

Substitute Senate Bill No. 1133

**PUBLIC ACT NO. 87-524****AN ACT CONCERNING POLITICAL CONTRIBUTIONS BY LOBBYISTS TO MEMBERS OF THE GENERAL ASSEMBLY.**

Section 1. Section 9-333a of the general statutes is repealed and the following is substituted in lieu thereof:

As used in this chapter:

(1) "Committee" means a party committee, political committee or a candidate committee organized, as the case may be, for a single primary, election or referendum, or for ongoing political activities, to aid or promote the success or defeat of any political party, any one or more candidates for public office or any referendum question.

(2) "Party committee" means a state central committee or a town committee. "Party committee" does not mean a party-affiliated or district, ward or borough committee which receives all of its funds from the state central committee of its party or from a single town committee with the same party affiliation. Any such committee so funded shall be construed to be a part of its state central or town committee for purposes of this chapter.

(3) "Political committee" means (A) a committee organized by a business entity or organization, (B) persons other than individuals, or two or more individuals organized or acting jointly conducting their activities in or outside the state, or (C) a committee established by a candidate to determine the particular public office to which he shall seek nomination or election, and referred to in this chapter as an exploratory committee, but does not mean a candidate committee or a party committee.

(4) "Candidate committee" means any committee designated by a single candidate, or established with the consent, authorization or cooperation of a candidate, for the purpose of a single primary or election and to aid or promote his candidacy alone for a particular public office, but does not mean a political committee or a party committee.

(5) "National committee" means the organization which according to the bylaws of a political party is responsible for the day-to-day operation of the party at the national level.

(6) "Organization" means all labor organizations, (A) as defined in the Labor-Management Reporting and Disclosure Act of 1959, as from time to time amended, or (B) as defined in subdivision (9) of section 31-101, employee organizations as defined in subsection (d) of section 5-270 and subdivision (6) of section 7-467, bargaining representative organizations for teachers, any local, state or national organization, to which a labor organization pays membership or per capita fees, based upon its affiliation or membership, and trade or professional associations which receive their funds exclusively from membership dues, whether organized in or outside of this state, but does not mean a candidate committee, party committee or a political committee.

(7) "Business entity" means the following, whether organized in or outside of this state: Stock corporations, banks, insurance companies, business associations, bankers associations, insurance associations, trade or professional associations which receive funds from membership dues and other sources, partnerships, joint ventures, private foundations, as defined in Section 509 of the Internal Revenue Code of 1954, as from time to time amended; trusts or estates; corporations organized under chapters 592 to 597, inclusive; cooperatives, and any other association, organization or entity which is engaged in the operation of a business or profit-making activity; but does not include nonstock corporations which are not engaged in business or profit-making activity, organizations, as defined in subdivision (6) of this section, candidate committees, party committees and political committees as defined in this section. For purposes of this chapter, corporations which are component members of a controlled group of corporations, as those terms are defined in Section 1563 of the Internal Revenue Code of 1954, as amended from time to time, shall be deemed to be one corporation.

(8) "Individual" means a human being or a sole proprietorship.

(9) "Person" means an individual, committee, firm, partnership, organization, association, syndicate, company trust, corporation, or any other legal entity of any kind but does not mean the state or any political or administrative subdivision of the state.

(10) "Candidate" means an individual who seeks nomination for election or election to public office whether or not such individual is elected, and for the purposes of this chapter an individual shall be deemed to seek nomination for election or election if he has (A) been endorsed by a party or become eligible for a position on the ballot at an election or primary or (B) solicited or received contributions or made expenditures or given his consent to any other person to solicit or receive contributions or make expenditures with the intent to bring about his nomination for election or election to any such office.

(11) "Campaign treasurer" means the individual appointed by a candidate or by the chairman of a party committee or a political committee to receive and disburse funds on behalf of the candidate or committee.

(12) "Deputy campaign treasurer" means the individual appointed by the candidate or by the chairman of a committee to serve in the capacity of the campaign treasurer if the campaign treasurer is unable to perform his duties.

(13) "Solicitor" means an individual appointed by a campaign treasurer of a committee to receive, but not to disburse, funds on behalf of the committee.

(14) "Referendum question" means a question to be voted upon at any election or referendum, including a proposed constitutional amendment.

