,
601 seek or accept employment with any business subject to regulation by
602 his agency.

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

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

609 (d) The provisions of subsection (e) of this section apply to (1)
610 present or former Gaming Policy Board or Division of Special Revenue
611 public officials or state employees who hold or formerly held positions
612 which involve significant decision-making or supervisory
613 responsibility and are designated as such by the Office of State Ethics,
614 in consultation with the agency concerned, and (2) present or former
615 public officials or state employees of other agencies who hold or
616 formerly held positions which involve significant decision-making or
617 supervisory responsibility concerning the regulation or investigation
618 of (A) any business entity (i) engaged in Indian gaming operations in
619 the state, and (ii) in which a federally-recognized Indian tribe in the
620 state owns a controlling interest, or (B) a governmental agency of a
621 federally-recognized Indian tribe engaged in Indian gaming operations
622 in the state, which positions are designated as such by the Office of
623 State Ethics, in consultation with the agency concerned. Designation of
624 positions subject to the provisions of this subsection shall be by
625 regulations adopted by the Citizens' Ethics Advisory Board in
626 accordance with chapter 54. As used in subsection (e) of this section,
627 the term "employment" means professional services or other services
628 rendered as an employee or as an independent contractor.

629 (e) (1) No Gaming Policy Board or Division of Special Revenue
630 public official or state employee or other public official or state

631 employee described in subdivision (2) of subsection (d) of this section,
632 in a position designated by the Office of State Ethics, shall negotiate
633 for, seek or accept employment with (A) a business entity (i) engaged
634 in Indian gaming operations in the state, and (ii) in which a federally-
635 recognized Indian tribe in the state owns a controlling interest, or (B) a
636 governmental agency of a federally-recognized Indian tribe engaged in
637 Indian gaming operations in the state.

638 (2) No former Gaming Policy Board or Division of Special Revenue
639 public official or state employee or other former public official or state
640 employee described in subdivision (2) of subsection (d) of this section,
641 who held such a position shall, within two years after leaving such
642 agency, accept employment with (A) a business entity (i) engaged in
643 Indian gaming operations in the state, and (ii) in which a federally-
644 recognized Indian tribe in the state owns a controlling interest, or (B) a
645 governmental agency of a federally-recognized Indian tribe engaged in
646 Indian gaming operations in the state.

647 (f) (1) No former public official or state employee [(1)] (A) who
648 participated substantially in the negotiation or award of [(A)] (i) a state
649 contract valued at an amount of fifty thousand dollars or more, or [(B)]
650 (ii) a written agreement for the approval of a payroll deduction slot
651 described in section 3-123g, or [(2)] (B) who supervised the negotiation
652 or award of such a contract, [or] agreement or negotiation, shall accept
653 employment with a party to the contract or agreement other than the
654 state for a period of one year after [his] the public official's or state
655 employee's resignation from [his] state office or [position if his] state
656 employment if such resignation occurs less than one year after [the
657 contract or agreement is signed] the earlier of (i) the date the contract
658 or agreement is signed, or (ii) the date the official or employee ceases
659 to supervise or participate substantially in the negotiation or award of
660 the contract or agreement, as determined by regulations adopted by
661 the Citizen's Ethics Advisory Board in accordance with the provisions
662 of chapter 54.

663 (2) No party to the contract may employ a public official or state

664 employee if such employment would violate the provisions of
665 subdivision (1) of this subsection.

666 (g) (1) No member or director of a quasi-public agency who
667 participates substantially in the negotiation or award of a contract
668 valued at an amount of fifty thousand dollars or more, or who
669 supervised the negotiation or award of such a contract, shall seek,
670 accept, or hold employment with a party to the contract or negotiation
671 or derive any benefit from the contract for a period of one year after
672 the [signing of the contract] earlier of (A) the date the contract is
673 signed, or (B) the date the member or director ceases to participate
674 substantially in the negotiation or award of the contract, as determined
675 by regulations adopted by the Citizen's Ethics Advisory Board in
676 accordance with the provisions of chapter 54 .

