

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Sean Hughes, Wolcott

File No.: 2018-088A

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Megen Groski (the "Respondent") and the undersigned authorized representative of the State Elections Enforcement Commission (the "Commission"), enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

ALLEGATION

1. The Complainant alleged that the *Vickie Nardello for State Senate* candidate committee made improper payments to the *Prospect Democratic Town Committee* and the *Southington Democratic Town Committee*.¹

FACTUAL BACKGROUND

2. On or about April 20, 2018, Vickie Nardello registered the *Vickie Nardello for State Senate* candidate committee (the "Committee") with the Commission as the funding vehicle for her candidacy for state senate in Connecticut's 16th senatorial district.
3. At all times relevant hereto, Respondent Groski was the treasurer of the Committee.
4. On or about May 25, 2018, Vickie Nardello and Respondent Groski submitted a Citizens' Election Program Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements.
5. On or about May 25, 2018, Vickie Nardello and Respondent Groski submitted a Citizens' Election Program Application for Public Grant Dollars, also known as a CEP 15 (the "Application").
6. On or about July 12, 2018, the Commission voted to approve the Application.

¹ Allegations concerning other respondents shall be addressed in a separate document.

7. On or about July 17, 2018, the Commission deposited \$39,410 into the account of the Committee, representing the approved primary Citizens' Election Program grant for the committee.
8. On or about September 8, 2018, the Commission deposited \$95,710 into the account of the Committee, representing the approved general election Citizens' Election Program grant for the committee.
9. At all times relevant hereto, the *Prospect Democratic Town Committee* (the "PDTC") was a party committee as that term is defined by General Statutes § 9-601 (2).
10. At all times relevant hereto, Joan Levy was the treasurer of the PDTC.
11. At all times relevant hereto, the *Southington Democratic Town Committee* (the "SDTC") was a party committee as that term is defined by General Statutes § 9-601 (2).
12. At all times relevant hereto, James Sinclair was the treasurer of the SDTC.
13. On or about September 10, 2018, Respondent Groski made a \$300 contribution to the PDTC out of the Committee's account. Such contribution was accepted by Joan Levy and deposited into the PDTC's account.
14. On or about September 26, 2018, Respondent Groski paid the SDTC \$65 for a ticket to a SDTC fund-raising event—the cost for Respondent Nardello to attend. Such payment was accepted by James Sinclair and deposited into the SDTC's account.
15. On or about September 26, 2018, Respondent Groski paid the SDTC \$50 for a half page advertisement in program for a fund-raising event for the SDTC. Such payment was accepted by James Sinclair and deposited into the SDTC's account.

LAW

16. General Statutes § 9-616 (a) explicitly prohibits candidate committee from making contributions to, or for the benefit of a party committee. Such section provides:

A candidate committee shall not make contributions to, or for the benefit of, (1) a party committee, (2) a political committee, (3) a committee of a candidate for federal or out-of-state office, (4) a national committee, or (5) another candidate committee except that (A) a pro rata sharing of certain expenses in accordance with subsection (b) of section 9-610 shall be permitted, and (B) 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, an expenditure by a candidate committee established by either such candidate that benefits the candidate committee established by the other such candidate shall be permitted.

17. In addition to the limitations on contributions from candidate committees to party committees contained within chapter 155 of the General Statutes, candidate committees of candidates participating in the Citizens' Election Program have additional restrictions on the use of committee funds. Specifically, Regs. Conn. State Agencies § 9-706-2 (8) provides that participating candidates and the treasurers of such participating candidates participating candidate's may not make, out of the participating candidate's depository account, "[c]ontributions, loans or expenditures to or for the benefit of another candidate, political committee or party committee[.]" Regulations of Connecticut State Agencies § 9-706-2 was adopted pursuant to the authority delineated in General Statutes § 9-706 (e).
18. While Regs. Conn. State Agencies § 9-706-2 refers to "participating candidates," which is defined in General Statutes § 9-703 (b) to mean "a candidate who so certifies the candidate's intent to not abide by said limits shall be referred to in sections 9-700 to 9-716," General Statutes § 9-706 (e) only expands the regulatory authority granted pursuant to chapter 155 of the General Statutes as it relates to "moneys received from the fund." Accordingly, it is only once a participating candidate receives his or her grant from the Citizens' Election Fund do the additional restrictions of Regs. Conn. State Agencies § 9-706-2 apply.
19. General Statutes § 9-706 (b) (7) further requires that applications to participate in the Citizens' Election Program include a written certification that: "[t]he treasurer of the candidate committee will expend all moneys received from the fund in accordance with the provisions of subsection (g) of section 9-607 and regulations adopted by the State Elections Enforcement Commission under subsection (e) of this section[.]"
20. General Statutes § 9-7b (a) (2) empowers the Commission "[t]o levy a civil penalty not to exceed . . . (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 155 or 157."

