



General Assembly

February Session, 2006

Raised Bill No. 491

LCO No. 2564



Referred to Committee on GOVERNMENT ADMINISTRATION & ELECTIONS

Introduced by:
(GAE)

AN ACT CONCERNING A STATE LEGISLATIVE ETHICS COMMITTEE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) There is established a joint
2 legislative ethics committee which shall consist of eight members, four
3 of whom shall be members of the Senate, two to be appointed by the
4 president pro tempore of the Senate and two by the minority leader of
5 the Senate, and four members of the House of Representatives, two to
6 be appointed by the speaker of the House of Representatives and two
7 to be appointed by the minority leader of the House of
8 Representatives. Said committee shall serve until the next session of
9 the General Assembly is convened.

10 Sec. 2. (NEW) (*Effective from passage*) The joint legislative ethics
11 committee may receive written complaints from any member of the
12 General Assembly or any employee of the Joint Committee on
13 Legislative Management alleging violation by any member or
14 employee of any of the provisions of chapter 10 of the general statutes,
15 title 53 or 53a of the general statutes, or any other misconduct by such
16 member or employee which may impugn the public's trust in such
17 member or employee.

18 Sec. 3. (NEW) (*Effective from passage*) (a) Upon receipt of a written
19 complaint, as described in section 2 of this act, the committee shall
20 have the power to investigate such complaint. In furtherance of said
21 investigation the committee shall have the power to (1) compel the
22 attendance of witnesses and require the production of documentary
23 evidence, and (2) take oral or written evidence under oath or
24 affirmation.

25 (b) Any such complaint filed with the committee shall be a
26 statement, in writing, under oath which shall include the name of the
27 member of the General Assembly or employee of the Joint Committee
28 on Legislative Management who is the subject of the complaint
29 described in section 2 of this act and shall set forth in detail the specific
30 act or acts complained of.

31 (c) If the committee determines that the verified complaint does not
32 allege facts sufficient to constitute a violation of any of the provisions
33 of chapter 10 of the general statutes, title 53 or 53a of the general
34 statutes, or any other misconduct by such member or employee which
35 may impugn the public's trust in such member or employee, it shall
36 dismiss the complaint and notify the complainant and the respondent.
37 If the committee determines that the verified complaint alleges facts
38 sufficient to constitute a violation of any of the provisions of chapter 10
39 of the general statutes, title 53 or 53a of the general statutes, or any
40 other misconduct by such member or employee which may impugn
41 the public's trust in such member or employee, the committee shall
42 promptly investigate the allegations contained in the complaint and
43 make a finding on the complaint and any amendment thereto. If the
44 committee finds that probable cause exists to support the allegations of
45 the complaint, its finding shall state in detail the violations complained
46 of and the manner in which the violations occurred, and shall fix a
47 time for a hearing on the matter which hearing shall be held not more
48 than thirty days after the issuance of the finding. If the committee
49 finds, after the preliminary investigation, that probable cause does not
50 exist to support the allegations of the complaint, the committee shall

51 dismiss the complaint. In either event, the committee shall notify the
 52 complainant and the respondent of its action. If the committee finds
 53 probable cause exists which supports the allegations of the complaint,
 54 the respondent shall be entitled, no later than thirty days prior to the
 55 date of the hearing fixed by the committee, to examine and make
 56 copies of all evidence in the possession of the committee relating to the
 57 complaint.

58 (d) If the committee, during the course of its investigation, has
 59 probable cause to believe that a violation of the general statutes or
 60 misconduct, other than that contained in the complaint, has been
 61 committed, it may upon its own motion amend the complaint to
 62 include such violation or misconduct. If the complaint is so amended
 63 by the committee, a copy of the amendment shall be sent to the person
 64 complained against within forty-eight hours. Any action by the
 65 committee on such amendment shall be made part of the committee's
 66 findings.

67 (e) At any hearing called by the committee: (1) Oral evidence shall
 68 be taken only on oath or affirmation; (2) each party shall have the right
 69 to be represented by legal counsel, to compel attendance of witnesses,
 70 to examine and cross-examine opposing witnesses, to introduce
 71 exhibits and otherwise to present matters to the committee relevant to
 72 the complaint; and (3) the hearing shall be closed to the public unless
 73 the respondent requests otherwise, in which case it shall be open.

74 (f) After the hearing, if the committee finds that the respondent did
 75 not violate any of the provisions of chapter 10 of the general statutes,
 76 title 53 or 53a of the general statutes, or engage in any other
 77 misconduct which may impugn the public's trust in such member or
 78 employee, it shall dismiss all complaints and shall notify the
 79 respondent and the complainant of its action. After the hearing, if the
 80 committee finds that the respondent violated any of the provisions of
 81 chapter 10 of the general statutes, title 53 or 53a of the general statutes,
 82 or engaged in any other misconduct which may impugn the public's

83 trust in such member or employee, such findings shall be referred to
 84 the General Assembly for appropriate action, which may be
 85 impeachment, censure, suspension or dismissal from employment, as
 86 applicable.

87 (g) The committee shall maintain a record of all complaints,
 88 investigations, hearings, findings and recommendations, all of which
 89 shall be confidential and shall not be open to inspection by any person
 90 other than a member of the committee.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To establish a legislative ethics committee.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]