

CONNECTICUT STATE ETHICS COMMISSION
30 TRINITY STREET
HARTFORD, CONNECTICUT 06115



Marilyn P. Seichter, *Chairwoman*
George S. Writer, Jr., *Vice-Chairman*
James F. English
John M. Lupton
Rev. Thomas J. Lynch
Robert W. MacGregor
Gerard M. Peterson

ADVISORY OPINION NUMBER 78-10

Contracts between the State and a Business
with which a Public Official is Associated

A family-owned corporation in which a member of the General Assembly owns 25 per cent of the common stock wished to file a competitive bid on a contract with the State. The legislator has asked the State Ethics Commission whether the Code of Ethics for Public Officials, Public Act Number 77-600, permits the corporation to bid on State contracts. The member is a public official. Section 1(j), Public Act Number 77-600. Since he owns 25 per cent of one class of stock in the corporation, the corporation plainly is a "business with which he is associated." Section 1(a), Public Act Number 77-600. Section 6(i) of that Act generally forbids a business with which a public official is associated to enter into a contract valued at one hundred dollars or more with the State. Permitted, however, are contracts awarded through an open and public process, including prior public offer and subsequent public disclosure of all proposals considered and the contract awarded.

There are a number of provisions in sections 6(a) through 6(g), Public Act Number 77-600, intended to insure that a public official or state employee has no significant conflict between his official duties and his private interests. Provided none of these apply in the case of the legislator, the corporation with which he is associated would be allowed, under the safeguards specified in the preceding paragraph, to enter into a contract with the State without any limit on the value of the contract.

By order of the Commission,

A handwritten signature in dark ink, appearing to read "Marilyn P. Seichter", with a long horizontal line extending to the right.

Marilyn P. Seichter
Chairwoman

Dated May 24, 1978

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June 9, 1978

Commissioner Stockton
210 Washington Street
Hartford, CT 06106

Dear Commissioner Stockton:

The Commission has considered your request for advice concerning the status of the Connecticut Economic Development Corporation and its officers and directors. It concluded that the Connecticut Economic Development Corporation is a private entity, and, except for someone such as you who is a public official by virtue of a status not connected with the Connecticut Economic Development Corporation, its officers and directors are not public officials or state employees for purposes of section 1(1)(4), P.A. 77-605. Therefore, as with any other corporation or charitable organization, the Connecticut Economic Development Corporation, and its officers and directors, must register as lobbyists and file financial reports with the Commission if it, or they, expend or receive in compensation reimbursement, or both three hundred dollars or more in a calendar year in furtherance of lobbying. P.A. 77-605, sections 1(k), 1(l), 5 and 7.

By direction of the Commission,

A handwritten signature in cursive script that reads "Keith D. Lakey".

Keith D. Lakey
Auditor-Investigator

KDL:cc

