

Legislative History for Connecticut Act

PA15-15

SB850

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Transcripts from the Joint Standing Committee Public
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 9
2795 – 3145**

/pt
HOUSE OF REPRESENTATIVES

438
May 14, 2015

Have all the members voted? Have all the members voted? Members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked. The Clerk will indicate the Speaker in the affirmative and then announce the tally.

[pause]

SPEAKER SHARKEY:

The Clerk please announce the tally.

CLERK:

House Bill 6283 as amended by House "A"

Total Number Voting 145

Necessary for Passage 73

Those voting Yea 99

Those voting Nay 46

Absent and not voting 6

SPEAKER SHARKEY:

The bill as amended passes. [gavel] Will the Clerk please call Calendar 481.

CLERK:

On Page 36, House Calendar No. 481, Favorable Report of the Joint Standing Committee on Government

SB 850

/pt
HOUSE OF REPRESENTATIVES

439
May 14, 2015

Administration and Elections, Substitute Senate Bill
No. 850, AN ACT AMENDING THE CODE OF ETHICS FOR
LOBBYISTS TO REDEFINE "EXPENDITURE" AND RAISE THE
THRESHOLD FOR LOBBYIST REGISTRATION.

SPEAKER SHARKEY:

Representative Jutila, you have the floor, sir.

REP. JUTILA (37th):

Thank you, Mr. Speaker. I move acceptance of the
Joint Committee's Favorable Report and passage of the
bill in concurrence with the Senate.

SPEAKER SHARKEY:

The question is on acceptance of the Joint
Committee's Favorable Report and passage of the bill
in concurrence with the Senate. Will you remark, sir?

REP. JUTILA (37th):

Thank you, Mr. Speaker. This bill makes some
clarifying and updating changes to our ethics
statutes.

It increases from \$2,000 to \$3,000 the income and
expenditure thresholds that require a person to
register as a lobbyist with the Office of State
Ethics.

The bill requires registered lobbyists that are
associations, groups or organization formed primarily

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for lobbying to report contributions that are \$3,000 or more. That's up from 2,000 in the current statutes.

The bill exempts from the definition of lobbying expenditure the cost to an entity for transporting its members, shareholders or employees to or from a specific site, and it also specifies that the current law's exemption for an entity's publication of a news letter or other release to its members, shareholders or employees, must be intended primarily for these individuals and applies whether the communication is in written or electronic form or made orally during a regularly noticed meeting.

Mr. Speaker, the bill passed the GAE Committee 15 to nothing and the Senate, 36/0 and I would recommend to the Chamber that the bill be supported.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on the bill that's before us? Representative Smith.

REP. SMITH (108th):

Mr. Speaker. Thank you, Mr. Speaker, good evening.

SPEAKER SHARKEY:

Good evening, sir.

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REP. SMITH (108th):

The Chairman as usual explained the bill in detail. This bill actually probably makes some of our friends out in the corridor a little bit happier when we shake their hands, so I intend to support the bill.

I urge my colleagues to support it as well. It's a minor change, but I think it's a helpful change.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark? Would you care to remark further on the bill that's before us?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be opened.

CLERK:

The House of Representatives is voting by roll,
members to the Chamber please. The House of
Representatives is voting by roll, members to the
Chamber.

[pause]

SPEAKER SHARKEY:

/pt
HOUSE OF REPRESENTATIVES

442
May 14, 2015

Have all the members voted? Have all the members voted? Will members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked. The Clerk will indicate the Speaker in the affirmative, and the Clerk will then announce the tally.

Will the Clerk please announce the tally.

CLERK:

Senate Bill 850 in concurrence with the Senate.

Total Number Voting 145

Necessary for Passage 73

Those voting Yea 125

Those voting Nay 20

Absent and not voting 6

SPEAKER SHARKEY:

The bill passes in concurrence with the Senate.

[gavel] Will the Clerk please call Calendar 347.

CLERK:

On Page 23, Calendar 347, Favorable Report of the Joint Standing Committee on Higher Education and Employment Advancement, Substitute House Bill 6919, AN ACT ESTABLISHING A TASK FORCE CONCERNING OUTCOMES BASED FINANCING.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2015**

**VOL. 58
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/zm
SENATE

18
April 22, 2015

SENATOR DUFF:

Thank you, Madam President. Next is Calendar page 2,
Calendar No. 393, to be placed on our Consent
Calendar.

