WTS: Mini Transportation Series
October 25, 2007
Ethics in the Transportation Industry Today

Donald W. Doeg
Updike Kelly & Spellacy, P.C.
Key Legislation

- Public Act 05-183
- Connecticut General Statutes, Chapter 10, Parts I and II
- Intent of Law
  - The law is intended to prevent individuals from using public position or authority for personal financial benefit.
Office of State Ethics (OSE)

- Created July 1, 2005 by Public Act 05-183
- An independent watchdog agency for the State that administers Conn.Gen. Stat. Chapter 10, Parts I & II
- Specific tasks:
  - Educates those covered by the Law
  - Provides Information to the Public
  - Interprets and Applies the Codes
  - Investigates Potential Violations
Gifts - Definition

A gift is:

- Anything of value
- Directly and personally received
- *Unless* consideration of equal or greater value
Gifts - Sources

- Regulated Donors
  - Registered lobbyists
  - Regulated by, doing or seeking to do business with agency
  - DAS “pre-qualified” contractors
- Non-regulated donors (State employees or relatives)
Gift Exceptions

- **Token Items**
  - < $10 per gift with annual aggregate < $50

- **Food and beverage**
  - < $50 and person paying is in attendance

- **No limit if:**
  - Gift from family member
  - For major life event *(only)* from registered lobbyist

- **Other gift exceptions**
  - See Conn.Gen.Stat. § 1-79 (e) (1)-(16)
Reporting Requirements

- Within 10 days, must give the gift recipient and head of individual’s department or agency a written report stating:
  - Name of donor;
  - Description of item(s) given;
  - Value of such item(s); and
  - Total cumulative value of all items given to date to that recipient that year
Necessary Expenses

- May provide necessary expenses to a public official or state employees only if that person, in his/her official capacity, is actively participating in an event (giving speech, running workshop, etc.)

- Necessary expenses can include:
  - Travel (not first class):
  - Lodging (standard cost of room):
  - Meals; and
  - Related conference expenses
Necessary Expenses (cont’d)

- No fees/honorariums for articles or speeches in official capacity
- Entertainment costs are not necessary expenses
- Necessary expenses do not include family members or guests
Revolving Door For Public Employees

- Former employees may *never* disclose confidential information.
- Lifetime ban on representation concerning matters in which former employee participated.
- Representing others before employee’s former agency (one year ban).
Revolving Door (cont’d)

- One year ban for hiring individuals with key involvement with contract over $50,000 signed during last year of service

- Employees with specifically designated positions
Outside Employment For Current Public Employees

- Limitations:
  - Cannot impair independence of judgment
  - No disclosure of confidential information
  - No use of state time, materials or personnel
No contracts with the state valued at > $100

Unless awarded through open, public process
Other Considerations

- P.A. 05-287 (Chapter 10, Part IV)
  - No falsifying invoices or bills;
  - No soliciting info that is not available to others from State employee to gain an unfair advantage;
  - Contracts can be terminated based on unethical behavior
OSE Resources

- **Web Site:**
  www.ct.gov/ethics

- **Phone:** 860-566-4472

- **E-Mail:** ose@ct.gov

- **Address:**
  - 18-20 Trinity Street, Hartford
  - 06106-1660