



5A

State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE JACK F. HENNESSY
ASSISTANT MAJORITY LEADER
ONE HUNDRED TWENTY-SEVENTH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 5002
HARTFORD, CONNECTICUT 06106-1591

CAPITOL: 860-240-8585
TOLL FREE: 1-800-842-8267
E-MAIL: Jack.Hennessy@cga.ct.gov

CHAIR
SELECT COMMITTEE OF VETERANS' AFFAIRS

MEMBER
ENVIRONMENT COMMITTEE
FINANCE, REVENUE AND BONDING COMMITTEE

February 13, 2013

Good morning Senator Cassano, Representative Rojas and members of the Planning and Development Committee. My name is Representative Jack Hennessy of the 127th district where I represent the North End of Bridgeport.

I am here today to ask for your support for proposed HB 5724, AN ACT PROHIBITING MUNICIPAL EMPLOYEES FROM SERVING ON CERTAIN MUNICIPAL LEGISLATIVE BODIES.

The intent of this bill is to extend an existing provision that prohibits municipal employees from serving on a municipal board of finance except where permitted by charter or home rule ordinance. The state statute is presented here.

Sec. 7-421. (e) Any municipal employee shall have the right to serve on any governmental body of the town in which such employee resides except any body which has responsibility for direct supervision of such employee. Notwithstanding the provisions of this subsection, (1) **no such employee shall serve on any of the following unless such employee is permitted to serve pursuant to the provisions of a municipal charter or home rule ordinance or serves because of membership on the legislative body of the municipality: (A) Any board of finance created pursuant to chapter 106 or any special act or municipal charter;**

As you can see, the language of the statute is silent regarding a municipality that does not have a board of finance, but has these duties performed by a city council. This is a loop hole this bill seeks to close by expanding the ban to city council's that act as a board of finance.

But being a "Home Rule State", 7-421, defers authority to the local municipal charter. What does Bridgeport's Charter say about this issue?

CHARTER OF THE CITY OF *BRIDGEPORT*
CHAPTER 5
CITY COUNCIL

(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.

This provision was approved by a Charter revision referendum in 1998. One would imagine the people of Bridgeport voted to have this language in their charter for a reason – to avoid an obvious conflict of interest situation.

Yet, this language has been ignored by the city attorney's narrow interpretation of state statute 7-148 that states local ordinances cannot supersede state law. Since Sec. 7-421 only addresses boards of finance and not a city council acting as a board of finance, therein lays the conundrum this bill seeks to correct.

If this bill were to become law, its focus would be limited to the few municipalities in the state that don't have boards of finance, and the few municipal employees that serve on them. But with its passage it would eliminate a significant, existing conflict of interest aberration.

This would also mirror specific provisions of the CT constitution and CT statute **that prevents a member of the General Assembly from working for another branch of government.**

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."

Change is hard. There will always be powerful forces opposed to change. But the question is, is the opposition purely to preserve the status quo even if the people of Connecticut are not well served by the status quo? Who are we here to serve? If you ask the people of Bridgeport, I think they're ready for a change.

Please help move the State of Connecticut and the City of Bridgeport forward by supporting HB 5724. We have been living in the past too long.

Thank you for your time and consideration,


Representative Jack Hennessy