



General Assembly

January Session, 2009

Raised Bill No. 6298

LCO No. 2612

02612_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING CERTAIN REVISIONS TO THE STATE CODES OF ETHICS.

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

1 Section 1. Subsection (p) of section 1-84 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (p) (1) No public official or state employee or member of the
5 immediate family of a public official or state employee shall knowingly
6 accept, directly or indirectly, any gift or gifts costing one hundred
7 dollars or more in any calendar year from a public official or state
8 employee who is under the supervision of such public official or state
9 employee.

10 (2) No public official or state employee or member of the immediate
11 family of a public official or state employee shall knowingly accept,
12 directly or indirectly, any gift or gifts costing one hundred dollars or
13 more in any calendar year from a public official or state employee who
14 is a supervisor of such public official or state employee.

15 (3) No public official or state employee shall knowingly give,
16 directly or indirectly, any gift in violation of subdivision (1) or (2) of
17 this subsection.

18 Sec. 2. Subsection (b) of section 1-96 of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective*
20 *October 1, 2009*):

21 (b) Each individual communicator lobbyist registrant and each
22 business organization communicator lobbyist registrant shall file with
23 the Office of State Ethics between the first and tenth day of January a
24 report or reports, signed under penalty of false statement, reporting
25 the amounts of compensation and reimbursement received from each
26 of his clients during the previous year. In addition, each individual
27 communicator lobbyist registrant and each business organization
28 communicator lobbyist registrant shall: (1) Report the fundamental
29 terms of contracts, agreements or promises to pay or receive
30 compensation or reimbursement or to make expenditures in
31 furtherance of lobbying, including the categories of work to be
32 performed and the dollar value or compensation rate of the contract, at
33 the time of registration; (2) report, in accordance with the schedule set
34 forth in subsection (a) of this section, any amendments to these
35 fundamental terms, including any agreements to subcontract lobbying
36 work; and (3) report, in accordance with the provisions of subsection
37 (a) of this section, any expenditures for the benefit of a public official
38 or state employee in the legislative or executive branch or a member of
39 the staff or immediate family of such official which are unreimbursed
40 and required to be itemized. Such report shall not include the
41 disclosure of food and beverage provided by a communicator lobbyist
42 registrant to a public official or state employee in the legislative or
43 executive branch or a member of his staff or immediate family at a
44 major life event, as defined by the Citizen's Ethics Advisory Board, of
45 the registrant. All such information shall be reported under penalty of
46 false statement.

47 Sec. 3. Subsection (q) of section 1-79 of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective*
49 *October 1, 2009*):

50 (q) "Necessary expenses" means a public official's or state
51 employee's expenses for an article, appearance or speech or for
52 participation at an event, in his official capacity, which shall be limited
53 to necessary travel expenses, lodging for the nights immediately before
54 [of] and after the appearance, speech or event, meals and any related
55 conference or seminar registration fees.

56 Sec. 4. Subsection (q) of section 1-84 of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective*
58 *October 1, 2009*):

59 (q) No public official or state employee shall knowingly counsel,
60 authorize or otherwise sanction action that violates any provision of
61 this part.

62 Sec. 5. Subsection (l) of section 1-91 of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective*
64 *January 1, 2010*):

65 (l) "Lobbyist" means a person who in lobbying and in furtherance of
66 lobbying makes or agrees to make expenditures, or receives or agrees
67 to receive compensation, reimbursement, or both, and such
68 compensation, reimbursement or expenditures are [two] three
69 thousand dollars or more in any calendar year or the combined
70 amount thereof is [two] three thousand dollars or more in any such
71 calendar year. Lobbyist shall not include:

72 (1) A public official, employee of a branch of state government or a
73 subdivision thereof, or elected or appointed official of a municipality
74 or his designee other than an independent contractor, who is acting
75 within the scope of his authority or employment;

76 (2) A publisher, owner or an employee of the press, radio or

77 television while disseminating news or editorial comment to the
78 general public in the ordinary course of business;

79 (3) An individual representing himself or another person before the
80 legislature or a state agency other than for the purpose of influencing
81 legislative or administrative action;

82 (4) Any individual or employee who receives no compensation or
83 reimbursement specifically for lobbying and who limits his activities
84 solely to formal appearances to give testimony before public sessions
85 of committees of the General Assembly or public hearings of state
86 agencies and who, if he testifies, registers his appearance in the records
87 of such committees or agencies;

88 (5) A member of an advisory board acting within the scope of his
89 appointment;

90 (6) A senator or representative in Congress acting within the scope
91 of his office;

92 (7) Any person who receives no compensation or reimbursement
93 specifically for lobbying and who spends no more than five hours in
94 furtherance of lobbying unless such person (A) exclusive of salary,
95 receives compensation or makes expenditures, or both, of [two] three
96 thousand dollars or more in any calendar year for lobbying or the
97 combined amount thereof is [two] three thousand dollars or more in
98 any such calendar year, or (B) expends fifty dollars or more for the
99 benefit of a public official in the legislative or executive branch, a
100 member of his staff or immediate family;

101 (8) A communicator lobbyist who receives or agrees to receive
102 compensation, reimbursement, or both, the aggregate amount of which
103 is less than [two] three thousand dollars from each client in any
104 calendar year.

