



General Assembly

February Session, 2012

Amendment

LCO No. 4367

HB0525204367SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

To: House Bill No. 5252

File No. 82

Cal. No. 239

"AN ACT CONCERNING THE NUMBER OF JUSTICES OF THE PEACE IN THE TOWN OF MERIDEN."

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

3 "Sec. 501. Section 1-300 of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2012*):

6 (a) There is established the Office of Governmental Accountability.
7 The executive administrator of the office shall serve as the
8 administrative head of the office, who shall be appointed in
9 accordance with the provisions of section 1-301, as amended by this
10 act.

11 (b) The Office of Governmental Accountability shall provide
12 personnel, payroll, affirmative action and administrative and business
13 office functions and information technology associated with such

14 functions for the following: The [Office of State Ethics established
15 under section 1-80, State Elections Enforcement Commission
16 established under section 9-7a, Freedom of Information Commission
17 established under section 1-205,] Judicial Review Council established
18 under section 51-51k, Judicial Selection Commission established under
19 section 51-44a, Board of Firearms Permit Examiners established under
20 section 29-32b, Office of the Child Advocate established under section
21 46a-13k, Office of the Victim Advocate established under section 46a-
22 13b and State Contracting Standards Board established under section
23 4e-2. The personnel, payroll, affirmative action and administrative and
24 business office functions of said offices, commissions, council and
25 boards shall be merged and consolidated within the Office of
26 Governmental Accountability pursuant to the plan developed and
27 implemented under the provisions of section 1-302, as amended by this
28 act.

29 (c) The executive administrator may employ necessary staff to carry
30 out the administrative functions of the Office of Governmental
31 Accountability, within available appropriations. Such necessary staff of
32 the Office of Governmental Accountability shall be in classified
33 service.

34 (d) Nothing in this section shall be construed to affect or limit the
35 independent decision-making authority of the [Office of State Ethics,
36 State Elections Enforcement Commission, the Freedom of Information
37 Commission,] Judicial Review Council, Judicial Selection Commission,
38 Board of Firearms Permit Examiners, Office of the Child Advocate,
39 Office of the Victim Advocate or the State Contracting Standards
40 Board. Such decision-making authority includes, but is not limited to,
41 decisions concerning budgetary issues and concerning the
42 employment of necessary staff to carry out the statutory duties of each
43 such office, commission, council or board.

44 Sec. 502. Subdivision (1) of subsection (a) of section 1-301 of the 2012
45 supplement to the general statutes is repealed and the following is
46 substituted in lieu thereof (*Effective July 1, 2012*):

47 (a) (1) There shall be a Governmental Accountability Commission,
48 within the Office of Governmental Accountability established under
49 section 1-300, as amended by this act, that shall consist of ~~[nine]~~ six
50 members as follows: ~~[(A) The chairperson of the Citizen's Ethics~~
51 ~~Advisory Board established under section 1-80, or the chairperson's~~
52 ~~designee; (B) the chairperson of the State Elections Enforcement~~
53 ~~Commission established under section 9-7a, or the chairperson's~~
54 ~~designee; (C) the chairperson of the Freedom of Information~~
55 ~~Commission established under section 1-205, or the chairperson's~~
56 ~~designee; (D) the] (A) The~~ executive director of the Judicial Review
57 Council established under section 51-51k, or the executive director's
58 designee; ~~[(E)] (B)~~ the chairperson of the Judicial Selection Commission
59 established under section 51-44a, or the chairperson's designee; ~~[(F)]~~
60 ~~(C)~~ the chairperson of the Board of Firearms Permit Examiners
61 established under section 29-32b, or the chairperson's designee; ~~[(G)]~~
62 ~~(D)~~ the Child Advocate appointed under section 46a-13k, or the
63 advocate's designee; ~~[(H)] (E)~~ the Victim Advocate appointed under
64 section 46a-13b, or the advocate's designee; and ~~[(I)] (F)~~ the
65 chairperson of the State Contracting Standards Board established
66 under section 4e-2, or the chairperson's designee. The Governmental
67 Accountability Commission shall select a chairperson who shall
68 preside at meetings of the commission. Said commission shall meet for
69 the purpose of making recommendations to the Governor for
70 candidates for the executive administrator of the Office of
71 Governmental Accountability pursuant to the provisions of subsection
72 (b) of this section, or for the purpose of terminating the employment of
73 the executive administrator.

