

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY
Office of State Ethics

Concerning

SUBJECT MATTER OF REGULATION

Office of State Ethics Proposed Regulatory Amendments

Sections 1-92-40, 1-92-40a, 1-92-31, and 1-92-47.

The proposed amendments focus on: revolving door provisions affecting certain individuals with significant decision making or supervisory responsibility, hearings of the Citizen's Ethics Advisory Board; and lobbyist registration fees.

PROPOSAL # 1

Sec. 1-92-40. Subsection 1-84b (d) positions

Pursuant to Subsection 1-84b(d) of the Connecticut General Statutes, after consultation with the agencies concerned, the positions listed below, which involve significant decision making or supervisory responsibility regarding the regulation or investigation of: (a) any business entity engaged in Indian gaming operations in the state; or (b) a governmental agency of an Indian tribe engaged in Indian gaming operations in the state, are designated as ones subject to the restrictions of subsection 1-84b(e) of the Connecticut General Statutes:

[Gaming Policy Board and the Division of Special Revenue

Executive Director

Deputy Executive Director

Unit Chief, GRU

Assistant Unit Chief, GRU (Casino)

Unit Chief, Security

Chief Financial Examiner

Supervising Accounts Examiner (Casino)

Senior Gambling Regulation Facility Supervisor (Casino)

Licensing Coordinator

Assistant Unit Chief, Planning and Research (Hearings)

Casino Review Committee Members]

Department of Consumer Protection, Gaming Division and Gaming Policy Board

Members of the Gaming Policy Board

Consumer Protection Director of Gaming

Consumer Protection Manager of Gaming Regulation

Consumer Protection Manager of Gaming Enforcement and Assurance

Consumer Protection Manager of Information Technology, Accounting and Gaming Auditing

Special Revenue Assistant Unit Head (TS)

Special Revenue Assistant Unit Head (Hearings)

Special Revenue Assistant Unit Head (Gambling Regulation)

Special Revenue Gambling Regulation Supervisor (Casino)

Supervising Accounts Examiner (Casino)
Accounting Manager
License and Applications Supervisor (Casino)
Application Review Committee Members

[The Department of Public Safety] The Department of Emergency Services and Public Protection

Commissioner
 Deputy Commissioner of State Police
 [Colonel]
Lieutenant Colonel[s or his/her acting designees] For Office of Field Operations
Commanding Officer, Eastern District Headquarters
Executive Officer, Eastern District Headquarters
 Commanding Officer, B.C.I.
 Commanding Officer, S.O.C.I.T.F.
 Commanding Officer, Casino Unit
 Sergeants assigned to Casino Unit or S.O.C.I.T.F.

Statement of Purpose 1-92-40:

After consultation with the agencies concerned, the OSE seeks the above-listed amendments which reflect the recent reorganization of the executive branch.

PROPOSAL # 2

Sec. 1-92-40a. Subsection 1-84b (c) positions

After consultation with the agencies concerned, the positions listed below, which involve significant decision-making or supervisory responsibility, are designated as ones subject to the provisions of subsection (c) of section 1-84b of the Connecticut General Statutes. Exempt from the provisions of subsection (c) of section 1-84b of the Connecticut General Statutes are members or former members of a listed board, commission, or council who serve or served ex officio, who are or were required by statute to represent the regulated industry, or who are or were permitted by statute to have a present or past affiliation with the regulated industry.

[Office of Health Care Access] Department of Public Health/ Office of Health Care Access Division

[Commissioner]
 Deputy Commissioner of Public Health designated to oversee the Office of Health Care Access Division

[The Department of Public Safety] The Department of Emergency Services and Public Protection

Commissioner
 Deputy Commissioner of State Police
 [Colonel]
Deputy Commissioner of Emergency Management and Homeland Security
Director, Office of Statewide Emergency Telecommunications
Director, Division of Scientific Services

Administrator, Police Officer Standards and Training Council
State Fire Administrator, Commission on Fire Prevention and Control
Lieutenant Colonel[s or his/her acting designees]
[Commanding Officer, B.C.I.
Commanding Officer, S.O.C.I.T.F.
Commanding Officer, Casino Unit
Sergeants assigned to Casino Unit or S.O.C.I.T.F.]
Fiscal Administrative Manager 2
Human Resources Administrator 2
Legislative and Administrative Manager
State Police Major

Connecticut Siting Council

Members appointed as designee by the Speaker of the House or the President Pro Tempore of the Senate or appointed by the Governor from the public, including ad hoc and substitute members
Executive Director

Banking Department

Banking Commissioner
Deputy Banking Commissioner
[Director of Bank Examination Division]
Director of Financial Institutions
Director of Securities & Business Investments Division
[Director of Credit Union Division]
Director of Consumer Credit Division
Director of Government Relations and Consumer Affairs
[Director of Legislation, Regulations and Communications]
Banking Supervising Administrative Attorney
Fiscal Administrative Manager 1

Insurance Department

Commissioner
Deputy Commissioner
Director of Consumer Services
Director of Property & Casualty Division
Director of Life & Health Division
Director of Legal Division
Director of Financial Regulation
Financial Regulation Program Managers
Chief Actuary
Licensing Program Manager
Consumer Affairs Program Manager
Market Conduct Program Manager
Fraud Program Manager
Legislative Program Manager
Life and Health Program Manager
Life and Health Actuary
Property and Casualty Program Manager
Property and Casualty Actuary