HJ97

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next is Calendar page 2,
Calendar No. 422, to be placed on our Consent
Calendar.

SJ50

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next I'd like to place on
Calendar page 4, Calendar No. 80, Senate Bill 890, to
place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Next on page 5, Calendar
No. 98, Senate Bill 850, to place that item on the
Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF:

Thank you, Madam President. Calendar page 6, Calendar
104, Senate Bill 894, to place that item on the
Consent Calendar.

THE CHAIR:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2015**

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SENATE

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April 22, 2015

Page 1, Calendar 391, House Joint Resolution No. 95. Also on page 1, Calendar 392, House Joint Resolution No. 96. Page 2, Calendar 393, House Joint Resolution No. 97. Page 2, Calendar 422, Senate Joint Resolution No. 50. Also on page 2, , Calendar 394, House Joint Resolution No. 98. Page 2, Calendar 421, Senate Joint Resolution No. 49.

On page 3, Calendar 63, Senate Bill No. 7. Also on Page 3, Calendar 64, Senate Bill No. 8. On page 4, Calendar 80, Senate Bill 890. Page 5, Calendar 98, Senate bill 850. On page 6, Calendar 104, Senate Bill No. 894. And on page 8, Calendar 122, Senate Bill No. 415. Page 8, Calendar 125, Senate Bill 856. On page 20, Calendar 279, Senate bill No. 991.

Page 22, Calendar 300, Senate Bill No. 738. Page 23, Calendar 304, Senate Bill No. 112. And on page 26, Calendar 336, Senate Bill No. 121.

On page 28, Calendar 348, Senate Bill 360. Page 31, Calendar 371, Senate Bill No. 919. On page 32, Calendar 375, Senate bill 458. Page 34, Calendar 388, House Bill 6912. On page 36, Calendar 407, Senate Bill 1029. Page 43, Calendar 159, Senate Bill 1016. On page 16, Calendar 239, Senate Bill No. 18. Also, House Joint Resolution No. 99.

THE CHAIR:

Mr. Clerk, please call for roll call vote. The machine will be open.

CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on today's Consent Calendar has been ordered in the senate.

THE CHAIR:

THE CHAIR:

All members have voted, all members have voted? The machine will be closed. Mr. Clerk, will you please call the tally.

/zm
SENATE

98
April 22, 2015

CLERK:

On today's Consent Calendar

Total Number of Voting	36
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

Consent Calendar is passed. [gavel] Senator Duff.

SENATOR DUFF:

Thank you, Madam President. We have two more little quick things of business. One is on Calendar page 41, Calendar 142, Senate Bill 1015. I'd like to refer that Bill to the Judiciary Committee.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. Madam President, we're gonna go back to Calendar page 4, Calendar 81, Senate Bill 891, and we're going to have a Go amendment and then have a referral once the amendment is adopted.

THE CHAIR:

Mr. Clerk. Will you recall the bill please?

CLERK:

Page 4, Calendar 81, Senate Bill No. 891: AN ACT CONCERNING ADMINISTRATIVE HEARINGS CONDUCTED BY THE DEPARTMENT OF HOUSING. Favorable Report of the Committee on Housing.

THE CHAIR:

Senator Winfield.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 1
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**2015
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Carol thank you for (inaudible) you have a good idea now from (inaudible). Welcome.

CAROL CARSON: Thank you. Thank you I do have a good idea because we have in fact met with both COST and CCM to discuss that proposal and I believe we will be able to continue to talk about it as we move forward.

Good afternoon Chairman Cassano. My chairman's name is Chiusano. I keep tripping over that. Chairman Jutila, Ranking Members McLachlan and Smith and distinguished committee members. Thank you for this opportunity to provide testimony concerning Senate Bills 847, 849 and 850 as well as House Bill 6670, which are proposals recommended by the Citizens Ethics Advisory Board at the Office of State Ethics. I've included full summaries of each bill in my written testimony and I will not repeat them fully although I will say some of the things that have in fact already been said in my brief address this morning.

Senate Bill 847 is our priority one legislation for the 2015 legislative session and I want to thank the committee for raising the bill.