74 Sec. 503. Section 1-302 of the 2012 supplement to the general statutes
75 is repealed and the following is substituted in lieu thereof (*Effective July*
76 *1, 2012*):

77 (a) Not later than November 1, 2011, the executive administrator
78 appointed under section 1-301 shall develop and implement a plan for
79 the Office of Governmental Accountability to merge and provide for
80 personnel, payroll, affirmative action and administrative and business

81 office functions and information technology associated with such
82 functions for the [Office of State Ethics established under section 1-80,
83 State Elections Enforcement Commission established under section 9-
84 7a, Freedom of Information Commission established under section 1-
85 205,] Judicial Review Council established under section 51-51k, Judicial
86 Selection Commission established under section 51-44a, Board of
87 Firearms Permit Examiners established under section 29-32b, Office of
88 the Child Advocate established under section 46a-13k, Office of the
89 Victim Advocate established under section 46a-13b and State
90 Contracting Standards Board established under section 4e-2.

91 (b) Not later than January 2, 2012, the executive administrator of the
92 Office of Governmental Accountability, in conjunction with (1) the
93 executive director, or the executive director's designee, of [each of the
94 following: The Office of State Ethics, the Freedom of Information
95 Commission, the State Elections Enforcement Commission and] the
96 Judicial Review Council, (2) the chairperson or the chairperson's
97 designee of each of the following: The Judicial Selection Commission,
98 the Board of Firearms Permit Examiners, and the State Contracting
99 Standards Board, (3) the Child Advocate or the advocate's designee,
100 and (4) the Victim Advocate or the advocate's designee shall submit a
101 report, in accordance with the provisions of section 11-4a, to the joint
102 standing committees of the General Assembly having cognizance of
103 matters relating to appropriations and the budgets of state agencies,
104 government administration, the judiciary, children, public safety and
105 human services concerning (A) the status of the merger described in
106 subsection (a) of this section, and (B) any recommendations for further
107 legislative action concerning such merger, including, but not limited
108 to, recommendations to further consolidate and merge functions
109 performed by the offices, commissions, boards and council within the
110 Office of Governmental Accountability such as those concerning best
111 use of staff, elimination of redundancies and cross-training of staff for
112 the purpose of using staff to perform functions across such offices,
113 commissions, boards and council.

114 Sec. 504. Subsection (a) of section 1-80 of the 2012 supplement to the

115 general statutes is repealed and the following is substituted in lieu
116 thereof (*Effective July 1, 2012*):

117 (a) There shall be established [, within the Office of Governmental
118 Accountability established under section 1-300,] an Office of State
119 Ethics. Said office shall consist of an executive director, general
120 counsel, ethics enforcement officer and such other staff as hired by the
121 executive director. Within the Office of State Ethics, there shall be the
122 Citizen's Ethics Advisory Board that shall consist of nine members,
123 appointed as follows: One member shall be appointed by the speaker
124 of the House of Representatives, one member by the president pro
125 tempore of the Senate, one member by the majority leader of the
126 Senate, one member by the minority leader of the Senate, one member
127 by the majority leader of the House of Representatives, one member by
128 the minority leader of the House of Representatives, and three
129 members by the Governor. Members of the board shall serve for four-
130 year terms which shall commence on October 1, 2005, except that
131 members first appointed shall have the following terms: The Governor
132 shall appoint two members for a term of three years and one member
133 for a term of four years; the majority leader of the House of
134 Representatives, minority leader of the House of Representatives and
135 the speaker of the House of Representatives shall each appoint one
136 member for a term of two years; the president pro tempore of the
137 Senate, the majority leader of the Senate and the minority leader of the
138 Senate shall each appoint one member for a term of four years. No
139 individual shall be appointed to more than one four-year term as a
140 member of the board, provided, members may not continue in office
141 once their term has expired and members first appointed may not be
142 reappointed. No more than five members shall be members of the
143 same political party. The members appointed by the majority leader of
144 the Senate and the majority leader of the House of Representatives
145 shall be selected from a list of nominees proposed by a citizen group
146 having an interest in ethical government. The majority leader of the
147 Senate and the majority leader of the House of Representatives shall
148 each determine the citizen group from which each will accept such

149 nominations. One member appointed by the Governor shall be
150 selected from a list of nominees proposed by a citizen group having an
151 interest in ethical government. The Governor shall determine the
152 citizen group from which the Governor will accept such nominations.