677 (2) No party to such contract may employ a member or director if
678 such employment would violate the provisions of subdivision (1) of
679 this subsection.

680 (h) The provisions of subsections (a), (b) and (f) of this section shall
681 not apply to any employee of a quasi-public agency who leaves such
682 agency before July 1, 1989.

683 (i) No Treasurer who authorizes, negotiates or renegotiates a
684 contract for investment services valued at an amount of fifty thousand
685 dollars or more shall negotiate for, seek or accept employment with a
686 party to the contract prior to one year after the end of the Treasurer's
687 term of office within which such contract for investment services was
688 authorized, negotiated or renegotiated by such Treasurer.

689 (j) No former executive, judicial or legislative branch or quasi-public
690 agency official or state employee convicted of any felony involving
691 corrupt practices, abuse of office or breach of the public trust shall seek
692 or accept employment as a lobbyist or act as a registrant pursuant to
693 this chapter.

694 (k) No former Governor shall seek or accept employment, including,

695 but not limited to, acting as a registrant pursuant to the provisions of
696 this chapter, for one year after leaving state service, on behalf of any
697 business that is subject to regulation by any department or agency of
698 the state or that does business or is seeking to do business with any
699 department or agency of the state. No business shall employ a former
700 governor in violation of this subsection.

701 Sec. 510. Section 1-85 of the general statutes is repealed and the
702 following is substituted in lieu thereof (*Effective July 1, 2006*):

703 A public official, including an elected state official, or state
704 employee has an interest which is in substantial conflict with the
705 proper discharge of his duties or employment in the public interest
706 and of his responsibilities as prescribed in the laws of this state, if he
707 has reason to believe or expect that he, his spouse, a dependent child,
708 his outside employer or a business with which he is associated will
709 derive a direct monetary gain or suffer a direct monetary loss, as the
710 case may be, by reason of his official activity. A public official,
711 including an elected state official, or state employee does not have an
712 interest which is in substantial conflict with the proper discharge of his
713 duties in the public interest and of his responsibilities as prescribed by
714 the laws of this state, if any benefit or detriment accrues to him, his
715 spouse, a dependent child, his outside employer or a business with
716 which he, his spouse or such dependent child is associated as a
717 member of a profession, occupation or group to no greater extent than
718 any other member of such profession, occupation or group. A public
719 official, including an elected state official or state employee who has a
720 substantial conflict may not take official action on the matter,
721 including, but not limited to, any official action during any session of
722 the General Assembly.

723 Sec. 511. Subsection (a) of section 1-97 of the general statutes is
724 repealed and the following is substituted in lieu thereof (*Effective July*
725 *1, 2006*):

726 (a) No registrant or anyone acting on behalf of a registrant shall

727 knowingly give a gift, as defined in subsection (g) of section 1-91, as
728 amended, to any state employee, public official, candidate for public
729 office or a member of any such person's staff or immediate family,
730 during the official's, employee's or staff member's state service or such
731 candidacy and for one year after (1) such official, employee or staff
732 member leaves state service, or (2) the termination of such candidacy.
733 For the purposes of this subsection, the exclusion to the term "gift" in
734 subdivision (12) of subsection (g) of section 1-91 of the 2006
735 supplement to the general statutes for a gift for the celebration of a
736 major life event, and regulations adopted by the Citizen's Ethics
737 Advisory Board pursuant to subsection (a) of section 1-92 of the 2006
738 supplement to the general statutes concerning such events, shall not
739 apply. Nothing in this section shall be construed to permit any activity
740 prohibited under section 53a-147 or 53a-148.

