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**OFFICE OF STATE ETHICS' STATEMENT IN SUPPORT OF  
RAISED BILL No. 6294  
AN ACT CONCERNING  
CONTRACTING RELATED MATTERS AND THE STATE CODES OF ETHICS**

The primary purpose of this bill is to provide greater clarity regarding ethics enforcement standards that are applied to contractors and bidders who execute and/or pursue state contracts. The Office of State Ethics ("OSE") supports passage of Raised Bill No. 6294, and respectfully requests that the following comments be considered.

The OSE supports section 1 of Raised Bill No. 773, which permits the OSE to recover the amount of any financial advantage knowingly received by a state contractor through a violation of § 1-101nn of the general statutes, or through a violation of § 1-86e in the case of consultants or independent contractors. The recovery of any financial advantage received through a violation of § 1-101nn or § 1-86e of the general statutes will provide for an important remedy of restitution in the case of large state contracts.

The OSE also supports section 2 of Raised Bill No. 6294, which changes § 4e-34 (b) (8) under the State Contracting Standards Board law to include § 1-101nn violations. Section 4e-34 (b) (8) of the general statutes provides that a willful or egregious violation of the ethical standards set forth in § 1-84 and § 1-86e of the general statutes, as determined by the Citizen's Ethics Advisory Board, can be cause for disqualification of a contractor. Section 4e-34 (b)(8) does not include violations of § 1-101nn, even though § 1-101nn of the Code of Ethics specifically deals with contracting matters.

Section 3 of Raised Bill No. 6294 is also supported by the OSE as it clarifies that when a person is found in violation of § 1-101nn of the general statutes such person may be deemed a nonresponsible bidder by governmental bodies. The current language of subsection (c) of section 1-101nn does not make a distinction that there must be a finding of violation of § 1-101nn pursuant to § 1-82 of the general statutes. As such, the language may be misinterpreted whether those who are subject to § 1-101nn are afforded administrative review before they are deemed a nonresponsible bidder. The amendment will provide greater clarity to the regulated community and governmental bodies alike that violations of ethics codes are established through the administrative process set forth in § 1-82.

In addition, the OSE supports sections 4 and 5 of Raised Bill No. 6294, which provide the General Counsel and the legal division of the OSE with authority to interpret Parts III and IV of chapter 10 of the general statutes. In contrast, the enforcement division presently has the authority to enforce parts of Parts I, II and § 1-101nn of Part IV of chapter 10. This change will alleviate the confusion among those who are regulated regarding the powers vested in the OSE.

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