

Dear Members of the Committee:

Thank you for hearing testimony regarding the passing of Bill HB-5724 will close that loophole in state law, and will allow the city of Bridgeport to elect a governing body with no conflict of interests.

I live in the City of Bridgeport where at least one-third of the City Council is also employed by the City of Bridgeport. This City Council votes on all issues financial.

Bridgeport does not have a separate financial committee.

I ask you to please move HB-5724 to the House of Representatives so that the loophole in the state law would be closed and municipalities would move forward with an ethical system that would benefit the taxpayers of any given municipality as well as the taxpayers throughout the State of Connecticut.

The State of Connecticut acts ethically regarding its General Assembly.

The specific provisions of the CT constitution and CT statute **that would prevent a member of the GA from working for another branch of government** are as follows:

Article third, section 11 of the Connecticut constitution provides:

"No member of the general assembly shall, during the term for which he is elected, hold or accept any appointive position or office in the judicial or executive department of the state government, or in the courts of the political subdivisions of the state, or in the government of any county. No member of congress, no person holding any office under the authority of the United States and no person holding any office in the judicial or executive department of the state government or in the government of any county shall be a member of the general assembly during his continuance in such office."

Section 2-5 of the general statutes provides: "No member of the General Assembly shall, during the term for which he is elected, be nominated or appointed by the Governor, the General Assembly or any other appointing authority of this state or serve or be elected to any position in the Judicial, Legislative or Executive Department of the state government including any commission established by any special or public act of the General Assembly, except that the provisions of this section shall not apply where it is expressly provided by law that a member of the General Assembly as such shall be nominated or appointed to any board, commission, council or other agency in the legislative department, and except that the provisions of this section shall not apply to a member-elect."

Why should a law like the above-mentioned not apply to our municipal bodies as well? Many, many Connecticut state dollars flow into in municipalities, and most especially into Bridgeport (and look at the state of Bridgeport!).

A state law to make municipalities ethically-solvent not only makes sense to the taxpayer of the municipality but also to the taxpayers of the entire State of Connecticut as it is their tax dollars that are flowing into a municipality (that is not adhering to its own City Charter as is ignored by the City of Bridgeport). State dollars continue flowing into a city that has no checks and balances; it does not have a separate financial committee with those who would be capable of financial decisions by way of educational and professional background. Bridgeport has a City Council – that votes on finances, and is comprised, one-third, of city employees. State dollars ... flowing in to Bridgeport – over and over again... year after year.

If the entire State of Connecticut came to realize the flagrant irresponsibility that is taking place in Bridgeport they would also rise up to support this bill. It is their money that is being dumped into a city that is acting irresponsibly.

For your reference, I am including the section of Bridgeport's Charter language that is ignored by the city on reason that there is a loophole in the State of Connecticut, a loophole that we are asking you to help us close:

Section 5.

(g) (1) No member of the city council shall, during the time in which he/she serves as a member of the city council, be appointed to or hold any office, the emoluments of which are to be paid from the city treasury.

(2) No person while holding office as a member of the city council shall be a member of any of the boards of the city, and no member of the city council shall be appointed to an office by any of such boards for which compensation is to be paid.

Bridgeport's Charter vis-a-vis salaries

Section 7. Salaries of elected officials.

(a) The city council, by ordinance, shall have the power and authority to determine and change the salaries or other compensation of all elected officials of the city.

(b) During each even numbered year the city council shall review the compensation of all elected officials, established under the provisions of this section, taking into account the salaries paid to persons performing similar duties in other cities and towns and the private sector and all other relevant factors, and shall determine whether any adjustment should be made.

(c) Any actions taken under the provision of this section, including any increase in the compensation of elected officials shall be consistent with the Constitution and General Statutes of the State of Connecticut.

<http://www.bridgeportct.gov/content/89019/89530/89535.aspx>

Continued....

It is my understanding that there will be at least two individuals who will be speaking out against this bill.

The first is Jack Finley:

UPDATE: Jim Finley, executive director of the municipal support group Connecticut Conference of Municipalities, thinks conflicts of interests on the Bridgeport City Council are good for city taxpayers. He ought to know what's good for city taxpayers, his organization has received a lot of dough from taxpayers throughout the decades to advocate on behalf of the city, including nearly \$88,000 this budget year. Finley told the Connecticut Post's Brian Lockhart he plans to speak against State Rep. Jack Hennessy's proposal to ban city employees from serving on the City Council. Hennessy says too many conflicts of interests exist such as council members voting to approve their wages and benefits.



Jim Finley, CCM chief.

The City Council approves the fees Finley's organization receives from the city. For the current budget year the city paid \$87,666 for its CCM membership.

The Bridgeport City Charter prohibits city employees from serving on the legislative body, but a loophole in state law allows it, something Hennessy wants to correct. A public hearing on Hennessy's bill is scheduled for February 13 in the Legislative Office Building in Hartford.