Legislative and Administrative Manager
Chief of Staff

Department of Consumer Protection, Liquor Control Division

Chairman
Commissioners
Director
[Administrator]

[Department of Public Utility Control] Public Utilities Regulatory Authority

Chairperson
Vice-Chairperson
[Commissioners] Director
[Executive Director]
[Director of Adjudication]
[Director of Rates]
Director of Advocacy and Operations
Public Utilities Chief of Utility Regulation [(3)] (2)
[Legislative and Administrative Manager]
[Manager of Operations and Management Analysis] Procurement Manager

Office of Consumer Counsel

Consumer Counsel

[Gaming Policy Board and the Division of Special Revenue

Members of the Gaming Policy Board
Executive Director
Deputy Executive Director
Unit Chief of Integrity Assurance
Unit Chief of Administration
Unit Chief of Security & Licensing
Unit Chief of Gambling Regulation
Executive Assistant
Chief Financial Examiner/Assistant Unit Head, Integrity Assurance
Assistant Unit Chief of Gambling Regulation
Fiscal Administrative Manager
License and Applications Supervisor (Licensing)
Application Review Committee Members]

Department of Consumer Protection, Gaming Division and Gaming Policy Board

Members of the Gaming Policy Board
Consumer Protection Director of Gaming
Consumer Protection Manager of Gaming Regulation
Consumer Protection Manager of Gaming Enforcement and Assurance
Consumer Protection Manager of Information Technology, Accounting and Gaming Auditing
Special Revenue Assistant Unit Head (TS)

Special Revenue Assistant Unit Head (Hearings)
Special Revenue Assistant Unit Head (Gambling Regulation)
Supervising Accounts Examiner
Accounting Manager
License and Applications Supervisor
Application Review Committee Members
Police Sergeant
Fiscal Administrative Supervisor

Statement of Purpose 1-92-40a:

After consultation with the agencies concerned, the OSE seeks the above-listed amendments which reflect the recent reorganization of the executive branch.

PROPOSAL # 3

Sec. 1-92-31. Board Hearings

(g) The board hearing shall commence upon the presentation of evidence to the board for its consideration. The board hearing shall conclude upon the completion of oral summation arguments by the parties or, if none, upon the beginning of deliberations by the board following the presentation of all evidence [be concluded upon a finding of violation or lack thereof and, if violation has occurred, the imposition of penalties as appropriate.]

Statement of Purpose 1-92-31. :

This proposed amendment clarifies, for purposes of compliance with freedom of information law, that a board hearing concludes prior to deliberations by the Board. Deliberations will therefore not be considered a part of the board hearing.

PROPOSAL # 4

Sec. 1-92-47. Registration fee

[The fee for filing a biennial registration commencing in an odd numbered calendar year is \$250.00. The fee for a one year registration commencing in an even numbered calendar year is \$125.00. The fee must be paid for each individual registrant even if registering with a business organization or client on a single form. This fee is not in excess of the cost of administering the filing, plus the cost of collecting, filing, copying and distributing the information submitted by registrants under Section 1-96 of the Connecticut General Statutes. An estimate of these costs is available upon request at the Office of State Ethics.]

The fee for filing a biennial registration shall be calculated and published by the Office of State Ethics in advance of each legislative biennium and shall not be in excess of the cost per registrant of administering the filing, plus the cost of

collecting, filing, copying and distributing the information submitted by registrants under Section 1-96 of the Connecticut General Statutes. The fee shall be paid for each individual registrant even if registering with a business organization or client on a single form. On or before September first, of even-numbered years, the Office of State Ethics shall calculate the anticipated cost to administer filing, collecting, copying and distributing the information submitted by registrants over the upcoming biennium, and shall publish a statement regarding such cost. The statement shall include the total cost and shall set forth, based on the cost, the registration fee for the upcoming biennial period. If the registration fee is expected to increase by 10% or more of the existing registration fee, the Citizen's Ethics Advisory Board shall either hold a public hearing or provide another opportunity for the presentation of views. The Office of State Ethics shall give all interested persons notice of the time, date, and place of any public hearing. The registration fee for a one year registration commencing in an even numbered calendar year shall be half the fee charged for a biennial registration commencing in an odd-numbered year.

Statement of Purpose 1-92-47:

Because the Office of State Ethics is prohibited from charging lobbyists a registration fee in excess of the cost per registrant of administering the filings, the OSE is proposing this amendment to provide it more flexibility as changes in staffing levels, budget, and number of lobbyist registrations affect the costs of administering its lobbyist registration system.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

The purpose of the proposed amendments is to revise and update the Office of State Ethics' agency regulations contained at Sections 1-92-40, 1-92-40a, 1-92-31, and 1-92-47 of the Regulations of Connecticut State Agencies to reflect the recent reorganization of certain executive branch agencies, to clarify that a board hearing concludes prior to deliberations by the Board, and to allow the Office of State Ethics to adjust the lobbyist registration fee as changes in staffing levels affect the costs of administering its lobbyist registration system.

Specifically, the amendments: (1) for purposes of certain revolving door provisions, provide an update of the positions that have significant decision-making or supervisory authority within the identified agencies (2) clarify, for purposes of compliance with freedom of information law, that a board hearing concludes prior to deliberations by the Citizen's Ethics Advisory Board and that deliberations are not be considered a part of the board hearing, and (3) bring the Office of State Ethics into compliance with the requirement that it not charge lobbyists a registration fee in excess of the cost per registrant of administering the filings by allowing the Office of State Ethics to calculate the fee on a biennium basis.