741 Sec. 512. Section 1-225 of the general statutes is repealed and the
742 following is substituted in lieu thereof (*Effective July 1, 2006*):

743 (a) The meetings of all public agencies, except executive sessions, as
744 defined in subdivision (6) of section 1-200, shall be open to the public.
745 The votes of each member of any such public agency upon any issue
746 before such public agency shall be reduced to writing and made
747 available for public inspection within forty-eight hours and shall also
748 be recorded in the minutes of the session at which taken. [, which] Not
749 later than seven days after the session to which such minutes refer,
750 minutes shall be available for public inspection [within seven days of
751 the session to which they refer] and posted on the agency's web site, if
752 available.

753 (b) Each such public agency of the state shall file not later than
754 January thirty-first of each year in the office of the Secretary of the
755 State the schedule of the regular meetings of such public agency for the
756 ensuing year and shall post such schedule on the agency's web site , if
757 available, except that such [provision] requirements shall not apply to
758 the General Assembly, either house thereof or to any committee
759 thereof. Any other provision of the Freedom of Information Act

760 notwithstanding, the General Assembly at the commencement of each
761 regular session in the odd-numbered years, shall adopt, as part of its
762 joint rules, rules to provide notice to the public of its regular, special,
763 emergency or interim committee meetings. The chairperson or
764 secretary of any such public agency of any political subdivision of the
765 state shall file, not later than January thirty-first of each year, with the
766 clerk of such subdivision the schedule of regular meetings of such
767 public agency for the ensuing year, and no such meeting of any such
768 public agency shall be held sooner than thirty days after such schedule
769 has been filed. The chief executive officer of any multitown district or
770 agency shall file, not later than January thirty-first of each year, with
771 the clerk of each municipal member of such district or agency, the
772 schedule of regular meetings of such public agency for the ensuing
773 year, and no such meeting of any such public agency shall be held
774 sooner than thirty days after such schedule has been filed.

775 (c) The agenda of the regular meetings of every public agency,
776 except for the General Assembly, shall be available to the public [and
777 shall be filed,] and posted on the agency's web site, if available, not less
778 than twenty-four hours before the meetings to which such agenda
779 refer and filed not less than twenty-four hours before the meetings to
780 which they refer, in such agency's regular office or place of business or,
781 if there is no such office or place of business, in the office of the
782 Secretary of the State for any such public agency of the state, in the
783 office of the clerk of such subdivision for any public agency of a
784 political subdivision of the state or in the office of the clerk of each
785 municipal member of any multitown district or agency. Upon the
786 affirmative vote of two-thirds of the members of a public agency
787 present and voting, any subsequent business not included in such filed
788 agendas may be considered and acted upon at such meetings.

789 (d) Notice of each special meeting of every public agency, except for
790 the General Assembly, either house thereof or any committee thereof,
791 shall be posted on the agency's web site, if available, not less than
792 twenty-four hours before the meeting to which such notice refers and
793 given not less than twenty-four hours prior to the time of such meeting

794 by filing a notice of the time and place thereof in the office of the
795 Secretary of the State for any such public agency of the state, in the
796 office of the clerk of such subdivision for any public agency of a
797 political subdivision of the state and in the office of the clerk of each
798 municipal member for any multitown district or agency. The secretary
799 or clerk shall cause any notice received under this section to be posted
800 in his office. Such notice shall be given not less than twenty-four hours
801 prior to the time of the special meeting; provided, in case of
802 emergency, except for the General Assembly, either house thereof or
803 any committee thereof, any such special meeting may be held without
804 complying with the foregoing requirement for the filing of notice but a
805 copy of the minutes of every such emergency special meeting
806 adequately setting forth the nature of the emergency and the
807 proceedings occurring at such meeting shall be filed with the Secretary
808 of the State, the clerk of such political subdivision, or the clerk of each
809 municipal member of such multitown district or agency, as the case
810 may be, not later than seventy-two hours following the holding of such
811 meeting. The notice shall specify the time and place of the special
812 meeting and the business to be transacted. No other business shall be
813 considered at such meetings by such public agency. In addition, such
814 written notice shall be delivered to the usual place of abode of each
815 member of the public agency so that the same is received prior to such
816 special meeting. The requirement of delivery of such written notice
817 may be dispensed with as to any member who at or prior to the time
818 the meeting convenes files with the clerk or secretary of the public
819 agency a written waiver of delivery of such notice. Such waiver may be
820 given by telegram. The requirement of delivery of such written notice
821 may also be dispensed with as to any member who is actually present
822 at the meeting at the time it convenes. Nothing in this section shall be
823 construed to prohibit any agency from adopting more stringent notice
824 requirements.

