



**State of Connecticut  
SENATE**

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**SENATE MINORITY LEADER**

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EXECUTIVE AND LEGISLATIVE NOMINATIONS  
COMMITTEE

**Testimony of state Senate Minority Leader John McKinney  
before the Government Administration and Elections Committee  
of the Connecticut General Assembly**

**RE: Senate Bill 333, An Act Concerning Comprehensive Ethics Reforms**

**February 25, 2008**

Chairmen Slossberg and Caruso, Ranking Members Freedman and Hetherington, and members of the Government Administration and Elections Committee: thank you for the opportunity to testify today in support of Senate Bill 333, An Act Concerning Comprehensive Ethics Reforms. I commend the committee for making this bill a priority and I hope we as a legislature will move responsibly, but swiftly to pass these and other necessary reforms.

With the passage of these and other reforms that have the support of Governor Rell and legislative leaders from both parties, Connecticut will have established one of the highest ethical standards in the country. And it is just that we do so.



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With the passage of these and other reforms that have the support of Governor Rell and legislative leaders from both parties, Connecticut will have established one of the highest ethical standards in the country. And it is just that we do so.

Public office is a public trust. And during the past decade, that public trust has been betrayed time and again by elected officials and state employees who believed they were above the law.

The General Assembly faces several important challenges this legislative session as we work to improve public safety, increase access to quality affordable health care, and help Connecticut residents cope with rising energy costs and a slowing economy. But, in order for state government to achieve its goals in any of these areas, it is vital we take the steps necessary to restore trust and public confidence in our elected officials.

Ethics reform must be the top priority for this General Assembly; just as ethical integrity must always be the highest priority for our public officials and state employees.

In an effort to help move this process through the General Assembly, the Senate Republican Caucus introduced a comprehensive package of ethics reforms on February 4<sup>th</sup>. I am pleased to report that there is much common ground between our proposal and the bill before us today.

The Senate Republican proposal is in agreement with SB 333 on the need to create a Bipartisan Standing Committee on Ethics, give judges the power to revoke or reduce the pensions of corrupt public officials and state employees, require ethics training for state elected and appointed officials and state employees and establish a criminal penalty for elected officials who fail to report a bribe.

Please allow me to briefly outline each of these proposals which have the full support of the 12-member Senate Republican Caucus. Where applicable, I will indicate the differences between our proposal and the Senate Bill before us.

With respect to creating a Bipartisan Standing Committee on Ethics, the Senate Republican Caucus believes creation of this committee is central to any effort to reform state ethics and restore public confidence in elected officials. We agree with SB 333 in that the committee should be bipartisan and bicameral.

Our proposal differs from SB 333 in who has the power to determine probable cause. SB 333 provides for a judge trial referee to determine probable cause, whereas our proposal would give this power to the committee itself.

With respect to pension revocation, Senate Republicans agree that judges should have the power to revoke or reduce state pensions for elected or appointed public officials convicted of crimes related to their state office. Crimes committed by public officials and state employees violate the public trust and warrant severe punishment. Recent criminal activity at the Departments of Motor Vehicles, Public Works and Transportation illustrate the need for this measure.

Senate Republicans also agree with SB 333 in that public officials and state employees who witness or have knowledge of an attempted or actual bribe must report it to law enforcement. Failure to do so should result in a substantial fine and/or jail time.

The Senate Republican Caucus will also support legislation requiring state elected and appointed officials and state employees to receive training regarding ethical awareness and conduct.

With respect to the four areas I have outlined – creating a Bipartisan Standing Committee on Ethics, giving judges the power to revoke or reduce the pensions of corrupt public officials and state employees, requiring ethics training for state elected and appointed officials and state

employees, and establishing a criminal penalty for elected officials who fail to report a bribe -- the Senate Republican Caucus is in agreement with SB 333.

However, our proposal called for two additional reforms not reflected in the bill before us. The Senate Republican Caucus believes we can make a good bill a better bill by amending SB 333 to establish new restrictions for state officials who lobby legislators and to prohibit legislators from serving as a municipal chief elected official.

Connecticut law should prohibit state officials who lobby legislators from contributing to legislative candidates and from giving gifts. Essentially, state officials who lobby the legislature should be subject to these laws which already govern private lobbyists.

While the GAE Committee has raised a separate bill to address this issue, I feel this reform should be included as part of the comprehensive package of reforms comprising SB 333.

Moreover, Article III of the Connecticut Constitution currently prohibits legislators from holding a position in county government. As our state no longer has any form of county government, state law should be corrected to prohibit legislators from holding a second elected position as the chief elected official of a municipality. Currently 25 states prohibit legislators from holding a second municipal or county office of any kind; and five other states prohibit legislators from holding a second elected position that is considered lucrative.

I urge the committee to include this additional reform in SB 333.

Thank you again for the opportunity to testify today. I look forward to working in a bipartisan way to reach agreement on all of the reforms I have outlined here today.



