



**LEAGUE OF WOMEN VOTERS OF CONNECTICUT, INC. ®**

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**GAE Government Administration and Elections Committee**

**March 10, 2014 Public Hearing**

**Comments Submitted by Pat Reilly, Ethics Specialist**

**Comments On:**

**HB 5481 (Raised)**

**AN ACT ESTABLISHING THE CENTRAL OFFICE OF ADMINISTRATIVE HEARINGS**

The League of Women Voters of Connecticut is a statewide organization with over 1600 members committed to effective public policy and the active involvement of citizens in their government. We appreciate the opportunity to submit comments on HB 5481 before you today.

The League believes that the public should have confidence in the integrity of its government. To accomplish this end, we support measures to ensure the existence of strong, effective, independent watchdog agencies such as the current Office of State Ethics (OSE), the Freedom of Information Commission (FOIC) and the State Elections Enforcement Commission (SEEC).

Independence is critical to strong, effective watchdog agencies. In order to garner the public's confidence, watchdog agencies must be protected from political pressure, free from conflicts of interest and immune to outside influences.

HB 5481 establishes a Central Office of Administrative Hearings within the Office of Governmental Accountability and mandates that such office conduct hearings of contested cases that have been brought by or before certain agencies, including the OSE, FOIC, or SEEC, and render proposed or final decisions.

The head of the new office, the Chief Administrative Law Judge, is nominated by the governor, with approval by the House and Senate, and could be removed by the governor for good cause. The Chief Administrative Law Judge also is required to adopt regulations with respect to contested cases that will supersede any inconsistent agency regulations, policies or procedures, except for any provisions of regulations mandated by the general statutes or federal law. It appears that as a result, there will be different sets of regulations for contested cases and non-contested cases. Other agencies not required to submit contested cases to the Central Office of Administrative Hearings may choose to do so in selected cases, which cases presumably will follow different regulations than other cases retained by the agency for hearings.

If implemented as proposed, the potential for conflicts of interests, political pressure and undue influence in administrative hearings would be real and significant. For example, if allegations of violations of the Code of Ethics were brought before a Central Office of Administrative Hearings ultimately controlled by a single, powerful elected official such as the governor, the integrity of the enforcement process has the potential to be

influenced by partisan politics. Even the public's perception of partisan influence in the decisions is damaging to the credibility of the investigation and outcome.

In addition, we believe the introduction of an additional office within the OGA may have a negative impact on the resources, process flow, efficiency and enforcement authority of the three watchdogs. We understand that in this difficult economic climate, the appearance of streamlining agencies across the board and meeting consolidation targets may sound appealing to legislators. However, this proposal does not clearly achieve a streamlining objective; and we cannot allow hopes of false economy to compromise the integrity of these agencies and the important work that they are doing for our democracy.

Thank you again for the opportunity to comment on this bill.