(15) "LOBBYIST" MEANS A LOBBYIST AS DEFINED IN SUBSECTION (l) OF SECTION 1-91.

(16) "BUSINESS WITH WHICH HE IS ASSOCIATED" MEANS ANY BUSINESS IN WHICH THE CONTRIBUTOR IS A DIRECTOR, OFFICER, OWNER, LIMITED OR GENERAL PARTNER OR HOLDER OF STOCK CONSTITUTING FIVE PER CENT OR MORE

OF THE TOTAL OUTSTANDING STOCK OF ANY CLASS. OFFICER REFERS ONLY TO THE PRESIDENT, EXECUTIVE OR SENIOR VICE-PRESIDENT OR TREASURER OF SUCH BUSINESS.

Sec. 2. Section 9-333g of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The chairperson of each political committee shall designate a campaign treasurer and may designate a deputy campaign treasurer to serve in the event that the campaign treasurer is unable to perform his duties for any reason. The chairperson of each political committee shall also file a statement of organization with the proper authority, within ten days after its organization, provided that the chairperson of any political committee organized within ten days prior to any primary, election or referendum in connection with which it intends to make any contributions or expenditures, shall immediately file a statement.

(b) The statement shall include: (1) The name and address of the committee; (2) a statement of the purpose of the committee; (3) the name and address of its campaign treasurer, and deputy campaign treasurer if applicable; (4) the name, address and position of its chairman, and other principal officers if applicable; (5) the name and address of the depository institution for its funds; (6) the name of each person, other than an individual, that is a member of the committee; (7) the name and party affiliation of each candidate whom the committee is supporting and the office sought by each candidate; (8) if the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party; (9) if the committee is supporting or opposing any referendum question, a brief statement identifying the substance of the question; (10) if the committee is established by a business entity or organization, the name of the entity or organization; (11) if the committee is established by an organization, whether it will receive its funds from the organization's treasury or from voluntary contributions; (12) if the committee files reports with the Federal Elections Commission or any out-of-state agency, a statement to that effect including the name of the agency; [and] (13) a statement indicating whether the committee is established for a single primary, election or referendum or for ongoing political activities; AND (14) IF THE COMMITTEE IS ESTABLISHED BY OR ON BEHALF OF A LOBBYIST, A STATEMENT TO THAT EFFECT AND THE NAME OF THE LOBBYIST.

(c) The chairman of each political committee shall report any addition to or change in information previously submitted in a statement of organization to the proper authority within ten days after the addition or change.

Sec. 3. Subsection (c) of section 9-333j of the general statutes is repealed and the following is substituted in lieu thereof:

(c) Contents of statements. (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; (B) in the case of anonymous contributions, the total amount received and the denomination of the bills; (C) an itemized accounting of each expenditure, if any, including the full name and complete address of

each payee, the amount and the purpose of the expenditure, and a statement of the balance on hand or deficit, as the case may be; (D) an itemized accounting of each expense incurred but not paid; [,and] (E) the name and address of any person who is the guarantor of a loan to, or the cosigner of a note with, the candidate on whose behalf the committee was formed, or the campaign treasurer in the case of a party committee or a political committee; (F) FOR EACH INDIVIDUAL WHO CONTRIBUTES IN EXCESS OF ONE THOUSAND DOLLARS IN THE AGGREGATE, THE PRINCIPAL OCCUPATION OF SUCH INDIVIDUAL, THE NAME OF THE INDIVIDUAL'S EMPLOYER, IF ANY, AND A STATEMENT INDICATING WHETHER THE INDIVIDUAL OR A BUSINESS WITH WHICH HE IS ASSOCIATED HAS A CONTRACT WITH THE STATE WHICH IS VALUED AT MORE THAN FIVE THOUSAND DOLLARS; AND (G) FOR EACH ITEMIZED CONTRIBUTION MADE BY A LOBBYIST, THE SPOUSE OF A LOBBYIST OR ANY DEPENDENT CHILD OF A LOBBYIST WHO RESIDES IN THE LOBBYIST'S HOUSEHOLD, A STATEMENT TO THAT EFFECT. Each campaign treasurer shall include in such statement an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-333k or any other fund-raising affair.