105 Sec. 6. Section 1-94 of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective October 1, 2009*):

107 A lobbyist shall register with the Office of State Ethics pursuant to
108 this part if it or he:

109 (1) Receives or agrees to receive compensation or reimbursement for
110 actual expenses, or both, in a combined amount of [two] three
111 thousand dollars or more in a calendar year for lobbying, whether that
112 receipt of compensation or reimbursement or agreement to receive
113 such compensation or reimbursement is solely for lobbying or the
114 lobbying is incidental to that person's regular employment; or

115 (2) Makes or incurs an obligation to make expenditures of [two]
116 three thousand dollars or more in a calendar year for lobbying.

117 Sec. 7. Section 1-95 of the general statutes is repealed and the
118 following is substituted in lieu thereof (*Effective October 1, 2009*):

119 (a) Each registrant shall file every two years with the Office of State
120 Ethics on a registration form signed under penalty of false statement
121 on or before January fifteenth of odd-numbered years or prior to the
122 commencement of lobbying whichever is later. If the registrant is not
123 an individual, an authorized officer or agent of the registrant shall sign
124 the form. Such registration shall be on a form prescribed by the board
125 and shall include:

126 (1) If the registrant is an individual, the registrant's name,
127 permanent address and temporary address while lobbying and the
128 name, address and nature of business of any person who compensates
129 or reimburses, or agrees to compensate or reimburse the registrant and
130 the terms of the compensation, reimbursement or agreement, but shall
131 not include the compensation paid to an employee for his involvement
132 in activities other than lobbying;

133 (2) If the registrant is a corporation, the name, address, place of
134 incorporation and the principal place of business of the corporation;

135 (3) If the registrant is an association, group of persons or an
136 organization, the name and address of the principal officers and

137 directors of such association, group of persons or organization. If the
138 registrant is formed primarily for the purpose of lobbying, it shall
139 disclose the name and address of any person contributing [two] three
140 thousand dollars or more to the registrant's lobbying activities in any
141 calendar year;

142 (4) If the registrant is not an individual, the name and address of
143 each individual who will lobby on the registrant's behalf; and

144 (5) The identification, with reasonable particularity, of areas of
145 legislative or administrative action on which the registrant expects to
146 lobby, including the names of executive agencies and quasi-public
147 agencies and, where applicable, solicitations for state contracts and
148 procurements.

149 (b) Each registrant shall pay a reasonable fee not in excess of the cost
150 of administering the registration form provided for in subsection (a) of
151 this section plus the cost of collecting, filing, copying and distributing
152 the information filed by registrants under section 1-96, but not less
153 than twenty-five dollars. A registrant who commences lobbying in an
154 even-numbered year shall file with the Office of State Ethics, on or
155 before January fifteenth of such even-numbered year or prior to the
156 commencement of lobbying, whichever is later, a registration form
157 signed under penalty of false statement and shall pay one-half of the
158 biennial registration fee established by the board.

159 (c) Each registrant shall file a notice of termination within thirty
160 days after he ceases the activity that required his registration, provided
161 the registrant does not intend to resume the activity during the
162 biennial period for which he is registered; but termination shall not
163 relieve him of the reporting requirements of section 1-96 for the period
164 preceding the date his notice of termination is received by the Office of
165 State Ethics or for the period commencing on such date and ending on
166 December thirty-first of the year in which termination occurs.

167 (d) In addition to the requirements of subsections (a) to (c),

168 inclusive, of this section, the registration of a: (1) Client lobbyist, as
169 defined in section 1-91, shall include: (A) The name of such company
170 or association, (B) the nature of such company or association, (C) the
171 primary business address of such company or association, (D) the
172 name of the person responsible for oversight of such client lobbyist's
173 lobbying activities, (E) the job title of such person and any applicable
174 contact information for such person, including, but not limited to,
175 phone number, facsimile number, electronic mail address and business
176 mailing address; and (2) communicator lobbyist, as defined in section
177 1-91, shall include the name of the person with whom such
178 communicator lobbyist has primary contact for each client of such
179 communicator lobbyist and any applicable contact information for
180 such person, including, but not limited to, phone number, facsimile
181 number, electronic mail address and business mailing address.

