

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaints of Tom Kelly, Bridgeport

File Nos. 2011-090 & 097

AGREEMENT CONTAINING CONSENT ORDER

This Agreement, by and between William A. Beccaro, of the Town of Old Saybrook and William P. Beccaro of the Town of Essex, County of Middlesex, State of Connecticut and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177 (c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. The instant Agreement encompasses two separate Complaints, captioned above, by Complainant Tom Kelly.
2. The first Complaint, File No. 2011-090, concerns the activities of the ongoing political committee "People for Excellence in Government" ("PEG"). Complainant alleges that PEG made expenditures for various activities that were not within the lawful purpose of a political committee, made impermissible expenditures that personally benefitted respondents in this matter, made untimely reimbursements, and failed to adequately disclose the expenditures of the committee. Additionally, the complaint raises the issue of committee expenditures being made and/or authorized by someone other than the treasurer.
3. In the second Complaint, File No. 2011-097, the Complainant made allegations regarding the PEG and also concerning candidate committees that supported Finch. First, with respect to PEG, the complainant alleges that PEG impermissibly used surplus funds rolled over from Bill Finch's 2007 mayoral candidate committee to support Mr. Finch's future campaign for re-election in 2011. Second, the Complainant raises factual questions concerning possible reporting irregularities and the questionable permissibility of certain expenditures by the 2002, 2004 and 2006 candidate committees supporting Bill Finch in his campaigns for State Senate. Complainant alleges that the 2004 and 2006 candidate committees made expenditures using petty cash without reporting the reason for the expenditures. Complainant alleges that the 2002 candidate committee ended with a deficit and failed to terminate.
4. As an initial matter, the Commission finds that the allegations in File No. 2011-097 concerning the activity of Mr. Finch's past Senatorial campaigns were brought so long after the fact of the alleged activity that the treasurers of these campaigns are no longer required

to keep the campaign records that would be important to substantiating the allegations in the matter. As such, the Commission will take no further action regarding these allegations.

5. Turning to the allegations related to PEG, the committee was first registered in 1998 as an ongoing political committee formed to support both state and municipal candidates by Respondent Chairman William P. Beccaro ("Bill Beccaro") and remained as such until 2007. In 2004, Respondent William A. Beccaro ("William Beccaro"), Bill Beccaro's father, became its treasurer from that date until the present. In January 2007, Gloria Beccaro, Bill Beccaro's mother, became Chairperson from that date until the present. The investigation revealed that Bill Beccaro stepped down as Chair of PEG in 2007 because he became treasurer of the legislative leadership committee "Democrats for New Leadership." He mistakenly interpreted General Statutes § 9-602 (e) (1), which precludes any individual from establishing or controlling more than one political committee, to preclude him from controlling a political committee and a legislative leadership committee. As such, he asked his mother Gloria to be the Chairperson. The investigation revealed that he would have remained as Chair had he understood that he was permitted to do so.
6. From its inception until approximately 2007, PEG's expenditures largely revolved around expenditures supporting Democratic candidates in the General Assembly. In 2008, PEG's focus turned largely towards activities in and around the Democratic Party in the city of Bridgeport. In January 2008 the committee had a balance on hand of \$6,308. From that time through the present, PEG reported receipts of approximately \$75,531 and disbursements of approximately \$80,978 of committee funds.
7. At no time was PEG audited by the Commission, nor have any prior complaints been docketed concerning the committee or its officers.
8. On his own initiative, Respondent Treasurer William Beccaro suspended the activity of PEG during the pendency of the instant investigation.

