



General Assembly

Amendment

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LCO No. 8227

HB0660008227SRO

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. RORABACK, 30th Dist.

To: Subst. House Bill No. 6600

File No. 996

Cal. No. 674

**"AN ACT CONCERNING THE ESTABLISHMENT OF THE
SUSTINET PLAN."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) In addition to its inherent
4 power as a branch of the legislature, the Connecticut state Senate has
5 the constitutional authority under the Connecticut State Constitution,
6 Article III, Section 13, to punish members for disorderly conduct, and,
7 with the consent of two-thirds of its members, expel a member. While
8 the constitution does not specify the grounds for expulsion or other
9 disciplinary action, such grounds may include conduct that impugns
10 the integrity of the Senate, reflects adversely on the Senate or
11 otherwise undermines public confidence in the institution of the
12 Senate. Although the constitutional power to discipline members may
13 be exercised summarily, it is the sentiment of the Senate that
14 disciplinary action should ordinarily be imposed only after a full

15 investigation and opportunity for a hearing. For the public to have
16 confidence in the Senate, it must have confidence in its members as
17 well as its procedures and institutional mechanisms. The public
18 interest, the interests of accused members and the interests of the
19 Senate as an institution require that the extraordinary power to expel
20 or publicly discipline a member be exercised in a fair and consistent
21 manner.

22 (b) There is established a Bipartisan Senate Committee on Standards
23 of Official Conduct that shall consist of six members, appointed as
24 follows: Three majority caucus senators by the president pro tempore
25 of the Senate, and three minority caucus senators by the president pro
26 tempore upon the recommendation of the Senate minority leader. The
27 president pro tempore shall appoint two cochairpersons of the
28 committee, one of whom shall be appointed upon the recommendation
29 of the Senate minority leader. Such appointments shall be made not
30 later than ten days after the effective date of this section.

31 (c) Said committee shall have cognizance of any official Senate
32 action in response to any misconduct by any member of the Senate.
33 "Misconduct" shall include any violation of state or federal election
34 laws, any violation of the state code of ethics, including the intentional
35 filing of a statement of financial interests that is false or misleading,
36 any misuse of state property including the submission of a false claim
37 for compensation or reimbursement, any legal or ethical wrong or
38 other conduct that materially impairs the ability of the member to
39 perform the duties of his or her office, or any conduct that impugns the
40 integrity of the Senate or undermines public trust and confidence in
41 the Senate. Nothing in this rule shall be construed to affect the powers
42 and duties of the Office of State Ethics or the Citizen's Ethics Advisory
43 Board.

44 (d) A quorum, consisting of not less than two members of each
45 caucus, shall be required to conduct any official business of the
46 committee. All committee decisions shall require four affirmative
47 votes.

48 (e) Upon the complaint of any person, signed under penalty of false
49 statement, or upon its own complaint, the committee shall conduct a
50 preliminary investigation into claims of any misconduct by any
51 member of the Senate. Any committee member who is the subject of
52 such a complaint shall recuse himself or herself from any committee
53 action pertaining to such complaint. Such member shall be replaced,
54 for purposes of committee action on such complaint, in the same
55 manner in which such member was appointed.

56 (f) Any such preliminary investigation shall be confidential and not
57 subject to disclosure. Upon the conclusion of any preliminary
58 investigation, the committee shall vote to either (1) dismiss the
59 complaint, or (2) make a finding of probable cause that misconduct has
60 occurred. Upon a finding of probable cause by the committee, all
61 information relating to the preliminary investigation shall, to the
62 extent allowed by state and federal law, be made available to the
63 public.

64 (g) The committee shall undertake a full investigation only after a
65 finding of probable cause. All information relating to a full
66 investigation shall, to the extent allowed by state and federal law, be
67 made available to the public. All proceedings relating to a full
68 investigation shall be open to the public. Upon the completion of a full
69 investigation, the committee shall report its findings and
70 recommendation in the form of a resolution to be voted upon by the
71 Senate. Such recommendation shall include one of the following: (1)
72 Expulsion, (2) censure, (3) reprimand, or (4) no action. The full Senate
73 shall vote on any such resolution not later than ten days after the
74 committee reports out any such resolution.

75 (h) The subject of any such complaint or investigation may be
76 represented by counsel.

77 (i) Not later than ninety days after the effective date of this section,
78 the committee shall adopt rules and procedures to govern its
79 proceedings. Such proposed rules shall include, but not be limited to:

80 (1) Standards, rules and methodology for conducting preliminary and
81 full investigations, respectively, and (2) criteria for the making of a
82 recommendation of expulsion, censure, reprimand and no action,
83 respectively."