

CONNECTICUT STATE ETHICS COMMISSION
30 TRINITY STREET
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ADVISORY OPINION NUMBER 79-22

Appearances by a Member of the Elections Commission
before Certain State Agencies

The State Ethics Commission has been asked whether section 5 of Public Act Number 79-493 exempts members of the State Elections Commission from the prohibitions of subsection 1-84(d), General Statutes.

A lawyer-member of the Elections Commission has been held to be a public official who was barred by subsection 1-84(d), as originally enacted, from representing others for compensation before the agencies listed in that subsection. Ethics Commission Advisory Opinion 78-21, 40 Conn. L.J. No. 13, p. 11. Among the amendments to subsection 1-84(d) made by section 5 of Public Act Number 79-493, however, was addition of the following sentence: "[n]othing in this subsection shall be construed as applying to any member of an advisory board or commission who receives no compensation other than a flat per diem rate or reimbursement for actual or necessary expenses, or both, incurred in the performance of his duties".

Members of the Elections Commission receive no compensation except per diem and reimbursement for expenses incurred in the performance of their duties. Section 9-7a, General Statutes. Therefore, a member of the Elections Commission is a "member of ...[a] commission who receives no compensation other than a flat per diem rate or reimbursement for actual or necessary expenses, or both, incurred in the performance of his duties". It follows that subsection 1-84(d) has not applied to an Elections Commission member, as such, since June 21, 1979, the effective date of the subsection's amendment by section 5, Public Act Number 79-493.

By order of the Commission,

Handwritten signature of Thomas J. Lynch in cursive script.

Rev. Thomas J. Lynch
Chairman

Dated September 7, 1979