182 Sec. 8. Section 12-557d of the general statutes is repealed and the
183 following is substituted in lieu thereof (*Effective October 1, 2009*):

184 (a) There shall be a Gaming Policy Board within the Department of
185 Revenue Services for administrative purposes only. Said board shall
186 consist of five members appointed by the Governor with the advice
187 and consent of both houses of the General Assembly. Not more than
188 three members of said board in office at any one time shall be members
189 of the same political party. On or before July 1, 1979, the Governor
190 shall nominate three members who shall serve until July 1, 1981, and
191 two members who shall serve until July 1, 1983. The General Assembly
192 shall confirm or reject such nominations in the manner prescribed by
193 section 4-7 before adjournment sine die of the 1979 regular session,
194 except that if the nominations cannot be acted on by both houses of the
195 General Assembly during said regular session, the General Assembly
196 shall confirm or reject the nominations at a special session which shall
197 be called, notwithstanding sections 2-6 and 2-7, immediately following
198 adjournment sine die of the 1979 session reconvened in accordance
199 with article third of the amendments to the Constitution of
200 Connecticut, except that if no session is held pursuant to said article,

201 the General Assembly shall meet in special session, notwithstanding
202 sections 2-6 and 2-7, not later than August 1, 1979, to confirm or reject
203 such nominations. Any special session called pursuant to this section
204 shall be held for the sole purpose of confirming or rejecting the initial
205 nominations made by the Governor to the board. Thereafter members
206 shall serve for a term of four years and the procedure prescribed by
207 section 4-7 shall apply to such appointments, except that the Governor
208 shall submit such nominations on or before May first, and both houses
209 shall confirm or reject the nominations before adjournment sine die.
210 Members shall receive fifty dollars per day for each day they are
211 engaged in the business of the board and shall be reimbursed for
212 necessary expenses incurred in the performance of their duties. The
213 executive director shall serve on the board ex officio without voting
214 rights.

215 (b) To insure the highest standard of legalized gambling regulation
216 at least four of the board members shall have training or experience in
217 at least one of the following fields: Corporate finance, economics, law,
218 accounting, law enforcement, computer science or the pari-mutuel
219 industry. At least two of these fields shall be represented on the board
220 at any one time.

221 (c) No board member shall accept any form of employment by a
222 business organization regulated under this chapter for a period of two
223 years following the termination of his service as a board member. The
224 provisions of sections 1-82, 1-82a and 1-88 shall apply to any alleged
225 violation of this subsection.

226 (d) No board member shall engage in any oral ex parte
227 communications with any representative, agent, officer or employee of
228 any business organization regulated under this chapter concerning any
229 matter pending or impending before the board.

230 (e) The members of the board shall not participate actively in
231 political management and campaigns. Such activity includes holding
232 office in a political party, political organization or political club,

233 campaigning for a candidate in a partisan election by making speeches,
 234 writing on behalf of a candidate, soliciting votes in support of or in
 235 opposition to a candidate and making contributions of time and
 236 money to political parties.

237 Sec. 9. Subsection (k) of section 16-2 of the general statutes is
 238 repealed and the following is substituted in lieu thereof (*Effective*
 239 *October 1, 2009*):

240 (k) No commissioner of the authority shall, for a period of one year
 241 following the termination of his or her service as a commissioner,
 242 accept employment: (1) By a public service company or by any person,
 243 firm or corporation engaged in lobbying activities with regard to
 244 governmental regulation of public service companies; (2) by a certified
 245 telecommunications provider or by any person, firm or corporation
 246 engaged in lobbying activities with regard to governmental regulation
 247 of persons, firms or corporations so certified; or (3) by an electric
 248 supplier or by any person, firm or corporation engaged in lobbying
 249 activities with regard to governmental regulation of electric suppliers.
 250 No such commissioner who is also an attorney shall in any capacity,
 251 appear or participate in any matter, or accept any compensation
 252 regarding a matter, before the authority, for a period of one year
 253 following the termination of his or her service as a commissioner. The
 254 provisions of sections 1-82, 1-82a and 1-88 shall apply to any alleged
 255 violation of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	1-84(p)
Sec. 2	<i>October 1, 2009</i>	1-96(b)
Sec. 3	<i>October 1, 2009</i>	1-79(q)
Sec. 4	<i>October 1, 2009</i>	1-84(q)
Sec. 5	<i>January 1, 2010</i>	1-91(l)
Sec. 6	<i>October 1, 2009</i>	1-94
Sec. 7	<i>October 1, 2009</i>	1-95
Sec. 8	<i>October 1, 2009</i>	12-557d

Sec. 9	October 1, 2009	16-2(k)
--------	-----------------	---------

Statement of Purpose:

To provide greater clarity to various sections of the code of ethics for public officials and lobbyists and increase the threshold for designation as a lobbyist.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]