The primary purpose of the bill is to create a code of ethics for municipal employees, employees and officials. In sum, the bill establishes a single statute governing municipal ethics under the administration of the Office of State Ethics. The bill is based on the State Code of Ethics but is simplified to meet municipal needs and has some significant differences.

First, the proposal does not include a code of ethics for lobbyists who may lobby municipalities. Second, the proposal makes the filing of statements of financial interests a requirement only in instances where the governing board of the

often appointed by the mayor or first selectman. Their enforcement authority can be limited or non-existent and given municipal budgetary stresses, so are their resources in most cases. In particular, a number of Connecticut cities and towns have faced budget busting costs of half a million dollars or more when faced with investigating and enforcing a single often politically charged allegation of a violation.

In addition to decreasing the corruption tax, creating a single municipal ethics code will save municipalities money in several ways.

First, municipalities will not face unexpected costs that can equal the cost of salaries of teachers, firefighters, police officers, because the Office of State Ethics will investigate and prosecute violations. Second, the Office of State Ethics, as it does for state officials and employees, will provide no cost education to municipalities. Research shows that increased education equals increased compliance. Third, the Office of State Ethics again, as it does for state officials and employees, will provide free legal advice that potentially will save towns hundreds of thousands of dollars of legal fees now paid to outside counsels.

I'd like to move on now briefly to summarize the three remaining bills that are on the agenda today. Senate Bill 849 would require filers of statements of financial interest to report any leases or contracts they or their businesses have with quasi-public agencies. Currently, only leases of contracts with the state must be reported.

Senate Bill 850 makes several changes to the Code of Ethics for lobbyists including among others increasing the threshold for lobbyist registrations from \$2,000.00 to \$3,000.00. This

was last increased in 1997. The bill also clarifies that provisions related to grassroots lobbying, which are already captured in the law end of the language soliciting others to communicate with any official or staff in the legislative or executive branch of government, or in a quasi-public agency, for the purpose of influencing legislative or administrative action. This bill is necessary to address the constitutional concerns raised in the 2009 opinion of the Attorney General. In that opinion, the Attorney General concluded that the codes definitions of lobbyists and lobbying were overly broad and vague and recommended that the General Assembly address these concerns.

House Bill 6670 makes a number of changes that provide clarity and consistency to the code of ethics including limiting gift giving between superiors and subordinates to \$100.00 annually. Making explicit that the enforcement division of the Office of State Ethics has authority to enforce Part Four of the Code of Ethics, a violation of which may result in a contractor being disqualified from receiving state contracts, and including quasi-public agencies in the prohibited activities provisions involving consultants and independent contractors.

Finally, the Office of State Ethics recommends that Senate Bill -- I mean House Bill 6670 include a provision recommended by the auditors of Public Accounts in their 2014 report to the Connecticut General Assembly. The recommendation is to add persons in charge of human resources within a state agency to the list of mandated reporters, those senior officials in each agency that are required to refer allegations or suspicions of violations of the codes of ethics to the Office of State Ethics and we included substitute language for that in our written testimony.

the cities happy and the medium sized towns happy they came up with 60,000. That was I guess a compromise.

SENATOR MCLACHLAN: Thank you. Thank you Mr. Chairman.

REP. JUTILA: Other questions? Any other questions? Okay thanks again, Sue. Next speaker is Jennifer Herz.

JENNIFER HERZ: Good afternoon Representative Jutila, Senator Cassano, Senator McLachlan, members of the committee. My name is Jennifer Herz. I am assistant counsel with CBIA, the Connecticut Business Industry Association and I am here to talk to you about Senate Bill 850.

This is a bill that includes a couple of different changes. What I want to focus on is the definition of grass roots lobbying. So we have some concerns of how the definition is currently crafted in this bill. We know it's very broad and probably would impact a lot of folks, business, advocacy groups, a number of different groups in the community that participate in this process but don't necessarily have to register.

So, what this bill does, how it's currently drafted we believe, is create a registration requirement for folks who organize grass roots lobbying. My understanding is that's not the intent of the bill and I actually have had conversations with the Office of State Ethics and trying to figure out with them where the intent lies and how we can work this out to make it work for everybody.