825 (e) No member of the public shall be required, as a condition to
826 attendance at a meeting of any such body, to register the member's
827 name, or furnish other information, or complete a questionnaire or

828 otherwise fulfill any condition precedent to the member's attendance.

829 (f) A public agency may hold an executive session, as defined in
830 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds
831 of the members of such body present and voting, taken at a public
832 meeting and stating the reasons for such executive session, as defined
833 in section 1-200.

834 (g) In determining the time within which or by when a notice,
835 agenda, record of votes or minutes of a special meeting or an
836 emergency special meeting are required to be filed under this section,
837 Saturdays, Sundays, legal holidays and any day on which the office of
838 the agency, the Secretary of the State or the clerk of the applicable
839 political subdivision or the clerk of each municipal member of any
840 multitown district or agency, as the case may be, is closed, shall be
841 excluded.

842 Sec. 513. Subsection (g) of section 22a-261 of the general statutes is
843 repealed and the following is substituted in lieu thereof (*Effective from*
844 *passage*):

845 (g) Six directors of the authority shall constitute a quorum for the
846 transaction of any business or the exercise of any power of the
847 authority, provided, two directors from municipal government shall be
848 present in order for a quorum to be in attendance. For the transaction
849 of any business or the exercise of any power of the authority, and
850 except as otherwise provided in this chapter, the authority shall have
851 power to act by a majority of the directors present at any meeting at
852 which a quorum is in attendance. If the legislative body of a
853 municipality that is the site of a facility passes a resolution requesting
854 the Governor to appoint a resident of such municipality to be an ad
855 hoc member, the Governor shall make such appointment upon the
856 next vacancy for the ad hoc members representing such facility. The
857 Governor shall appoint with the advice and consent of the General
858 Assembly ad hoc members to represent each facility operated by the
859 authority provided at least one-half of such members shall be chief

860 elected officials of municipalities, or their designees. Each such facility
861 shall be represented by two such members. The ad hoc members shall
862 be electors from a municipality or municipalities in the area to be
863 served by the facility and shall vote only on matters concerning such
864 facility. The terms of the ad hoc members shall be four years. Such ad
865 hoc members shall be allowed to attend any executive session of the
866 board of directors.

867 Sec. 514. (*Effective from passage*) The Office of State Ethics shall study
868 municipal lobbying in the state and the need for a municipal code of
869 ethics and, in accordance with section 11-4a of the general statutes,
870 report to the joint standing committee of the General Assembly having
871 cognizance of matters relating to government administration, on its
872 recommendations not later than January 1, 2007.

873 Sec. 515. Subsection (b) of section 1-81 of the 2006 supplement to the
874 general statutes is repealed and the following is substituted in lieu
875 thereof (*Effective from passage*):

876 (b) The Office of State Ethics shall employ an executive director,
877 general counsel and ethics enforcement officer, each of whom shall be
878 exempt from classified state service. The salary for the executive
879 director, general counsel and the ethics enforcement officer shall be
880 determined by the Commissioner of Administrative Services in
881 accordance with accepted personnel practices. No one person may
882 serve in more than one of the positions described in this subsection.
883 The Office of State Ethics may employ necessary staff within available
884 appropriations. Such necessary staff of the Office of State Ethics shall
885 be in classified state service. The executive director may employ an
886 executive secretary, within available appropriations, who shall not be
887 in classified state service."