Count One: Acting as the Treasurer

9. The gravamen of this Count is that while William Beccaro, the father, was the named treasurer of PEG, Bill Beccaro, his son, acted with the authority of the treasurer, including but not limited to authorizing most if not all of the expenditures from the time his father became treasurer.
10. General Statutes § 9-602 reads, in pertinent part:

(c) An individual who is designated as campaign treasurer of a committee shall be responsible for all duties required of him under this

chapter until the committee is terminated. The campaign treasurer shall be relieved of such duties upon his permanent incapacity, resignation or replacement, provided a statement to that effect is filed with the proper authority, as provided in section 9-603. *In the event of the death of the campaign treasurer or after a statement has been filed concerning the campaign treasurer's incapacity, resignation or replacement, if a deputy campaign treasurer has been designated, the deputy campaign treasurer shall be responsible for all duties required of the campaign treasurer under this chapter until the candidate or chairman of the committee files with the proper authority a designation of a successor campaign treasurer.* If a deputy campaign treasurer has not been designated, the candidate or chairman shall designate a successor campaign treasurer and file such designation with the proper authority not more than ten days after the death of the campaign treasurer or the filing of the statement of his incapacity, resignation or replacement.

(d) *No person shall act as a campaign treasurer or deputy campaign treasurer unless the person is an elector of this state, and a statement, signed by the chairman in the case of a party committee or political committee or by the candidate in the case of a candidate committee, designating the person as campaign treasurer or deputy campaign treasurer, has been filed in accordance with section 9-603.* In the case of a political committee, the filing of a statement of organization by the chairman of the committee, in accordance with the provisions of section 9-605, shall constitute compliance with the filing requirements of this section. No provision of this subsection shall prevent the campaign treasurer, deputy campaign treasurer or solicitor of any committee from being the campaign treasurer, deputy campaign treasurer or solicitor of any other committee or prevent any committee from having more than one solicitor, but no candidate shall have more than one campaign treasurer. . . . (Emphasis added.)

11. General Statutes § 9-607 reads, in pertinent part:

(a) *No financial obligation shall be incurred by a committee unless authorized by the campaign treasurer, except that certain expenditures of a candidate's personal funds may be reimbursed as provided in subsection (k) of this section.*

...

(d) Except as provided in subsections (j) and (k) of this section, *no payment in satisfaction of any financial obligation incurred by a committee shall be made by or accepted from any person other than the campaign treasurer* and then only according to the tenor of an authorization issued pursuant to subsection (a) of this section. . . . (Emphasis added.)

12. As discussed in more detail below, approximately 55% of the expenditures of the committee from 2007 to the present were payments to campaign “workers” affiliated with the committee who had made purchases with secondary payees and sought reimbursement from the committee. Respondent William Beccaro asserts that he was “authorizing” all of the expenditures of the committee, including but not limited to those expenditures made through committee workers. However, the investigation revealed that for the secondary payee transactions Bill Beccaro was the primary contact for such “workers”; his father William Beccaro had almost no contact with the payees being reimbursed. Further, the investigation revealed that William Beccaro relied on the advice of his son “as my attorney” to “determine” whether the expenses were permissible such that he would “authorize” them. However, the evidence was insufficient to show that Respondent William Beccaro ever rejected a reimbursement request brought to him by Bill Beccaro.
13. Additionally, there was evidence found, which the Respondents do not generally dispute, that in some instances, Bill Beccaro actually signed five committee checks in his father’s name. Bill Beccaro also signed at least two Campaign Finance Disclosure Statements in his father’s name.
14. Respondents assert that William Beccaro exercised his independent judgment with regard to the making of expenditures and preparing and/or executing of Disclosure Statements. However they also do not dispute that as concerned the committee worker reimbursements, William provided Bill general prior authority without reviewing and/or specifically authorizing any particular expenditure. The Respondents concede that by operating in this manner, they did not implement best practices to assure that William was the clear authorizing individual.
15. In response to the evidence showing that Bill signed both checks and statements in his father’s name, the Respondents presented evidence of a validly executed Durable Short Form Power of Attorney from William to Bill that grants Bill full Power of Attorney authority to act as William’s agent. They assert that where Bill may have acted with the treasurer’s authority and where Bill executed the checks and the statements under, he did so with the belief that he was legally permitted to do so by virtue of a validly executed Power of Attorney.