## State of Connecticut

**SENATOR JOHN MCKINNEY**

SENATE MINORITY LEADER

28<sup>th</sup> DISTRICT

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February 4, 2008

Senator Donald E. Williams, Jr.  
President Pro Tempore  
Legislative Office Building, Rm. 3300  
Hartford, CT 06106

Dear Senator ~~Williams~~: *Don*

On behalf of the Senate Republican Caucus, I am presenting you with our agenda on ethics reform, which we hope to pass with bipartisan support in the first weeks of the 2008 legislative session. Our proposal will create a Bipartisan Standing Committee on Ethics, give judges the power to revoke or reduce the pensions of corrupt public officials and state employees, establish new restrictions for state officials who lobby legislators, require ethics training for state elected and appointed officials and state employees, establish a criminal penalty for elected officials who fail to report a bribe, and prohibit legislators from serving as a municipal chief elected official.

You will find that there is much common ground between our proposal and the agenda put forth by Senate Democrats in December. In fact, with respect to creating a Bipartisan Standing Committee on Ethics, I believe our caucuses are in complete agreement. Therefore, Senate Republicans propose that creation of this committee, which can be accomplished by a simple amendment to Senate Rules, be the Senate's first order of business when the 2008 legislative session convenes on Wednesday.

In this letter, I have outlined this and other proposed ethics reforms which have the full support of the Senate Republican Caucus. Where applicable, I have indicated the differences between our proposals and those put forth by your caucus. I hope to meet with you soon to reach compromises where there are differences.

**Bipartisan Standing Committee on Ethics:**

The Senate Republican Caucus believes creation of this committee is central to any effort to reform state ethics and restore public confidence in elected officials. While

ultimately we believe a joint committee should be created, we can and should lead by example by immediately empanelling a Senate committee.

A Bipartisan Senate Standing Committee on Ethics should consist of three Democratic senators appointed by the President Pro Tempore, and three Republican senators appointed by the President Pro Tempore with the advice and counsel of the minority leader. The committee would consist of two co-chairs, both appointed by the President Pro Tempore, one appointed with the advice and counsel of the minority leader. The committee shall have cognizance of any ethical violation, official misconduct, or abuse of office by any member of the Senate, upon a majority vote by the committee of a finding of probable cause.

Any committee member who is the subject of an allegation of ethical violation, official misconduct, or abuse of office shall recuse themselves from the committee action and be replaced in the same manner in which they were appointed. Upon a vote of probable cause, the committee may hold meetings or public hearings and shall report their findings, if any, in the form of a resolution, to be voted upon by the Senate.

**Pension Revocation:**

Senate Republicans agree that judges should have the power to revoke or reduce state pensions for elected or appointed public officials convicted of crimes related to their state office. However, whereas the Senate Democratic proposal only dealt with corrupt public officials, Senate Republicans believe all state employees should be subject to this law when their crimes are related to their employment. Crimes committed by public officials and state employees violate the public trust and warrant severe punishment. Recent criminal activity at the Departments of Motor Vehicles, Public Works and Transportation illustrate the need for this measure.

**Contribution/Gift Ban for State Officials who Lobby:**

While Senate Democrats have proposed examining restrictions on state officials who lobby legislators, we believe the time to act is now, and the General Assembly should, at the very least, pass legislation prohibiting these officials from contributing to legislative candidates and from giving gifts. Essentially, state officials who lobby the legislature should be subject to these laws which already govern private lobbyists.

**Penalty for failure to report a bribe:**

Senate Republicans believe public officials and state employees who witness or have knowledge of an attempted or actual bribe must report it to law enforcement. Failure to do so should result in a substantial fine and/or jail time.

**Ethics Training:**

The Senate Republican Caucus will support legislation requiring state elected and appointed officials and state employees to receive training regarding ethical awareness and conduct.

**Dual-Job Ban:**

Article III of the Connecticut Constitution prohibits legislators from holding a position in county government. As our state no longer has any form of county government, State law should prohibit legislators from holding a second elected position as the chief elected official of a municipality. Currently 25 states totally prohibit legislators from holding a second municipal or county office; 5 other states prohibit legislators from holding a second elected position that is considered lucrative.

I have attached our proposed change to Senate rules. I look forward to your comments on that proposal, and hope we can work together to draft an amendment which the Senate can unanimously pass on Wednesday to create a Bipartisan Senate Standing Committee on Ethics.

Thank you in advance for your consideration of these proposals. I look forward to working in a bipartisan way to reach agreement on all of the reforms outlined in this letter.

Sincerely,



John McKinley  
Senate Minority Leader

Enclosure

General Assembly  
February Session, 2008

## **Amendment**

Offered by: Sen. McKinney, 28<sup>th</sup> District

### **RESOLUTION CONCERNING THE SENATE RULES.**

After Senate Rule 36, insert the following:

NEW There shall be one Bipartisan Senate Standing Committee on Ethics, consisting of three Democratic senators appointed by the President Pro Tempore, and three Republican senators appointed by the President Pro Tempore with the advice and counsel of the minority leader. The President Pro Tempore shall appoint two cochairmen of committee, one of whom shall be appointed upon the advice and counsel of the minority leader. Said committee shall have cognizance of any ethical violation, official misconduct, or abuse of office by any member of the Senate, upon a majority vote by the committee of a finding of probable cause. Any committee member who is the subject of an allegation of ethical violation, official misconduct, or abuse of office shall recuse themselves from the committee action and shall be replaced in the same manner in which they were appointed. Upon a vote of probable cause, the committee shall adopt such rules as they deem appropriate and may hold meetings or public hearings and shall report their findings, if any, in the form of a resolution, to be voted upon by the Senate.