

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of Complaint by Sarah Hemingway
Sandy Hook

File No. 2010-104

AGREEMENT CONTAINING CONSENT ORDER

This Agreement, by and between Janis R. Solheim, hereinafter called the "Respondent," of Sandy Hook, in the Town of Newtown, County of Fairfield, 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 Connecticut General Statutes. The parties agree that:

1. Christopher LaRocque formed a candidate committee for the 106th General Assembly district on Feb. 19, 2010, naming Respondent as campaign treasurer. *See* SEEC Form 1A Registration by Candidate – *LaRocque for State Rep.* (February 19, 2010). On June 22, 2010, LaRocque and Respondent executed the CEP Form 10, evincing their intention to participate in the Citizens' Election Program and agreeing to abide by voluntary expenditure limits and other regulations stemming from participation in the public financing program. *See* SEEC Form CEP 10 – *LaRocque for State Rep.* (June 22, 2010).
2. On August 5, 2010, the LaRocque committee submitted an application to the Commission seeking a grant from the Citizens' Election Fund. *See* SEEC Form 15 Citizens' Election Program – Application for Grant – *LaRocque for State Rep.* (August 5, 2010).
3. Four days after the LaRocque campaign tendered that application, Sarah Hemingway, also of Sandy Hook, filed this complaint, in which she alleged that some of the contributions collected by the *LaRocque for State Rep.* candidate committee were not made by the persons indicated on the disclosure documentation that accompanied the grant application.
4. The Commission's investigation revealed that certain individuals that solicitor Philip Lombardo had asked to support LaRocque's candidacy had not made a contribution to the candidate committee. Instead, Lombardo had made the contributions to the candidate committee using his personal funds but identifying the contributors as the individuals he asked only for support.
5. The Commission's investigation confirmed that Lombardo submitted to the LaRocque candidate committee contributions from at least 18 individuals who he knew had not given their own money as a contribution.

6. The Commission's investigation was unable to determine exactly how many "straw contributions" Lombardo had facilitated.
7. As a solicitor for the LaRocque candidate committee, Lombardo was also required to provide to the campaign treasurer a list of all contributions he had solicited. Lombardo did not provide this list to the Respondent. And the Respondent did not require Lombardo to provide this list. The absence of this list hindered the Commission's attempt to determine which contributions Lombardo may have made on behalf of others.
8. General Statutes § 9-606 provides in pertinent part:
 - (a) The campaign treasurer of each committee shall be responsible for (1) depositing, receiving and reporting all contributions and other funds in the manner specified in section 9-608, (2) making and reporting expenditures, (3) reporting expenses incurred but not yet paid, (4) filing the statements required under section 9-608, and (5) keeping internal records of each entry made on such statements. . . .**
 - (c) The campaign treasurer of each committee, other than a political committee established by an organization which receives its funds from the organization's treasury, may appoint solicitors. If solicitors are appointed, the campaign treasurer shall receive and report all contributions made or promised to each solicitor. Each solicitor shall submit to the campaign treasurer a list of all contributions made or promised to him. The list shall be complete as of seventy-two hours immediately preceding midnight of the day preceding the dates on which the campaign treasurer is required to file a sworn statement as provided in section 9-608. Lists shall be received by the campaign treasurer not later than twenty-four hours immediately preceding each required filing date. Each solicitor shall deposit all contributions with the campaign treasurer, within seven days after receipt. No solicitor shall expend any contributions received by him or disburse such contributions to any person other than the campaign treasurer.**
9. Respondent did not gather the solicitors' lists of contributions they had collected, nor did she maintain a list all of the solicitations collected by all solicitors as required by General Statutes § 9-606 (c).
10. The Respondent admits all jurisdictional facts and agrees 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. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.

11. 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 the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
12. Respondent admits all jurisdictional facts and waives:
 - (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.
13. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against her pertaining to this matter.

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty of \$200 and henceforth strictly comply with the requirements of Connecticut General Statutes § 9-606 (c).

The Respondent:

For the State Elections Enforcement Commission:

By: Janis R. Solheim
Janis R. Solheim
Sandy Hook, CT 06482

By: Shannon Clark Kief
Shannon Clark Kief
Legal Affairs Program Director
and Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street, Suite 101
Hartford, CT 06106

Dated: 5/15/2012

Dated: 5/22/12

Adopted this 23rd day of May of 2012 at Hartford, Connecticut.

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