16. General Statutes § 1-43 prescribes the form of the Statutory Short Form Power Attorney and reads, in pertinent part:

(a) The use of the following form in the creation of a power of attorney is authorized, and, when used, it shall be construed in accordance with the provisions of this chapter:

“Notice: The powers granted by this document are broad and sweeping. They are defined in Connecticut Statutory Short Form Power of Attorney Act, sections 1-42 to 1-56, inclusive, of the general statutes, which expressly permits the use of any other or different form of power of attorney desired by the parties concerned. The grantor of any power of attorney or the attorney-in-fact may make application to a court of probate for an accounting as provided in subsection (b) of section 45a-175.

Know All Men by These Presents, which are intended to constitute a GENERAL POWER OF ATTORNEY pursuant to Connecticut Statutory Short Form Power of Attorney Act:

That I (insert name and address of the principal) do hereby appoint (insert name and address of the agent, or each agent, if more than one is designated) my attorney(s)-in-fact TO ACT

If more than one agent is designated and the principal wishes each agent alone to be able to exercise the power conferred, insert in this blank the word `severally'. Failure to make any insertion or the insertion of the word `jointly' shall require the agents to act jointly.

First: In my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters as each of them is defined in the Connecticut Statutory Short Form Power of Attorney Act to the extent that I am permitted by law to act through an agent:
... (Emphasis added.)

17. The Commission finds that the evidence is sufficient to show that it is more likely than not that the practices and the procedures of William Beccaro (the father) and Bill Beccaro (the

son) put Bill Beccaro in the position of wielding the authority specifically reserved for the treasurer. Moreover, Bill Beccaro specifically and clearly acted as the treasurer when he signed committee checks and committee statements in William Beccaro's name.

18. The Commission concludes that the Power of Attorney statute specifically contemplates limitations, such as here, on the authority of an agent to act on behalf of a principal. As such, the Commission concludes that as General Statutes § 9-602 (c) is clear that only a deputy treasurer, and only under very specific circumstances, may act as the treasurer of a committee, the Statutory Short Form Power Attorney does not supersede such limitation of authority. As such, the Commission concludes that William P. Beccaro violated General Statutes §§ 9-602 (c) and 9-607 (a) & (d).
19. The Respondents dispute in good faith the Commission's findings and conclusions regarding this count, but for the purposes of avoiding further costs of litigation, they agree to settle the matter under the terms herein, including but not limited to agreeing to implement best practices to assure that the named treasurer of the committee is authorizing all transactions and agreeing not to use the Power of Attorney in the above manner in the future.

Count Two: Failure to Report Secondary Payees

20. The Complaint here raises the question whether PEG properly disclosed expenditures related to so-called "secondary payees," vendors paid by committee workers who are then reimbursed by the committee.
21. A committee is required to fully report, *inter alia*, each individual expenditure incurred by the committee, whether such expenditure was paid directly to the vendor/employee, or whether it was paid through a committee worker. General Statutes § 9-608 (c) reads, in pertinent part:

(c) (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, including secondary payees whenever the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity, the amount and the purpose of the expenditure, the

candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate, and a statement of the balance on hand or deficit, as the case may be; . . . (Emphasis added.)