Nevertheless, I really wanted to bring it to your attention because, you know, some of our members do work with their employees on particular issues that impact legislation or regulatory matters and I would hate to have to see a CEO of a mid-sized

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February 6, 2015

aac/gbr GOVERNMENT ADMINISTRATION
AND ELECTIONS COMMITTEE

1:00 P.M.

company have to register as a lobbyist simply because, you know, he tried to get his employees ramped up about a certain issue. So that's really the concern in this bill. Again I'd be happy working with the committee and the Office of Ethics to figure out how we can address this. Thank you.

REP. JUTILA: Appreciate that. Thank you Jennifer. Questions? Senator McLachlan.

SENATOR MCLACHLAN: Thank you Mr. Chairman. Thank you for your testimony and I'm glad that you're speaking directly to the source to try and work things out. Could you give us perhaps some examples of the groups that you're concerned will be negatively impacted by this proposal?

JENNIFER HERZ: Sure, so you know one example would be a mid-sized employer. Let's say the top exec sends out a message to their employees about a new regulation or bill that he think would adversely impact the company and so if that top exec is organizing a grass root activity, he would have to register as a lobbyist.

That's one example that we're concerned with the current language. Another example could be a trade group or a grass roots advocacy group that is concerned about one particular issue and just organizing that grass roots activity by and of itself would require that person to register as a lobbyist. So that's really what we're concerned with is you know we all understand there are lots of need for grass roots activity and it really, I think, has a wide spectrum that it impacts. We just didn't want to see such a broad definition impact those folks.

SENATOR MCLACHLAN: Thank you. Thank you Mr. Chairman.

REP. JUTILA: Thank you. Senator Cassano.

SENATOR CASSANO: Yes, it's interesting you say that because at the same time we have a transportation hearing that's been going on for hours downstairs and I guess we would have to define some of those car dealers that were there, or people that work for car dealers testifying, as potentially grass root lobbyists. I mean, how -- where do you stop where there is a local issue, people get involved and come out and come before town councils. It happens at the state level too. I don't know how far we could go on that. So, I am concerned about the term. You also said raise the threshold for lobbyist registration. You 're saying we should raise it higher than the proposal?

JENNIFER HERZ: Oh, no, that's just the title of the bill. However you feel, you should act. Thank you.

REP. JUTILA: No other questions? Okay, you're dismissed. That is the end of the names on the list of speakers. Is there anyone else in the room who hasn't testified who would like to testify? Going once. Going twice. The hearing is concluded. Thank you.



STATE OF CONNECTICUT
OFFICE OF STATE ETHICS

**TESTIMONY PRESENTED BEFORE THE GOVERNMENT ADMINISTRATION
AND ELECTIONS COMMITTEE**

February 6, 2015

*Statement of Carol Carson, Executive Director
Office of State Ethics*

✓ Senate Bill 847 – AAC a Code of Ethics for Municipal Officials and Employees

✓ Senate Bill 849 – AA Requiring Statements of Financial Interest to Disclose Contracts with Quasi-Public Agencies

✓ Senate Bill 850 – AA Amending the Code of Ethics for Lobbyists to Redefine “Lobbying” and “Expenditure”, Define “Grass Roots Lobbying” and Raise the Threshold for Lobbyist Registration

✓ House Bill 6670 – AAC Revisions to the Codes of Ethics

Good afternoon, Senator Cassano, Representative Jutila, Ranking Members Senator McLachlan and Representative Smith, and distinguished Committee members. Thank you for this opportunity to provide testimony concerning Senate Bills 847, 849 and 850 and House Bill 6670, which are proposals recommended by the Citizen’s Ethics Advisory Board of the Office of State Ethics and which the Office of State Ethics supports.

Senate Bill 847 is our Priority 1 legislation for the 2015 legislative session and I want to thank the Committee for raising this bill. The primary purpose of this legislation is to create a Code of Ethics for Municipal Employees and Officials and to place municipal ethics under the jurisdiction of the OSE.

In sum, the bill establishes a single statute governing municipal ethics under the administration of the Office of State Ethics. The bill is based on the State Code of Ethics but is simplified to meet municipal needs and has some significant differences. First, the proposal does not include a Code of Ethics for Lobbyists who may lobby municipalities. Second, the proposal makes the filing of Statements of Financial Interests a requirement only in instances where the governing board of the municipality adopts such a requirement. Like the state Code of Ethics, the

February 6, 2015

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The bill extends various prohibitions to municipal employees and officials, including substantial and potential conflicts of interests, accepting or giving gifts, entering into contracts unless the contract has been awarded through an open and public process and post-employment restrictions. Municipal employees and officials may not represent third parties but would be allowed to represent themselves in their own interest or the individual interest of an immediate family member before any municipal board. Municipal consultants and independent contractors would face restrictions similar to those in the state Code of Ethics.