153 Sec. 505. Subsection (a) of section 1-81a of the 2012 supplement to
154 the general statutes is repealed and the following is substituted in lieu
155 thereof (*Effective July 1, 2012*):

156 (a) Notwithstanding any provision of the general statutes, the
157 appropriations recommended for [the division of] the Office of State
158 Ethics, as established in section 1-80, as amended by this act, [within
159 the Office of Governmental Accountability established under section 1-
160 300, which division shall have a separate line item within the budget
161 for the Office of Governmental Accountability,] shall be the estimates
162 of expenditure requirements transmitted to the Secretary of the Office
163 of Policy and Management by the executive [administrator of the
164 Office of Governmental Accountability] director of the Office of State
165 Ethics and the recommended adjustments and revisions of such
166 estimates shall be the recommended adjustments and revisions, if any,
167 transmitted by said executive [administrator] director to the Office of
168 Policy and Management.

169 Sec. 506. Subsection (a) of section 1-205 of the 2012 supplement to
170 the general statutes is repealed and the following is substituted in lieu
171 thereof (*Effective July 1, 2012*):

172 (a) There shall be established [, within the Office of Governmental
173 Accountability established under section 1-300,] a Freedom of
174 Information Commission consisting of nine members. (1) Five of such
175 members shall be appointed by the Governor, with the advice and
176 consent of either house of the General Assembly. Such members shall
177 serve for terms of four years from July first of the year of their
178 appointment, except that of the members appointed prior to and
179 serving on July 1, 1977, one shall serve for a period of six years from
180 July 1, 1975, one shall serve for a period of four years from July 1, 1975,

181 and one shall serve for a period of six years from July 1, 1977. Of the
182 two new members first appointed by the Governor after July 1, 1977,
183 one shall serve from the date of such appointment until June 30, 1980,
184 and one shall serve from the date of such appointment until June 30,
185 1982. (2) On and after July 1, 2011, four members of the commission
186 shall be appointed as follows: One by the president pro tempore of the
187 Senate, one by the minority leader of the Senate, one by the speaker of
188 the House of Representatives and one by the minority leader of the
189 House of Representatives. Such members shall serve for terms of two
190 years from July first of the year of their appointment. (3) No more than
191 five members of the commission shall be members of the same political
192 party. Any vacancy in the membership of the commission shall be
193 filled by the appointing authority for the unexpired portion of the
194 term.

195 Sec. 507. Subsection (a) of section 1-205a of the 2012 supplement to
196 the general statutes is repealed and the following is substituted in lieu
197 thereof (*Effective July 1, 2012*):

198 (a) Notwithstanding any provision of the general statutes, the
199 appropriations recommended for [the division of] the Freedom of
200 Information Commission, as established in section 1-205, as amended
201 by this act, [within the Office of Governmental Accountability
202 established under section 1-300, which division shall have a separate
203 line item within the budget for the Office of Governmental
204 Accountability,] shall be the estimates of expenditure requirements
205 transmitted to the Secretary of the Office of Policy and Management by
206 the executive [administrator of the Office of Governmental
207 Accountability] director of the commission and the recommended
208 adjustments and revisions of such estimates shall be the recommended
209 adjustments and revisions, if any, transmitted by said executive
210 [administrator] director to the Office of Policy and Management.