22. PEG's Campaign Finance Disclosure Statements were made on the SEEC Form 20 during the relevant period. On all versions of this form during the period there are two separate sections in which transactions involving primary and secondary payees must be reported. One section, entitled "Expenses Paid by Committee" allows the committee to report payments to primary and/or sole payees, with ample space to include all of the information about said payee required by General Statutes § 9-608 (c) (1) (C). A second subsequent section, entitled "Itemization of Reimbursements to Committee Workers and Consultants" allows the committee to report payments to secondary payees, with ample space to include all of the information about said payee required by General Statutes § 9-608 (c) (1) (C) and to match the secondary payee to the reimbursed primary payee who made the original payment. Each secondary payee must be reported separately and fully.
23. During the period stated above, it was the practice of PEG to report the primary payee fully and correctly in the first section. However, while the committee's internal recordkeeping was accurate and complete, its reporting of secondary payees was fundamentally flawed. In the second section, instead of reporting each secondary payee in a separate entry, PEG would make a single entry in which it reported the single payment to the primary payee again and on the line where the secondary payee's name should go, it would report a sampling of the names of secondary payees for which the primary payee sought reimbursement, as well as a general statement on the purpose of the total payments. In almost all instances not all of the secondary payees' names were included and there appeared to be no pattern as to how each secondary payee was chosen for inclusion on the line. But, no secondary payee was itemized fully and/or separately per § 9-608 (c) (1) (C).
24. Here, from July 1, 2008 to the present, approximately 55% of the total committee expenditures were disbursements by committee workers at secondary payees in which such committee worker received reimbursement from the committee. Approximately forty checks were executed by the committee in reimbursement for approximately 500 secondary payee transactions.
25. Considering the aforesaid, the Commission concludes that PEG violated General Statutes § 9-608 (c) (1) (C) by failing to correctly itemize the secondary payee activity during the relevant period. Respondent William Beccaro does not dispute the Commission's conclusion and agrees to settle the matter under the terms herein.

Count Three: Impermissible Expenditures and Uses

26. With respect to PEG, the Complaint has raised questions of permissibility across a broad range including but not limited to: expenditures authorized by someone other than the treasurer; payments for personal use of telephones, computers and Internet access; untimely reimbursement of campaign workers; failures to keep written agreements for services and/or to keep records of services performed; and failures to adequately document the permissibility of expenditures.
27. The investigation revealed that approximately 22% of the expenditures of the committee during the period were permissible on their face, including but not limited to contributions to charities and candidates. However, the evidence was sufficient to show, and the Respondents admit, that the remaining 78% of the expenditures of the committee were not made to promote any particular candidate or candidates. It is these expenditures that are the focus of this settlement.
28. No expenditure of a committee may be made for anything other than the lawful purpose of such committee. Additionally, no expenditure may be made available for the personal use of any candidate or any other individual. General Statutes § 9-607 (g) provides, in relevant part:

(g) (1) As used in this subsection, (A) "the lawful purposes of his committee" means: (i) For a candidate committee or exploratory committee, the promoting of the nomination or election of the candidate who established the committee, except that after a political party nominates candidates for election to the offices of Governor and Lieutenant Governor, whose names shall be so placed on the ballot in the election that an elector will cast a single vote for both candidates, as prescribed in section 9-181, a candidate committee established by either such candidate may also promote the election of the other such candidate; (ii) for a political committee, the promoting of the success or defeat of candidates for nomination and election to public office or position subject to the requirements of this chapter, or the success or defeat of referendum questions, provided a political committee formed for a single referendum question shall not promote the success or defeat of any candidate, and provided further a legislative caucus committee may expend funds to defray costs of its members for conducting legislative or constituency-related business which are not reimbursed or paid by the state; and (iii) for a party committee, the promoting of the party, the candidates of the party and continuing operating costs of the party, and (B) "immediate family" means a

spouse or dependent child of a candidate who resides in the candidate's household.