Senate Bill 849 would require filers of Statements of Financial Interests to report any leases or contracts they or their business has with quasi-public agencies. Currently only leases of contracts with the state must be reported.

Senate Bill 850 makes several changes to the Code of Ethics for Lobbyists including, among others, increasing the threshold registrations from \$2,000 to \$3,000, which was last increased in 1997. The Bill also clarifies provisions related to grassroots lobbying by adding language that outlines explicitly the meaning of "soliciting others to communicate with any official or his staff in the legislative or executive branch of government or in a quasi-public agency, for the purpose of influencing any legislative or administrative action." It also increases the number of exemptions to reportable expenditures by lobbyists, such as communication with members of associations, parishes, unions and other organizations as well as travel costs for such members. This bill is necessary to address the constitutional concerns raised in a 2009 opinion of the Attorney General. In that opinion, the Attorney General concluded that the Code's definitions of "lobbyist" and "lobbying" were overly broad and vague and recommended that the General Assembly address these concerns.

House Bill 6670 makes a number of changes that provide clarity and consistency to the Code of Ethics including limiting gift-giving between superiors and subordinates to \$100 annually; making explicit that the OSE Enforcement Division has authority to enforce Part IV of the Code of Ethics, violation of which may result in a contractor being disqualified; and including quasi-public agencies in prohibited activities involving consultants and independent contractors.

Finally, at the recommendation of the Auditors of Public Accounts in their *2014 Report to the Connecticut General Assembly*, the Office of State Ethics recommends that **Senate Bill 6670** include the following language, which would add human resources managers to the list of "mandated reporters," who are senior employees in agencies who are required to refer allegations of violations of the Code of Ethics to the Office of State Ethics:

Sec. 1-101pp. Reporting of ethics violations by agency commissioners and persons in charge of state agency procurement and contracting. Any commissioner, deputy commissioner, state agency or quasi-public agency head or deputy, person in charge of human resources within a state agency or quasi-public agency, or person in charge of state agency or quasi-public agency procurement and contracting who has reasonable cause to believe that a



**TESTIMONY BEFORE THE
GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
LEGISLATIVE OFFICE BUILDING
FEBRUARY 6, 2015**

My name is Jennifer Herz and I am Assistant Counsel for the Connecticut Business & Industry Association (CBIA). CBIA has been representing Connecticut's employers for 200 years and today is proud to say the vast majority of our members are small companies employing less than 50 people.

CBIA has concerns with certain parts of SB 850 An Act Amending the Code of Ethics for Lobbyists to Redefine "Expenditure", Define "Grass Roots Lobbying" and Raise the Threshold for Lobbyist Registration.

Specifically, the new definition of "grass roots lobbying" and the associated threshold to register is concerning. The new definition of grass roots lobbying seemingly says that organizers of grass roots lobbying would now have to register as a lobbyist.

Requiring organizers of grass roots lobbying to register with the Office of State Ethics would have a broad impact on many community, business and advocacy groups in Connecticut. The public is encouraged to participate in the legislative and regulatory process and to require such groups to register may have a chilling effect.

While CBIA appreciates the intention of this bill we are very concerned with the current impact.

CBIA appreciates the opportunity to offer our comments and we look forward to the opportunity to work with the Committee and the Office of State Ethics on this issue.



Testimony of
Melodie Peters, President
AFT Connecticut, AFL-CIO

Government Administration and Elections Committee
February 6, 2015

***SB 850 AN ACT AMENDING THE CODE OF ETHICS FOR LOBBYISTS TO REDEFINE
"LOBBYING" AND "EXPENDITURE", DEFINE "GRASS ROOTS LOBBYING" AND RAISE
THE THRESHOLD FOR LOBBYIST REGISTRATION.***

Good afternoon Senator Cassano, Representative Jutila and members of the Government Administration and Elections Committee. My name is Melodie Peters and I am the President of AFT Connecticut, a diverse state federation of union of nearly 29,000 public and private sector employees including state employees, nurses, healthcare workers, teachers and other school personnel.