211 Sec. 508. Subsection (a) of section 9-7a of the 2012 supplement to the
212 general statutes is repealed and the following is substituted in lieu
213 thereof (*Effective July 1, 2012*):

214 (a) There is established [, within the Office of Governmental
215 Accountability established under section 1-300,] a State Elections
216 Enforcement Commission to consist of five members, not more than
217 two of whom shall be members of the same political party and at least
218 one of whom shall not be affiliated with any political party. Of the
219 members first appointed hereunder, one shall be appointed by the
220 minority leader of the House of Representatives and shall hold office
221 for a term of one year from July 1, 1974; one shall be appointed by the
222 minority leader of the Senate and shall hold office for a term of three
223 years from said July first; one shall be appointed by the speaker of the
224 House of Representatives and shall hold office for a term of one year
225 from said July first; one shall be appointed by the president pro
226 tempore of the Senate and shall hold office for a term of three years
227 from said July first, and one shall be appointed by the Governor,
228 provided [that] such member shall not be affiliated with any political
229 party, and shall hold office for a term of five years from said July first,
230 except members appointed on or after July 1, 2011. On and after July 1,
231 2011, members shall be appointed for terms of three years from July
232 first in the year of their appointment and shall be appointed by the
233 person holding the same office as was held by the person making the
234 original appointment, provided any person chosen to fill a vacancy
235 shall be appointed only for the unexpired term of the member whom
236 he shall succeed. On and after July 1, 2011, no member may serve
237 consecutive terms, except that any member serving on said date, may
238 serve until a successor is appointed and has qualified. All
239 appointments shall be made with the consent of the state Senate and
240 House of Representatives. No person who has served within the
241 previous three years as a public official or who has served within the
242 previous three years as a political party officer, shall be appointed to
243 membership on the commission. For purposes of this subsection, the
244 term "public official" means an individual who holds or has held a
245 state, district or municipal office as defined in section 9-372 but shall
246 not include a justice of the peace or a notary public and the term
247 "political party officer" means an officer or member of a national
248 committee of a political party, state central or town committee, or any

249 person employed by any such committee for compensation. The
 250 commission shall elect one of its members to serve as chairperson and
 251 another member to serve as vice-chairperson. Each member of the
 252 commission shall be compensated at the rate of two hundred dollars
 253 per day for any day on which he participates in a regular commission
 254 meeting or hearing, and shall be paid by the state for his reasonable
 255 expenses, including necessary stenographic and clerical help.

256 Sec. 509. Subsection (a) of section 9-7c of the 2012 supplement to the
 257 general statutes is repealed and the following is substituted in lieu
 258 thereof (*Effective July 1, 2012*):

259 (a) Notwithstanding any provision of the general statutes, the
 260 appropriations recommended for [the division of] the State Elections
 261 Enforcement Commission, as established in section 9-7a, as amended
 262 by this act, [within the Office of Governmental Accountability
 263 established under section 1-300, which division shall have a separate
 264 line item within the budget for the Office of Governmental
 265 Accountability,] shall be the estimates of expenditure requirements
 266 transmitted to the Secretary of the Office of Policy and Management by
 267 the executive [administrator of the Office of Governmental
 268 Accountability] director of the commission and the recommended
 269 adjustments and revisions of such estimates shall be the recommended
 270 adjustments and revisions, if any, transmitted by said executive
 271 [administrator] director to the Office of Policy and Management.

272 Sec. 510. (*Effective from passage*) The Legislative Commissioners'
 273 Office shall make such technical and conforming changes as necessary
 274 to carry out the purposes of sections 1-80, 1-81a, 1-205, 1-205a, 1-300, 1-
 275 301, 1-302, 9-7a and 9-7c of the general statutes, as amended by this
 276 act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>July 1, 2012</i>	1-300
Sec. 502	<i>July 1, 2012</i>	1-301(a)(1)

Sec. 503	<i>July 1, 2012</i>	1-302
Sec. 504	<i>July 1, 2012</i>	1-80(a)
Sec. 505	<i>July 1, 2012</i>	1-81a(a)
Sec. 506	<i>July 1, 2012</i>	1-205(a)
Sec. 507	<i>July 1, 2012</i>	1-205a(a)
Sec. 508	<i>July 1, 2012</i>	9-7a(a)
Sec. 509	<i>July 1, 2012</i>	9-7c(a)
Sec. 510	<i>from passage</i>	New section