



Senate

General Assembly

File No. 187

January Session, 2009

Substitute Senate Bill No. 771

Senate, March 25, 2009

The Committee on Government Administration and Elections reported through SEN. SLOSSBERG of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE GOVERNANCE OF THE CITIZEN'S ETHICS ADVISORY BOARD.

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

1 Section 1. Subsection (b) of section 1-80 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (b) All members shall be electors of the state. No member shall be a
5 state employee. No member or employee of such board shall (1) hold
6 or campaign for any public office; (2) have held public office or have
7 been a candidate for public office for a three-year period prior to
8 appointment; (3) hold office in any political party or political
9 committee or be a member of any organization or association
10 organized primarily for the purpose of influencing legislation or
11 decisions of public agencies; or (4) be an individual who is a registrant
12 as defined in subsection (q) of section 1-91. For the purposes of this
13 subsection, the term "public office" shall not include the offices of

14 justice of the peace or notary public.

15 Sec. 2. Subsection (a) of section 1-80 of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective*
17 *October 1, 2009*):

18 (a) There shall be an Office of State Ethics that shall be an
19 independent state agency and shall constitute a successor agency to the
20 State Ethics Commission, in accordance with the provisions of sections
21 4-38d and 4-39. Said office shall consist of an executive director,
22 general counsel, ethics enforcement officer and such other staff as
23 hired by the executive director. Within the Office of State Ethics, there
24 shall be the Citizen's Ethics Advisory Board that shall consist of nine
25 members, appointed as follows: One member shall be appointed by the
26 speaker of the House of Representatives, one member by the president
27 pro tempore of the Senate, one member by the majority leader of the
28 Senate, one member by the minority leader of the Senate, one member
29 by the majority leader of the House of Representatives, one member by
30 the minority leader of the House of Representatives, and three
31 members by the Governor. [Members] Each member of the board shall
32 serve for a four-year [terms which shall commence on October 1, 2005]
33 term, except that (1) members first appointed for terms commencing
34 on October 1, 2005, shall have the following terms: The Governor shall
35 appoint two members for a term of three years and one member for a
36 term of four years; the majority leader of the House of Representatives,
37 minority leader of the House of Representatives and the speaker of the
38 House of Representatives shall each appoint one member for a term of
39 two years; the president pro tempore of the Senate, the majority leader
40 of the Senate and the minority leader of the Senate shall each appoint
41 one member for a term of four years, and (2) the term commencing
42 October 1, 2009, for the member appointed by the Governor and the
43 member appointed by the president pro tempore of the Senate, shall be
44 five years. No individual shall be appointed to more than one four-
45 year term as a member of the board. [, provided, members] Upon the
46 expiration of such members' five-year terms any subsequent
47 appointment to the board by said appointing authorities shall be for a

48 four-year term. Members may not continue in office once their term
 49 has expired and members first appointed may not be reappointed. No
 50 more than five members shall be members of the same political party.
 51 The members appointed by the majority leader of the Senate and the
 52 majority leader of the House of Representatives shall be selected from
 53 a list of nominees proposed by a citizen group having an interest in
 54 ethical government. The majority leader of the Senate and the majority
 55 leader of the House of Representatives shall each determine the citizen
 56 group from which each will accept such nominations. One member
 57 appointed by the Governor shall be selected from a list of nominees
 58 proposed by a citizen group having an interest in ethical government.
 59 The Governor shall determine the citizen group from which the
 60 Governor will accept such nominations.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2009 | 1-80(b) |
| Sec. 2 | October 1, 2009 | 1-80(a) |

Statement of Legislative Commissioners:

In section 2(a) references to the term commencing October 1, 2005, were changed to the singular form and rearranged to better designate the exceptions to the four-year terms. Section 2(a) was also changed to better designate the two members who are to serve in the second round of appointments which have a five-year term. These changes were made for clarity and consistency with the style of the general statutes.

GAE *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which alters the appointment terms of the Citizen's Ethics Advisory Board to provide for a more gradual replacement of its members through a staggering of terms, has no fiscal impact.

OLR Bill Analysis**SB 771*****AN ACT CONCERNING THE GOVERNANCE OF THE CITIZEN'S ETHICS ADVISORY BOARD.*****SUMMARY:**

This bill (1) makes justices of the peace and notaries public eligible for Citizen's Ethics Advisory Board membership or employment and (2) requires two of the nine board members to serve a single, five-year term, thus changing how the terms are staggered.

EFFECTIVE DATE: Upon passage

MEMBERSHIP

The law prohibits the board's employees and members from holding public office. The bill excludes justices of the peace and notaries public from the definition of "public office" as it applies to the Citizen's Ethics Advisory Board, thus authorizing their membership on or employment by the board.

STAGGERED TERMS

With one exception the bill, like the law, prohibits Citizen's Ethics Advisory Board members from serving terms longer than four years. However, the bill requires the governor and the Senate president pro tempore to appoint one member each to serve a term commencing October 1, 2009 and expiring September 30, 2014. By implementing a single five-year term for two members, the bill ensures that no more than three terms expire in one year.

Under the bill, three terms expire in 2011 and two expire each of the next three years. Under current law, three terms expire in 2011, two in 2012, four in 2013, and none in 2014.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 15 Nay 0 (03/06/2009)