Offered by:
SEN. MCKINNEY, 28th Dist.
SEN. MCLACHLAN, 24th Dist.

To: Subst. Senate Bill No. 882 File No. 599 Cal. No. 368

"AN ACT CONCERNING THE STATE SET-ASIDE PROGRAM, FILING REQUIREMENTS OF STATE CONTRACTORS, AND EVALUATION OF CONTRACTORS AND SUBCONTRACTORS."

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

"Sec. 501. (NEW) (Effective October 1, 2011) Each member of the General Assembly shall:

(1) Be familiar with and abide by the Code of Ethics for Public Officials as set forth in chapter 10 of the general statutes;

(2) Provide energetic and diligent representation of his or her constituents and be accessible to all constituents;

(3) Fairly characterize the issues confronting the General Assembly and accurately inform the public regarding the conduct of his or her office;"
sSB 882

(4) Act with due regard for the general welfare of the people of the state in exercising the power of confirmation in accordance with chapter 46 of the general statutes;

(5) Be informed and prepared and recognize all sides of an issue;

(6) Be informed about, and abide by, the rules that govern the proceedings of the General Assembly, including, but not limited to, the Joint Rules of the Senate and the House of Representatives, rules to regulate the proceedings of the Senate and the rules to regulate the proceedings of the House of Representatives, as applicable;

(7) Uphold the Constitution of the state and the Constitution of the United States;

(8) Adhere to the spirit and the letter of any provisions of the general statutes, rules or regulations governing official conduct;

(9) Conduct himself or herself in the performance of his or her duties in a manner that does not discredit the House of Representatives or the Senate, as applicable;

(10) Treat fellow members, staff and the general public with fairness, respect and courtesy, regardless of political or religious beliefs, age, race, ethnicity, sex, sexual orientation or physical disability;

(11) Afford to every person who wishes to participate in the legislative process the opportunity to be heard according to established procedures; and

(12) Consider at all times whether his or her conduct would create in reasonable minds the perception that his or her ability to carry out legislative responsibilities with integrity and independence is impaired.

Sec. 502. (NEW) (Effective from passage) (a) Any member of the Senate may submit a complaint, under penalty of false statement, concerning
alleged misconduct by a member of the Senate to the president pro tempore of the Senate and the minority leader of the Senate. Not later than seven days after receipt of such a complaint, the president pro tempore shall appoint a bipartisan committee on ethics that shall consist of six members, three of whom shall be appointed with the concurrence of the minority leader of the Senate. The president pro tempore shall appoint two cochairpersons of the committee, one of whom shall be appointed upon the recommendation of the minority leader of the Senate. Said committee shall have cognizance of any official Senate action in response to any such complaint or misconduct by any member of the Senate.

(b) Any member of the House of Representatives may submit a complaint, under penalty of false statement, concerning alleged misconduct by a member of the House of Representatives to the speaker of the House of Representatives and the minority leader of the House of Representatives. Not later than seven days after receipt of such a complaint, the speaker of the House of Representatives shall appoint a bipartisan committee on ethics that shall consist of six members, three of whom shall be appointed by the minority leader of the House of Representatives. The speaker of the House of Representatives shall appoint two chairpersons of the committee, one of whom shall be appointed upon the recommendation of the minority leader of the House of Representatives. Said committee shall have cognizance of any official House of Representatives' action in response to any such complaint or misconduct by any member of the House of Representatives.

(c) As used in this section, "misconduct" means (1) any conviction or finding by a state agency of a substantial violation of state or federal election laws, or of the state code of ethics, or (2) any legal wrong that materially impairs the ability of the member to perform the duties of his or her office or that substantially undermines public trust and confidence in the Senate or House of Representatives, as applicable. Nothing in this section shall be construed to affect the powers and duties of the Office of State Ethics or the Citizen's Ethics Advisory
Board. The provisions of subsections (d) to (i), inclusive, of this section shall set forth the procedures and requirements for any committee established in accordance with subsection (a) or (b) of this section.

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

(e) The committee shall conduct a preliminary investigation into any such complaint received pursuant to subsection (a) or (b) of this section. In the event that a complaint concerns alleged misconduct by the president pro tempore of the Senate, the duties of the president pro tempore under this section shall become the duties of the majority leader of the Senate. If such complaint concerns alleged misconduct of the minority leader of the Senate, the duties of the minority leader of the Senate under this section shall become the duties of the minority leader pro tempore of the Senate. If such complaint concerns alleged misconduct by the speaker of the House of Representatives, the duties of the speaker under this section shall become the duties of the majority leader of the House of Representatives. If such complaint concerns alleged misconduct of the minority leader of the House of Representatives, the duties of said minority leader shall become the duties of one of the deputy minority leaders of the House of Representatives.

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

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

(h) The subject of any such complaint or investigation may be represented by counsel and may appear before the committee on his or her own behalf.

(i) The committee shall adopt rules and procedures to govern its proceedings. Such rules shall include, but not be limited to, standards, rules and methodology for conducting such preliminary and full investigation, respectively."