



General Assembly

**Amendment**

January Session, 2009

LCO No. 8242

\*HB0660008242SR0\*

Offered by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. RORABACK, 30<sup>th</sup> 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) There is established a  
4 Bipartisan Senate Committee on Standards of Official Conduct that  
5 shall consist of six members, appointed as follows: Three majority  
6 caucus senators by the president pro tempore of the Senate, and three  
7 minority caucus senators by the president pro tempore upon the  
8 recommendation of the Senate minority leader. The president pro  
9 tempore shall appoint two cochairpersons of the committee, one of  
10 whom shall be appointed upon the recommendation of the Senate  
11 minority leader. Such appointments shall be made not later than ten  
12 days after the effective date of this section.

13 (b) Said committee shall have cognizance of any official Senate

14 action in response to any misconduct by any member of the Senate.  
15 "Misconduct" shall include any violation of state or federal election  
16 laws, any violation of the state code of ethics, including the intentional  
17 filing of a statement of financial interests that is materially false or  
18 misleading, any misuse of state property, including the submission of  
19 a false claim for compensation or reimbursement, any legal or ethical  
20 wrong or other conduct that materially impairs the ability of the  
21 member to perform the duties of his or her office, or any conduct that  
22 impugns the integrity of the Senate or undermines public trust and  
23 confidence in the Senate. Nothing in this rule shall be construed to  
24 affect the powers and duties of the Office of State Ethics or the  
25 Citizen's Ethics Advisory Board.

26 (c) A quorum, consisting of not less than two members of each  
27 caucus, shall be required to conduct any official business of the  
28 committee. All committee decisions shall require four affirmative  
29 votes.

30 (d) Upon the complaint of any person, signed under penalty of false  
31 statement, or upon its own complaint, the committee shall conduct a  
32 preliminary investigation into claims of any misconduct by any  
33 member of the Senate. Any committee member who is the subject of  
34 such a complaint shall recuse himself or herself from any committee  
35 action pertaining to such complaint. Such member shall be replaced,  
36 for purposes of committee action on such complaint, in the same  
37 manner in which such member was appointed.

38 (e) Any such preliminary investigation shall be confidential and not  
39 subject to disclosure. Upon the conclusion of any preliminary  
40 investigation, the committee shall vote to either (1) dismiss the  
41 complaint, or (2) make a finding of probable cause that misconduct has  
42 occurred. Upon a finding of probable cause by the committee, all  
43 information relating to the preliminary investigation shall, to the  
44 extent allowed by state and federal law, be made available to the  
45 public.

46 (f) The committee shall undertake a full investigation only after a  
47 finding of probable cause. All information relating to a full  
48 investigation shall, to the extent allowed by state and federal law, be  
49 made available to the public. All proceedings relating to a full  
50 investigation shall be open to the public. Upon the completion of a full  
51 investigation, the committee shall report its findings and  
52 recommendation in the form of a resolution to be voted upon by the  
53 Senate. Such recommendation shall include one of the following: (1)  
54 Expulsion, (2) censure, (3) reprimand, or (4) no action. The full Senate  
55 shall vote on any such resolution not later than ten days after the  
56 committee reports out any such resolution.

57 (g) The subject of any such complaint or investigation may be  
58 represented by counsel.

59 (h) Not later than ninety days after the effective date of this section,  
60 the committee shall adopt rules and procedures to govern its  
61 proceedings. Such proposed rules shall include, but not be limited to:  
62 (1) Standards, rules and methodology for conducting preliminary and  
63 full investigations, respectively, and (2) criteria for the making of a  
64 recommendation of expulsion, censure, reprimand and no action,  
65 respectively."