(2) Unless otherwise provided by this chapter, any campaign treasurer, in accomplishing the lawful purposes of his committee, may pay the expenses of: (A) Advertising in electronic and print media; (B) any other form of printed advertising or communications including "thank you" advertising after the election; (C) campaign items, including, but not limited to, brochures, leaflets, flyers, invitations, stationery, envelopes, reply cards, return envelopes, campaign business cards, direct mailings, postcards, palm cards, "thank you" notes, sample ballots and other similar items; (D) political banners and billboards; (E) political paraphernalia, which is customarily given or sold to supporters including, but not limited to, campaign buttons, stickers, pins, pencils, pens, matchbooks, balloons, pads, calendars, magnets, key chains, hats, tee shirts, sweatshirts, frisbees, pot holders, jar openers and other similar items; (F) purchasing office supplies for campaign or political purposes, campaign photographs, raffle or other fund-raising permits required by law, fund-raiser prizes, postage, express mail delivery services, bulk mail permits, and computer supplies and services; (G) banking service charges to maintain campaign and political accounts; (H) subscriptions to newspapers and periodicals which enhance the candidacy of the candidate or party; (I) lease or rental of office space for campaign or political purposes and expenses in connection therewith including, but not limited to, furniture, parking, storage space, utilities and maintenance, provided a party committee or political committee organized for ongoing political activities may purchase such office space; (J) lease or rental of vehicles for campaign use only; (K) lease, rental or use charges of any ordinary and necessary campaign office equipment including, but not limited to, copy machines, telephones, postage meters, facsimile machines, computer hardware, software and printers, provided a party committee or political committee organized for ongoing political activities may purchase office equipment, and provided further that a candidate committee or a political committee, other than a political committee formed for ongoing political activities or an exploratory committee, may purchase computer equipment; (L) compensation for campaign or committee staff, fringe benefits and payroll taxes, provided the candidate and any member of his immediate family shall not receive compensation; (M) travel, meals and lodging expenses of speakers, campaign or committee workers, the candidate and the

candidate's spouse for political and campaign purposes; (N) fund raising; (O) reimbursements to candidates and campaign or committee workers made in accordance with the provisions of this section for campaign-related expenses for which a receipt is received by the campaign treasurer; (P) campaign or committee services of attorneys, accountants, consultants or other professional persons for campaign activities, obtaining or contesting ballot status, nomination, or election, and compliance with this chapter; (Q) purchasing campaign finance reports; (R) repaying permissible campaign loans made to the committee that are properly reported and refunding contributions received from an impermissible source or in excess of the limitations set forth in this chapter; (S) conducting polls concerning any political party, issue, candidate or individual; (T) gifts to campaign or committee workers or purchasing flowers or other commemorative items for political purposes not to exceed one hundred dollars to any one recipient in a calendar year or for the campaign, as the case may be; (U) purchasing tickets or advertising from charities, inaugural committees, or other civic organizations if for a political purpose, for any candidate, a candidate's spouse, a member of a candidate's campaign staff, or members of committees; (V) the inauguration of an elected candidate by that candidate's candidate committee; (W) hiring of halls, rooms, music and other entertainment for political meetings and events; (X) reasonable compensation for public speakers hired by the committee; (Y) transporting electors to the polls and other get-out-the-vote activities on election day; and (Z) any other necessary campaign or political expense.

...

(4) As used in this subdivision, expenditures for "personal use" include expenditures to defray normal living expenses for the candidate, the immediate family of the candidate or any other individual and expenditures for the personal benefit of the candidate or any other individual having no direct connection with, or effect upon, the campaign of the candidate or the lawful purposes of the committee, as defined in subdivision (2) of this section. No goods, services, funds and contributions received by any committee under this chapter shall be used or be made available for the personal use of any candidate or any other individual. No candidate, committee, or any other individual shall use such goods, services, funds or contributions for any purpose other than campaign purposes permitted by this chapter.