I am submitting testimony in opposition of SB 850 An Act Amending the Code of Ethics for Lobbyists to Redefine "Lobbying" and "Expenditure", Define "Grass Roots Lobbying" and Raise the Threshold for Lobbyist Registration.

The ability of people to express their opinion on the current issues being addressed by the Government is a basic right. Allowing people to collectively organize a voice to express these opinions provides an avenue that is both streamlined and succinct to our elected officials. This legislation would have a silencing effect on this practice, by restricting the ability to reach out to fellow members of the general public.

In 2013 legislation was proposed in the city of Hartford to eliminate Clark School, a neighborhood school. The parents and activists within that community were able to organize a united movement with a clear message to save their community school. The legislation in SB 850 would have required these individuals to become registered lobbyists and would have stalled this movement whose only goal was to provide a better future for their children and their community and I am sure that is not the goal of this committee.

Thank you for the opportunity to testify before you today on this very important bill. I urge you to oppose SB 850.

**WRITTEN TESTIMONY PRESENTED BEFORE THE GOVERNMENT ADMINISTRATION
AND ELECTIONS COMMITTEE**

February 6, 2015

Statement of Michael J. Brandi, Executive Director & General Counsel

Raised S.B. No. 850

Chairman Cassano and Chairman Jutila, Vice Chairs Gerrantana and Alexander, Ranking Members Senator McLachlan and Representative Smith, and distinguished Committee members. I am Michael Brandi, the Executive Director & General Counsel of the State Elections Enforcement Commission. Thank you for this opportunity to present testimony on behalf of Raised Senate Bill No. 850, An Act Amending the Codes of Ethics for Lobbyists to Redefine "Lobbying" and "Expenditure", Define "Grass Roots Lobbying" and Raise the Threshold for Lobbyist Registration.

This proposal presents a concern to the SEEC because the new language regarding what constitutes lobbying activities may create duplicative reporting requirements when certain communications are made in close proximity to an election. Some might construe this duplicate reporting to be overly burdensome. At our agency, where we must constantly balance the need for disclosure against core free speech rights, we are particularly sensitive to this complaint. SEEC strongly recommends that the proposed definition of "grassroots lobbying" be carefully crafted to make clear that expenditures and contributions for communications reported under Chapter 155 would not be covered by this new definition. This has already been done in another section of the ethics statutes where the term "gift" contains an exemption for contributions, as that term is defined in Chapter 155, and we suggest something similarly effective be added here. It would be a simple fix and we stand ready to work with this Committee to draft language that might preserve the intent of this bill, while avoiding any unintended consequences for campaign finance law that would be created by establishing dual reporting requirements that do not result in any increase in the public's access to information.

Thank you for your consideration.



ASSOCIATION OF CONNECTICUT LOBBYISTS

President: Ashley Calabrese
Vice President: Donna Hamzy
Legal and Legislative Subcommittee Chair: Anita Schepker
Board Member: Liam Sweeney

Treasurer: John Bailey
Deputy Treasurer: Tom Dorsey
Secretary: Brie Wolf
Board Member: Michael J. Riley

TO: Government Administration and Elections Committee
FROM: Association of Connecticut Lobbyists (ACL)
DATE: February 6, 2015
RE: **SB 850** - AA Amending the Code of Ethics for Lobbyists to Redefine "Lobbying",
define "Grass Roots Lobbying" and Raise the Threshold for Lobbyist Registration

Testimony

The Association of Connecticut Lobbyists (ACL) is a professional association whose membership includes 150 registered communicator lobbyists. ACL has concerns with the unintended consequences should this bill become law.

First, the Association applauds the sensible raising of the threshold amount needed from \$2,000 to \$3,000 to trigger registration, as well as the section of the bill excluding certain transportation activities from the definition of expenditure in the furtherance of lobbying.

Second, the Association has concerns with the definition of grassroots lobbying and when that activity triggers registration as a lobbyist.

Of most concern is the language at lines 176-179 of the Raised Bill that includes "organizing grass roots lobbying" as "soliciting others to communicate". This would have the effect of not only triggering a registration for anyone who pays for grassroots activity but also triggering registration for anyone merely organizing that grass roots lobbying.