(2) EACH CONTRIBUTOR DESCRIBED IN SUBPARAGRAPHS (F) AND (G) OF SUBDIVISION (1) OF THIS SUBSECTION SHALL, AT THE TIME HE MAKES SUCH A CONTRIBUTION, PROVIDE THE INFORMATION WHICH THE CAMPAIGN TREASURER IS REQUIRED TO INCLUDE UNDER SAID SUBPARAGRAPHS (F) AND (G) IN THE STATEMENT FILED UNDER SUBSECTION (a), (e) OR (f) OF THIS SECTION. ANY FAILURE OF A CONTRIBUTOR TO PROVIDE SUCH INFORMATION, WHICH RESULTS IN NONCOMPLIANCE BY THE CAMPAIGN TREASURER WITH THE PROVISIONS OF SAID SUBPARAGRAPHS (F) AND (G), SHALL BE A COMPLETE DEFENSE TO ANY ACTION AGAINST THE CAMPAIGN TREASURER FOR FAILURE TO DISCLOSE SUCH INFORMATION.

(3) Contributions from a single individual to a campaign treasurer in the aggregate totaling thirty dollars or less need not be individually identified in the statement, but a sum representing the total amount of all such contributions made by all such individuals during the period to be covered by such statement shall be a separate entry, identified only by the words "total contributions from small contributors".

[(3)] (4) Statements filed in accordance with this section shall remain public records of the state for five years from the date such statements are filed.

Sec. 4. Section 9-333x of the general statutes is repealed and the following is substituted in lieu thereof:

The following persons shall be guilty of corrupt practices and shall be punished in accordance with the provisions of section 9-333y:

(1) Any person who, directly or indirectly, by himself or by another, gives or offers or promises to any person any money, gift, advantage, preferment, entertainment, aid, emolument or other valuable

thing for the purpose of inducing or procuring any person to vote or refrain from voting for or against any person or for or against any measure at any election, caucus, convention, primary[,] OR referendum; [or general assembly;]

(2) Any person who, directly or indirectly, receives, accepts, requests or solicits from any person, committee, association, organization or corporation, any money, gift, advantage, preferment, aid, emolument or other valuable thing for the purpose of inducing or procuring any person to vote or refrain from voting for or against any person or for or against any measure at any such election, caucus, primary[,] OR referendum; [or general assembly;]

(3) Any person who, in consideration of any money, gift, advantage, preferment, aid, emolument or other valuable thing paid, received, accepted or promised to the advantage of himself or any other person, votes or refrains from voting for or against any person or for or against any measure at any such election, caucus, primary or referendum;

(4) Any person who solicits from any candidate any money, gift, contribution, emolument or other valuable thing for the purpose of using the same for the support, assistance, benefit or expenses of any club, company or organization, or for the purpose of defraying the cost or expenses of any political campaign, primary, referendum or election;

(5) Any person who, directly or indirectly, pays, gives, contributes or promises any money or other valuable thing to defray or towards defraying the cost or expenses of any campaign, primary, referendum or election to any person, committee, company, club, organization or association, other than to a campaign treasurer, except that this subdivision shall not apply to any expenses for postage, telegrams, telephoning, stationery, express charges, traveling, meals, lodging or photocopying incurred by any candidate for office or for nomination to office, so far as may be permitted under the provisions of this chapter;

(6) Any person who, in order to secure or promote his own nomination or election as a candidate, or that of any other person, directly or indirectly, promises to appoint, or promises to secure or assist in securing the appointment, nomination or election of any other person to any public position, or to any position of honor, trust or emolument; but any person may publicly announce his own choice or purpose in relation to any appointment, nomination or election in which he may be called to take part, if he is nominated for or elected to such office;

(7) Any person who, directly or indirectly, by himself or through another person, makes a payment or promise of payment to a campaign treasurer in any other name than his own, and any campaign treasurer who knowingly receives a payment or promise of payment, or enters or causes the same to be entered in his accounts in any other name than that of the person by whom such payment or promise of payment is made;

(8) Any person who knowingly and wilfully violates any provision of this chapter;

(9) Any person who offers or receives a cash contribution in excess of fifty dollars to promote the success or defeat of any political party, candidate or referendum question;

(10) Any person who solicits, makes or receives a contribution which is otherwise prohibited by any provision of this chapter; or

(11) Any department head or deputy department head of a state department who solicits a contribution on behalf of, or for the benefit of, any candidate for state, district or municipal office or any political party.