DISCUSSION

21. Respondent Groski's liability concerning the Committee's contribution to the PDTC is straight forward and undisputed. General Statutes § 9-616 specifically prohibits candidate committees from making "contributions to, or for the benefit of, (1) a party committee[.]" By making a \$300 to the PDTC on September 10, 2018, Respondent Groski violated General Statutes § 9-616 (a). Moreover, by accepting such contribution, Respondent Levy violated General Statutes § 9-622 (10).
22. In addition to the restrictions of General Statutes § 9-616, recipients of Citizens' Election Program grants have further limitations on the spending of their campaign committee's funds. Specifically, Regs. Conn. State Agencies § 9-706-2 (8), enacted pursuant to the authority of General Statutes § 9-706, prohibits candidates that have received Citizens' Election Program grant funds from using candidate committee funds to make,

“[c]ontributions, loans or expenditures to or for the benefit of another candidate, political committee or party committee[.]”

23. The Committee received a grant from the Citizens’ Election Fund on July 17, 2018. After that date, it was a violation not only to make a contribution to a party committee out of the Committee’s funds, but it was also impermissible to make an expenditure to a party committee with the Committee’s funds.
24. Both the contributions to the PDTC and the ticket and ad purchases from the SDTC occurred after the Committee received a grant from the Citizens’ Election Program. Accordingly, as the September 10, 2018 contribution to the PDTC was a contribution to a party committee with committee funds after the receipt of a grant, it was a violation of General Statutes § 9-706 as interpreted by Regs. Conn State Agencies § 9-706-2. Moreover, as both the ticket and ad purchases from the SDTC on September 26, 2018 were expenditures to a party committee with committee funds after the receipt of a grant, these transactions were in violation of General Statutes § 9-706 as interpreted by Regs. Conn State Agencies § 9-706-2.
25. Ensuring that campaign funds, and Citizens’ Election Program Funds, are expended in accordance with the law is a matter the Commission has previously deem a priority and violations have been sanctioned seriously. *See In the Matter of a Complaint by John Mazurek, Wolcott*, File No. 2014-170. However, when the Commission has deemed such violations minor or inadvertent, the Commission has been more lenient. *See In the Matter of a Complaint by Jonathan C. Gilman, Bozrah*, File No. 2012-095.
26. In a case similar to the instant matter, the Commission did elect to assess a civil penalty. *In re Audit Report for Committee to Re-Elect State Sen. Eric Coleman*, File No. 2010-071.

TERMS OF GENERAL APPLICATION

27. The Respondent admits to all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and order entered into after a full hearing and shall become final when adopted by the Commission.
28. The Respondent 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 to contest the validity of the Order entered into pursuant to this Agreement.

29. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondents regarding this matter.

30. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next available meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Parties in any subsequent hearing, proceeding or forum.

ORDER

It is hereby ordered that Respondent Megen Groski shall henceforth strictly adhere to the requirements of General Statutes §§ 9-616 and 9-706 and Regs. Conn. State Agencies § 9-706-2.

It is further ordered that Respondent Megen Groski shall pay a civil penalty of four hundred dollars (\$400).

Respondent:

For the State of Connecticut:

By: Megen Groski
Megen Groski
22 Walnut St.
Watertown, CT 06795

By: Michael J. Brandi
Michael J. Brandi
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St.
Hartford, CT 06106

Dated: 6/10/19

Dated: 6/17/19

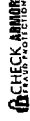
Adopted this ___ day of _____, 2019 at Hartford, Connecticut by vote of the Commission.

Anthony J. Castagno, Chairman
By Order of the Commission

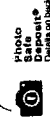
MATTHEW P. GROSKI OR
MEGEN GROSKI
22 WALNUT ST.
WATERTOWN, CT 06795

1034
51-70102111
735

Date 5/10/19



Pay to the order of Treasurer, State of Connecticut \$ 400.00
Four hundred and 00/100 Dollars



Matthew Groski

MP

For 11701010 7070412546 1034

RECEIVED
STATE ELECTIONS

JUN 17 2019

ENFORCEMENT COMMISSION