

CONNECTICUT STATE ETHICS COMMISSION  
97 ELM STREET (REAR)  
HARTFORD, CONNECTICUT 06106

In the Matter of a Request  
for a Declaratory Ruling

86-B

Anthony F. Pagano  
Applicant

In a declaratory ruling issued August 11, 1986 the Ethics Commission advised that the spouse of the Chief Interpreter, Judicial Department, could be sole shareholder and president of a corporation providing interpreting and translating services without violating the Code of Ethics for Public Officials (Chapter 10, Part I, General Statutes), so long as the conditions contained in the ruling were observed. The Commission's conclusions were based in part on a statement by the president that the corporation would furnish no services to the State.

Now the corporation wishes to solicit interpreting and translating business, on a non-contract basis, from State executive and legislative branch agencies. As in the previous request for advice, the corporation's president stipulates that his spouse, the Chief Interpreter, will in no way assist in obtaining future business from the State.


Violations of the Code of Ethics can be avoided, even when the corporation provides interpreting and translating services to the State (other than the Judicial Department), so long as subsection 1-84(i), General Statutes and the guidance in the August 11, 1986 declaratory ruling are complied with.

The corporation is a business with which the Chief Interpreter is "associated". Subsection 1-79(a), General Statutes. The guidance in the previous declaratory ruling was aimed primarily at ensuring that the Chief Interpreter did not use the authority of her State position or confidential information acquired through it to benefit the corporation directly or indirectly, in order to avoid violations of subsection 1-84(c), General Statutes. Obviously, the Chief Interpreter must be at least equally circumspect if the corporation begins to do business with the State.

Subsection 1-84(i), General Statutes states that no business with which a State employee is associated may enter into a contract, valued at \$100 or more, with the State unless the contract is 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 two exceptions. One is a contract of employment pursuant to a court appointment. The other is a contract of employment as a State employee. Employees of the corporation providing interpreting or translating services to the State would not be "State employees" as defined in subsection 1-79(j), General Statutes.)

The president states that his corporation will solicit interpreting and translating business from State agencies on a "non-contract" basis. While there may be no general contract, between the State and the corporation, for interpreting and translating services, it does not seem possible for there to be no agreement at all between the State and the corporation if services are supplied. Perhaps agreements will be made on a case-by-case basis. If valued at \$100 or more, they must be reached through the open and public process of subsection 1-84(i), General Statutes. Should the corporation wish assistance in determining whether a procedure meets subsection 1-84(i) criteria, the advice of the Ethics Commission may be sought.

By order of the Commission,

  
Julie Peck  
Chairperson

Dated Dec. 15, 1956  
