



# STATE OF CONNECTICUT

## OFFICE OF STATE ETHICS

### STATEMENT OF THE OFFICE OF STATE ETHICS BILL No. 5029 AN ACT CONCERNING THE ETHICS CODE FOR GOVERNMENT OFFICIALS

The stated purpose of Bill No. 5029 is to strengthen ethics laws involving public officials. The Office of State Ethics (OSE) lauds all efforts which build and strengthen the accountability and integrity of state government. To this end, the OSE supports passage of Bill No. 5029, and respectfully requests that the following comments be considered regarding the proposed provisions contained in the bill.

The OSE supports section 1 of Bill No. 5029, which expands the definition of "public official" to include the spouse of the Governor. The OSE especially supports section 2 of Bill No. 5029, which would increase the number and category of public officials required to file statements of financial interests (SFI) and expand the type of information to be reported, for example, the terms of obtained credit, the value and term of contracts and leases, among others. It should be noted that the SFIs provide greater transparency in government and serve as an effective monitoring mechanism of any potential conflicts of interests.

Section 2 of Bill No. 5029 also proposes to modify subsection (c) of section 1-83 of the general statutes in a manner that would remove the confidentiality of the "confidential addendum" portion of the SFIs. However, it is unclear from the current language of the Bill if such legislation is meant to apply prospectively or retrospectively. That is, whether the current confidential addendum filed with OSE will suddenly become unsealed upon the passage of this legislation. Such clarity in the statutory language would be of great assistance to the OSE staff, filers of SFIs and the public, especially since subsection (e) of section 1-88 of the general statutes mandates that the OSE members who unlawfully disclose information on confidential addendums "shall be dismissed." If the removal of the confidentiality provision is intended to apply retrospectively, then subsection (e) of section 1-88 can be stricken from the General Statutes as obsolete. Alternatively, if section 1-88 (e) is not stricken, then at the very least its language should be made clear that it applies retrospectively.

In addition, the language of Section 2 of Bill No. 5029 appears to expound on the definition of a "gift" as already provided for in subsection (e) of section 1-79 of the general statutes. It should be noted that subsection (e) of section 1-79 of the general statutes contains several exceptions to the definition of a "gift." However, it is not clear in the current provision of section 2 of the Bill whether the intent is to eliminate some of the exceptions to the definition of a "gift" as stated in the Code of Ethics.

The OSE also supports section 3 of Bill 5029, which provides for greater online access to public information under the Freedom of Information Act.

Section 5 of Bill No. 5029 delineates the scope and involvement of the OSE in municipal ethics matters of this state. The proposed language requires the OSE to establish a model code of ethics for municipalities and assist any municipality in its implementation and related procedures and policies. The OSE wishes to underscore its longstanding position in support of government reform, accountability, transparency and integrity on all levels – state and local. The OSE is committed to assist municipalities in government ethics reform. Nonetheless, the OSE wants to emphasize that such worthy objectives will only have lasting impact if supported by genuine commitment of resources.

The OSE supports sections 6, 7 and 8 of Bill No. 5029 which provide the Superior Court with the power and discretion to reduce or revoke public pensions of government officials and employees involved in crimes related to their government service.

For further information please contact: Carol Carson, Executive Director, Office of State Ethics, or Barbara Housen, General Counsel, Office of State Ethics, at 860-566-4472; 860-566-3806 (fax).