This seems to overreach what constitutes a professional lobbyist by spreading a wide net over who that includes. This could include public relations firms, member businesses of associations, or any person or business that is doing any of the very broad activities covered under the

Government Administration and Elections Committee
February 6, 2015
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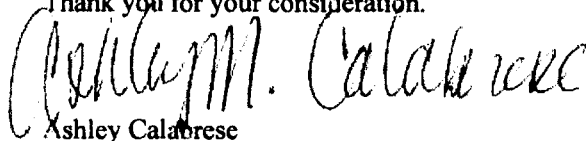
definition of "grass roots lobbying". The Association does not believe this was the intention of those proposing these changes, but the way the bill is drafted would have that effect.

Organizing grassroots lobbying without the compensation portion should not be included in the definition of "soliciting others to communicate". We believe the issue could be avoided by removing "(ii) organizing grassroots lobbying" from line 179.

Finally the Association feels the definition of "grass roots lobbying" is overly broad and needs to be better defined. For example, what exactly is "a segment of the general public"? Could this be one person? Two? Seven? Also, "expressing a view" is very vague and too open to interpretation.

The Association looks forward to working with the Office of State Ethics and the Committee on this issue.

Thank you for your consideration.



Ashley Calabrese
President
Association of Connecticut Lobbyists



LEAGUE OF WOMEN VOTERS® OF CONNECTICUT, INC.
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CGA Government Administration and Elections Committee

February 6, 2015 Public Hearing

Support For:

HB 6670 AAC REVISIONS TO THE STATE CODES OF ETHICS

SB 850 AA AMENDING THE CODE OF ETHICS FOR LOBBYISTS TO REDEFINE "LOBBYING" AND "EXPENDITURE", DEFINE "GRASS ROOTS LOBBYING" AND RAISE THE THRESHOLD FOR LOBBYIST REGISTRATION

Comments submitted by Pat Reilly, Ethics Specialist

The League of Women Voters of Connecticut, a statewide nonpartisan organization with over 1600 members, believes that the public should have confidence in the integrity of its government. We appreciate the opportunity to submit these comments today.

Support for HB 6670 AAC Revisions to the State Code of Ethics

The League believes that government officials and employees should be held accountable for carrying out their duties in both an effective and ethically responsible manner. To accomplish these ends, the League supports efforts to reform, strengthen and clarify Connecticut's Codes of Ethics for Public Officials, as well as measures to strengthen the functioning and governance of the Office of State Ethics (OSE).

The League supports House Bill 6670. We highlight our support for the following provisions.

- The bill permits members of the Citizen's Ethics Advisory Board to serve until a successor is appointed, thereby increasing the likelihood that the Board is fully staffed.
- The bill extends to quasi-public agencies contracting restrictions in the Code, such as:
 - a) No public official or state employee can enter into any contract with a quasi-public agency, valued at one hundred dollars or more.
 - b) No person hired by a quasi-public agency as a consultant or independent contractor can accept anything of value based on an understanding that the actions of the person on behalf of the agency would be influenced.

- Payment of necessary expenses or fees for participation in public events by public officials or state employees in their official capacity is restricted to sponsors of the event.
- HB6670 gives the OSE the authority to interpret Parts III and IV of chapter 10 of the general statutes. Part III covers Lobbying: Miscellaneous Provisions; and Part IV addresses Ethical Considerations Concerning Bidding and State Contracts.

We believe these revisions will lead to greater integrity in government, and we thank you for the opportunity to comment on HB 6670.

Support for SB 850 AA Amending the Code of Ethics for Lobbyists to Redefine "Lobbying" and "Expenditure", Define "Grass Roots Lobbying" and Raise the Threshold for Lobbyist Registration

The League of Women Voters of CT believes that advocacy is crucial to informed decision making. Behaviors by lobbyists and lawmakers that undermine the fairness and transparency of the legislative process do not contribute to good government. The League supports efforts to reform, strengthen and clarify Connecticut's codes of ethics as they apply to public officials, public employees and lobbyists.

The League supports SB 850's amendments to the code of ethics for lobbyists. The bill defines "soliciting" and "grass roots lobbying", expands the definition of expenditure, raises the threshold for requiring lobbyist registration from two thousand dollars to three thousand dollars, and removes the requirement that communicator lobbyists for state and quasi-public agencies file financial reports since such agencies are prohibited from hiring communicator lobbyists. The amendments enhance fairness and transparency in the advocacy process, thereby leading to better legislative decision making for the common good.