Lockhart writes:

Finley said it is not uncommon for municipal employees to hold elected positions and Hennessy's bill would further limit the already shallow pool of folks who want to enter local politics ...

"We work closely with the current Bridgeport City Council and have always had a great relationship," Finley said. "It seems odd to have a state legislator target one municipality."

Please let it be noted that many Bridgeport taxpayers, after having read this article, are extremely offended and surprised that Jack would take the time to come to - Hartford to testify against the taxpayers who are paying his company such an inordinate amount of money.

Please let it also be noted that Jack lives in Durham Connecticut, where according to Durham's Charter, those who serve the taxpayer by way of the Charter are made to serve in an ethical manner - unlike that of Bridgeport:

Sec. 2-53. - Standards of ethical conduct.

- (a) *Use of town assets:* No officer, official, employee of the town or independent contractor shall use or permit the use of town funds, services, property, equipment, owned or leased vehicles, or materials for personal convenience or profit, except when such services or assets are available to the public generally or are provided in conformance with established town policies for the use by such officer, official, employee or independent contractor.
- (b) *Fair and equal treatment:* No officer, official, employee of the town or independent contractor shall grant or accept any special consideration, treatment or advantage to or from any person beyond that which is available to the general public.
- (c) **Conflict of interest:** No officer, official or employee of the town shall engage in any business, employment or transaction, or shall have a private financial interest or personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties in the public interest or which would tend to impair his or her judgment, independence or action in the performance of official duties.
Disclosure and disqualification in matters involving a private financial interest or a personal interest:

Any officer, official or employee of the town who has a private financial interest or a personal interest in any matter coming before any board, commission, committee or agency of the town shall make that interest known to such body. Such disclosure shall be included in the official record of the relevant board, commission, committee or agency. Furthermore, if such officer, official or employee is a member of such body, he or she shall refrain from voting upon or otherwise participating in the body's consideration of the matter. No officer, official or employee of the town shall appear for or represent any person in any matter pending before any board, commission, committee or agency of which he or she is a member.
- (d) **Disclosure of confidential information:** No officer, official, employee of the town or independent contractor shall disclose or use any confidential information obtained in an official capacity for the purpose of advancing the private financial interest or the personal interest of themselves or others.
- (e) *Gifts or favors:* No officer, official or employee of the town or member of his or her immediate family shall solicit or accept any gift from an independent contractor.
- (f) **Use of influence:** No officer, official or employee of the town, in furtherance of a private financial interest or a personal interest shall solicit any business, directly or indirectly, from another officer, official or employee of the town over whom he or she has any direct or indirect control or influence with respect to supervision, tenure, compensation or duties.

(g) Representation of private interests: No officer, official or employee of the town shall appear on behalf of private interest before any board, commission or agency of the town, nor shall he or she represent private interests in any action, proceedings or litigation against the town when such appearance or representation would be in conflict with or impair his or her independence or judgment in the performance of the official duties of such officer, official or employee.

(h) Committee service by members of the ethics commission: Members of the ethics commission shall not concurrently serve on any other board, commission or committee of the town.

(Ord. of 11-9-09, § 3)

The second we are told will be testifying against the bill is:

Lori J. Pelletier

Lori resides in Middletown Connecticut, where she has the great pleasure of also living in a municipality that enjoys ethical practices.

Article I. Code of Ethics

§ 40-1. Declaration of policy.

The proper operation of the City government requires that public officials and employees be independent, impartial and responsible; that governmental policies and decisions be made in the proper channels of the governmental structure; that public office and employment not be used for personal gain; and that the public have confidence in the integrity of its government. The purposes of this Code of Ethics are to set forth standards of ethical conduct; to assist public officials and employees in establishing guidelines for their conduct; and to foster the development and maintenance of a tradition of responsible and effective public service.

§ 40-6. Conflict of interest.

[Amended 12-1-1980]

A. No official or employee shall engage in any employment or business which conflicts with the proper discharge of his official duties.

Please understand, that we are not looking to take jobs away from anyone, but instead, we are asking the State of Connecticut to please consider this bill that will give the taxpayers of a local municipality and the greater State of Connecticut, the fairness it deserves.

It is not fair, or just to have city employees sitting in a place of power, where they are allowed to vote on their own salaries; or any other financial or ethical matter that is in direct conflict with their own employment – or so that those who do sit on a council are not put in a position where they are in fear of voting for what is right on behalf of all taxpayers, because their vote could put their employment at risk.

Please consider this bill on behalf of all taxpayers of the State of Connecticut. We need to clean this up, and demand more accountability of those who allocate where and how our money is spent.

Respectfully,

Stephanie Barnes
Bridgeport, CT