Sec. 5. Section 1-83 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) All state-wide elected officers, members of the general assembly, department heads and their deputies, members of the gaming policy board, the executive director of the division of special revenue within the department of revenue services, members of the board of directors of the Connecticut resources recovery authority, sheriffs and deputy sheriffs and such members of the executive department as the governor shall require, shall file, under penalty of false statement, a statement of financial interests for the preceding calendar year with the commission on or before the April fifteenth next in any year in which he holds such a position. Any such individual who leaves his office or position shall file a statement of financial interests covering that portion of the year during which he held his office or position. The commission shall notify such individuals of the requirements of this subsection within thirty days after their departure from such office or position. Such individuals shall file such statement within sixty days after receipt of the notification.

(b) (1) The statement, except as provided in subdivision (3) of this subsection, shall include the following information for the preceding calendar year in regard to the individual required to file the statement and his spouse and dependent children residing in the individual's household: (A) The names of all businesses with which associated; (B) the category or type of all sources of income in excess of one thousand dollars, amounts of income shall not be specified; the names and addresses of specific clients, patients and customers, except when such information is privileged against disclosure under the law or where the ethical standards of a professional group, society or organization of which the individual is a member, prohibit such disclosure without the consent of the client, patient or customer involved, who provided more than five thousand dollars of net income including clients and customers who provided more than five thousand dollars of net income to any business with which the individual was associated, amounts of income not to be specified; (C) the name of securities in excess of five thousand dollars at fair market value owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust for the benefit of such individual, spouse or dependent children, except in the case of a trust established by such individual, spouse or dependent children for the purpose of divestiture of all control and knowledge of assets in order to avoid a conflict of interest during such individual's term of office, only the existence of such trust and the name of the trustee shall be included, but the value shall not be specified; (D) all real property and its location, whether owned by such individual, spouse or dependent children or held in the name of a corporation, partnership or trust; (E) the names and addresses of creditors to whom the individual, his spouse or dependent children, individually, owed debts of more than ten thousand dollars; and (F) any leases or contracts with the state held or entered into by the individual or a business with which he was associated; (2) every individual subject to this section shall file a disclosure

with the commission of any fees or honorariums received for any appearance or the delivery of an address to any meeting of any organization. Such disclosure shall be made within thirty days after receipt of such fee or honorarium; (3) the statement of financial interests filed by sheriffs and deputy sheriffs shall include only amounts and sources of income earned in their capacity as sheriffs or deputy sheriffs. **NOTHING IN SUBDIVISION (2) OF THIS SUBSECTION SHALL BE CONSTRUED TO PERMIT AN ELECTED PUBLIC OFFICIAL TO RECEIVE A GIFT, HONORARIUM OR COMPENSATION WHICH IS PROHIBITED UNDER SUBSECTION (h) OF SECTION 9-333i.**

(c) The statement filed pursuant to this section shall be a matter of public information, except the list of names, filed in accordance with subparagraph (B) or subparagraph (E) of subdivision (1) of subsection (b) of this section shall be sealed and confidential and for the use of the commission only after a complaint has been filed under section 1-82 and such complaint has been determined by a vote of the commission to be of sufficient merit and gravity to justify the unsealing of such list or lists and not open to public inspection unless the respondent requests otherwise. If the commission reports its findings to the chief state's attorney in accordance with subsection (c) of section 1-88, the commission shall turn over to the chief state's attorney such relevant information contained in the statement as may be germane to the specific violation or violations or a prosecutorial official may subpoena such statement in a criminal action.

(d) Any individual who is unable to provide information required under the provisions of subdivision (1) of subsection (b) of this section by reason of impossibility may petition the commission for a waiver of the requirements.

Sec. 6. Section 1-84 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) No public official or state employee shall, while serving as such, have any financial interest in, or engage in, any business, employment, transaction or professional activity, which is in substantial conflict with the proper discharge of his duties or employment in the public interest and of his responsibilities as prescribed in the laws of this state, as defined in section 1-85.

(b) No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

(c) No public official or state employee shall wilfully and knowingly disclose, for financial gain, to any other person, confidential information acquired by him in the course of and by reason of his official duties or employment and no public official or state employee shall use his public office or position or any confidential information received through his holding such public office or position to obtain financial gain for himself, his spouse, child, child's spouse, parent, brother or sister or a business with which he is associated.