Thank you for the opportunity to comment on SB 850.

REP. SMITH: The electronic filings that New Haven does with the state, is there a cost to the state to do that?

JARED MILFRED: There is a very small cost. We use infrastructure that already exists and you could ask CEC for an exact amount, but I suspects it's more than a few dollars to be honest. They already run it for the state-level candidates and all they're doing is adding municipal candidates to the database that already exists. And they've already proven that they can do those for municipal candidates because they do it for New Haven. Doing it for other municipalities as well would be no more difficult.

REP. SMITH: Easy for you to say.

JARED MILFRED: Sure.

REP. SMITH: Thank you.

JARED MILFRED: I would encourage you to consult CEC. They're more qualified than I am to speak on it.

SENATOR CASSANO: Thank you.

JARED MILFRED: Thank you.

SENATOR CASSANO: Michelle Tuccitto Sullo from New Haven. Welcome.

MICHELLE TUCCITTO SULLO: Hello. My name is Michelle Tuccitto Sullo. I work at the New Haven Register. I'm here to show my support for Bill Number 750, AN ACT EXPANDING THE REQUIREMENT FOR DISCLOSURE OF ARREST RECORDS DURING A PENDING PROSECUTION UNDER THE FREEDOM OF INFORMATION ACT. The Connecticut Supreme Court's decision last year stemmed from my original complaint to the Freedom of Information Commission following a nearly fatal attack on Route 8 in Derby. The state police issued a barebones press release on the

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incident in which a man named Toy Wynn was charged. The state police refused to release their full report on the case and it took several months for the New Haven Register to get it. Once it was finally released, we learned important information and details of legitimate public interest including how the defendant was in the country illegally at the time of the attack.

The New Haven Register, Middletown Press, Torrington Register Citizen did an investigation last spring in which reporters posed as private citizens and asked for arrests reports at every police department in the state. We encountered a wide range of responses from departments like South Windsor who provided a full arrest report to New Haven, which refused at the time to even show a reporter an arrest log. We have many police departments who interpret law as the Freedom of Information Commission does and are committed to transparency. We unfortunately also have police departments who interpret the law as the courts did using vagueness as an excuse to hide police reports from the public. As for an argument that arrest reports should not be made public until after a prosecution is over, there are adequate protections in place within the court system to prevent jurors from being swayed by media coverage. During any trial, a judge consistently reminds jurors to avoid any stories in the media on the case in question. As the New Haven Register wrote in an editorial following the Supreme Court's decision, it could have serious implications on the public's right to know and ability to hold law enforcement accountable. It would allow police to selectively withhold information and avoid scrutiny after arrest. If the media or the public does not gain access to detailed information until a case has been disposed of, it allows police to not only pick and choose what to release, but to have enough time to hide any potential errors or mistakes that have

been made the course of the investigation our editorial asserted.

Again, I urge the committee to support this bill and transparency in government. Thank you.

SENATOR CASSANO: Thank you very much.

Questions? We had this before so you don't have answer the questions. Thank you very much for your patience in staying here.

MICHELLE TUCCITTO SULLO: Okay. Thank you.

SENATOR CASSANO: And last, Mary Jo Phelps, and I won't even call you frosting.

MARY JO PHELPS: Hello. My name is Mary Jo Phelps. I'm the vice president of the PTA in Clinton and on behalf of our members, I'm here to speak in support of House Bill 6748 that advocates for nonpartisan boards of education. Okay. The boards of education candidates in Clinton are typically not contested in open elections. Instead, the Democratic Town Committee and Republican Town Committee who will run in these slots and thereafter the candidates run noncontested. The committees are typically made up of 30 people who elected and reelect themselves to the RTC or the DTC. As a result, the makeup of the board of education, the ratio of Democrats and Republicans is determined by the town charter rather than the electorate. This election process results in the potential and often the realization of highly political appointments and in some cases the seating an individual who intentionally works against the spirit and mission of the board of education and the role of education in our community.

Education and specifically the election of board of education members must be a fair and honest representation of our community and all community members should have a voice in this selection process. The move to nonpartisan