29. The Complaint raises questions concerning reimbursements in Respondent and PEG Chairperson, Gloria Beccaro's name for mobile telephone and Internet service, implying that such services were not used by the committee, but by individuals involved with the committee for their own personal use.
30. The investigation revealed that computer equipment was purchased by Bill Beccaro for \$3,210 for which he received a reimbursement. It stayed in Bill Beccaro's office, which also served as the headquarters of PEG. The Respondents assert that the computer equipment was used for committee business, but they were unable to produce sufficient evidence supporting their assertion. The Internet and mobile telephone service were also associated with Bill Beccaro and his office. The Verizon bill, containing the charges for both services, would first be paid by a credit card in Gloria Beccaro's name, on which Bill and William were authorized, and then an allocation would be made and a portion of the bill was reimbursed by the committee. The Respondents were unable to provide sufficient evidence in support of the allocation. The total amount reimbursed for Internet and mobile phone use was \$6,451.
31. Considering the aforesaid, the Commission concludes that the evidence is sufficient to show that it is more likely than not that the expenditures for the computer and the mobile telephone and Internet here were made for a purpose not permitted for such a committee under General Statutes § 9-607 (g) (1) and that the use of such items did not comply with the requirements under General Statutes § 9-607 (g) (2) & (4). As such, Respondents William Beccaro and Bill Beccaro violated General Statutes §§ 9-607 (g) (1) & 9-607 (g) (4), respectively.
32. Respondents dispute in good faith the Commission's findings and conclusions regarding this count, but for the purposes of avoiding further costs of litigation, they agree to settle the matter under the terms herein.
33. Additionally, Complaint raises questions regarding the permissibility of certain expenses including those related travel and lodging at the 2008 Democratic National Convention for Respondents Bill Finch, Mr. Finch's wife Sonya and Bill Beccaro as well as travel and lodging at the 2009 Presidential Inauguration for Bill and Sonya Finch, Mr. Finch's Chief of Staff Adam Wood & his wife Kerry and Bill Beccaro. Additionally, Complainant alleges that reimbursements to Mrs. Finch for "gifts" were impermissible.
34. An analysis of permissibility of such expenditures by the political committee depends on whether they were made to support the success or defeat of candidates, and if so which candidates. If they were made in support of Finch as a candidate, this would be a generally

permissible expenditure, but creates issues concerning the source of the funds and whether the deposit of surplus funds into PEG by the Finch candidate committee was appropriate.

35. The Respondents have taken the position that the expenditures were not in support of Finch as a candidate, or any other candidate, but were instead made by the political committee to allow those who took the trips to promote the Democratic Party generally, in the way that a party committee is permitted to do. They assert that they believe that a political committee may make the same type of expenditures to promote the party that a party committee may make. Moreover, they point to General Statutes § 9-607 (g) (2) (M) & (U) to support their assertion.
36. Considering the aforesaid, the Commission finds that it need not individually examine the permissibility of each of the remaining 78% of the expenditures that were not permissible on their face. PEG is not a party committee. And, while some of the 78% of the expenditures may have been employed for one or more of the campaign uses enumerated in § 9-607 (g) (2), none of them were made for a lawful purpose of a political committee under § 9-607 (g) (1). As such, the Commission concludes that Respondent William Beccaro violated General Statutes § 9-607 (g) (1).
37. Respondent William Beccaro disputes in good faith the Commission's conclusions regarding this count, but for the purposes of avoiding further costs of litigation, he agrees to settle the matter under the terms herein.

Count Four: Rollover of Candidate Committee Funds

38. Finally, the Complaint raises the question whether PEG impermissibly received funds rolled over from the surplus of Bill Finch's 2007 campaign for Mayor of Bridgeport.
39. Approximately \$46,056 of the receipts reported to PEG during the period were received in September 2008 through a permissible rollover of surplus funds from the "Finch for Mayor" candidate committee formed to support Mr. Finch's 2007 run for mayor of Bridgeport. Bill Beccaro first consulted with SEEC staff to determine whether such a rollover was permissible and Albert Lenge, at the time the Deputy Director and Assistant General Counsel, advised that it was permissible so long as the committee was not established to support the future campaigns of Mayor Finch.
40. General Statutes § 9-608 (e) reads, in pertinent part:

(e) (1) Notwithstanding any provisions of this chapter, in the event of a surplus the campaign treasurer of a candidate committee or of a political committee, other than a political committee formed for

ongoing political activities or an exploratory committee, shall distribute or expend such surplus not later than ninety days after a primary which results in the defeat of the candidate, an election or referendum not held in November or by January thirty-first following an election or referendum held in November, in the following manner:

(A) *Such committees may distribute their surplus to a party committee, or a political committee organized for ongoing political activities, . . . provided (i) no candidate committee may distribute such surplus to a committee which has been established to finance future political campaigns of the candidate, (ii) a candidate committee which received moneys from the Citizens' Election Fund shall distribute such surplus to such fund, and (iii) a candidate committee for a nonparticipating candidate, as described in subsection (b) of section 9-703, may only distribute any such surplus to the Citizens' Election Fund or to a charitable organization; (Emphasis added.)*

41. General Statutes § 9-622 (10) reads, in pertinent part:

The following persons shall be guilty of illegal practices and shall be punished in accordance with the provisions of section 9-623:

...

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

42. The Commission has held that a committee is deemed to be established to finance future political campaigns of the candidate where 26% of the political committee's expenditures go towards financing such candidate's future campaigns. See *Complaint of Frank DeJesus, Hartford*, File No. 2006-194.
43. However, as the Commission accepted the Respondents' position that the vast majority of the committee's expenditures were made for the purpose of promoting the Democratic Party in Bridgeport, including but not limited to those expenditures that had some connection to the Finches, the issues raised with respect to surplus are rendered moot.
44. In conclusion, Connecticut General Statutes § 9-7b (a) (2) provides that the Commission may assess a civil penalty of two thousand dollars or twice the amount of the improper contribution or expenditure for a violation of Chapter 155 of the General Statutes. Pursuant to Regulations of Connecticut State Agencies §9-7b-48, in determining the amount of a civil penalty, the Commission shall consider, among other mitigating and aggravating factors:

- (1) the gravity of the act or omission;
- (2) the amount necessary to insure immediate and continued compliance;
- (3) the previous history of similar acts or omissions; and
- (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.

45. The Commission concludes that while there is insufficient evidence to demonstrate that any of the above violations were made knowingly or willfully, the Beccaro Respondents' interpretive and administrative errors and failure to implement acceptable practices here resulted in systemic problems with this committee, including but not limited to depriving the public of complete and accurate information about the majority of its activities and impermissibly operating a political committee, whose purpose is limited to promoting candidates and referenda, as though it were a party committee, whose purpose is more expansive. Accordingly, the Commission concludes that the penalties agreed to below are warranted and necessary here to ensure the Respondents' immediate and continued compliance in the future.
46. Respondents admit all jurisdictional facts and agree that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. Respondents shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
47. It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by either Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
48. The Respondents waive:
 - a. Any further procedural steps;
 - b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
49. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

50. Upon the Respondents' compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings pertaining to this matter.

ORDER

IT IS HEREBY ORDERED that Respondent William A. Beccaro shall pay a civil penalty of Three Thousand Dollars (\$3,000) and shall forfeit the remaining balance of funds in the PEG account and an additional Three Thousand Two Hundred Dollars (\$3,200) to the Commission for deposit in the General Fund.

IT IS HEREBY ORDERED that Respondent William P. Beccaro shall pay a civil penalty of One Thousand Dollars (\$1,000) and forfeit Four Thousand Dollars (\$4,000) to the Commission for deposit in the General Fund.

IT IS FURTHER ORDERED THAT that both Respondents will henceforth strictly comply with the requirements of General Statutes §§ 9-602, 9-607 and 9-608.

The Respondents:

William A. Beccaro
William A. Beccaro
Old Saybrook, CT

Dated: 2-7-12

William P. Beccaro
William P. Beccaro
Essex, CT

Dated: 2-7-12

For the State of Connecticut:

BY: Shannon C. Kief
Shannon C. Kief, Esq.
Legal Program Director
& Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT

Dated: 2/8/12

Adopted this 15th day of February of 2012 at Hartford, Connecticut

Stephen F. Cashman
Stephen F. Cashman, Chair
By Order of the Commission