(d) No public official or his employee or state employee or his employee shall agree to accept, or be a member or employee of a partnership, association, or a professional corporation which partnership, association or professional corporation agrees to accept, any employment, fee or other thing of value, or portion thereof, for appearing, agreeing to appear, or taking any other action on behalf of another person before the banking department, the claims commissioner, the commission on hospitals and health care, the insurance department, the department of liquor control, the department of motor vehicles, the state insurance purchasing board, the department of environmental protection, the department of public utility control, the Connecticut siting council, the division of special revenue within the department of revenue services, the gaming policy board within the department of revenue services or the Connecticut real estate commission; provided this shall not prohibit any such person from making inquiry for information on behalf of another before any of said commissions or commissioners if no fee or reward is given or promised in consequence thereof. For the purpose of this section, partnerships, associations or professional corporations refer only to such partnerships, associations or professional corporations which have been formed to carry on the business or profession directly relating to the employment, appearing, agreeing to appear or taking of action provided for in this subsection. Nothing in this subsection shall prohibit any employment, appearing, agreeing to appear or taking action before any municipal board, commission or council. Nothing in this subsection shall be construed as applying (1) to the actions of any professional employee of a public institution of higher education if such actions are not compensated and are not in violation of any other provision of this chapter, or (2) to any member of a board or commission who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of his duties.

(e) No legislative commissioner or his partners, employees or associates shall represent any person subject to the provisions of part II concerning the promotion of or opposition to legislation before the general assembly, or accept any employment which includes an agreement or understanding to influence, or which is inconsistent with, the performance of his official duties.

(f) No person shall offer or give to a public official or state employee or candidate for public office or his spouse, his parent, brother, sister or child or spouse of such child or a business with which he is associated, anything of value, including but not limited to, a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public official, state employee or candidate for public office would be or had been influenced thereby.

(g) No public official or state employee or candidate for public office shall solicit or accept anything of value, including but not limited to, a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public official or state employee or candidate for public office would be or had been influenced thereby.

(h) Nothing in subsection (f) or (g) of this section shall be construed (1) TO APPLY TO ANY PROMISE MADE IN VIOLATION OF SUBDIVISION (6) OF SECTION 9-333x, AS AMENDED BY SECTION 4 OF THIS ACT, OR (2) to permit any activity otherwise prohibited in section 53a-147 or 53a-148.

(i) No public official or state employee or member of his immediate family or a business with which he is associated shall enter into any contract with the state, valued at one hundred dollars or more, other than a contract of employment as a state employee or pursuant to a court appointment, unless the contract has been awarded through an open and public process, including prior public offer and subsequent public disclosure of all proposals considered and the contract awarded. Nothing in this subsection shall be construed as applying to any public official who is appointed as a member of the executive branch and who receives no compensation other than per diem payments or reimbursement for actual or necessary expenses, or both, incurred in the performance of his duties unless such public official has authority or control over the subject matter of the contract. Any contract made in violation of this subsection shall be voidable by a court of competent jurisdiction if the suit is commenced within ninety days of the making of the contract.

(j) No public official, state employee or candidate for public office, or a member of his staff or immediate family shall accept any gift or gifts known to amount to fifty dollars or more in value in any calendar year from a person known to be a registrant or anyone known to be acting on behalf of a registrant.

Sec. 7. This act shall take effect from its passage, except that section 1 shall take effect October 1, 1987, and sections 2 and 3 shall take effect January 1, 1988.

Approved July 7, 1987

House Bill No. 5979

**PUBLIC ACT NO. 87-525**

**AN ACT INCREASING THE PENALTY FOR OPERATING HEAVY MOTOR VEHICLES IN THE PASSING LANE ON HIGHWAYS.**

Section 1. Section 14-230a of the general statutes is repealed and the following is substituted in lieu thereof:

On any divided limited access highway which provides more than two lanes for traffic proceeding in the same direction, no operator of any commercial motor vehicle or motor bus or vehicle with trailer shall drive in the extreme left lane where the state traffic commission so designates, except on the direction of a police officer or except when access to or egress from such highway is provided on the left, in which latter case he shall drive in such left lane only for such period as is reasonably necessary to enter or leave such highway safely. [Violation of the provisions of this section shall be an infraction.] ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION SHALL HAVE COMMITTED AN INFRACTION AND SHALL BE FINED EIGHTY-EIGHT DOLLARS.