

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Sean Hughes, Wolcott

File No.: 2018-088B

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Joan Levy (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*.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, Megen Groski was the treasurer of the Committee.
4. 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).
5. At all times relevant hereto, Respondent Levy was the treasurer of the PDTC.
6. On or about September 10, 2018, Megen 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.

LAW

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

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

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.

8. If it is impermissible for an individual, committee, or entity to make a contribution pursuant to any provision of chapter 155 of the General Statutes, it is an illegal practice to both make and accept such contribution. General Statutes § 9-622 (10).
9. 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

10. General Statutes § 9-616 specifically prohibits candidate committees from making “contributions to, or for the benefit of, (1) a party committee[.]”
11. As the treasurer of the PDTC, Respondent Levy was not permitted to accept contributions that were prohibited in chapter 155. General Statutes § 9-622 (10).
12. Accordingly, by accepting a \$300 from the Committee to the PDTC, Respondent Levy violated General Statutes § 9-622 (10).

TERMS OF GENERAL APPLICATION

13. 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.
14. 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.

15. 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.

16. 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 Levy 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 Levy shall pay a civil penalty of one hundred dollars (\$100).

Respondent:

For the State of Connecticut:

By: Joan Levy
Joan Levy
53 Scott Rd.
Prospect, CT 06712

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: May 28, 2019

Dated: 6/6/19

Adopted this 19th day of June, 2019 at Hartford, Connecticut by vote of the Commission.

Salvatore A. Bramante
~~Anthony J. Castagno, Chairman~~
By Order of the Commission
Salvatore Bramante - Vice Chair

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JUN 19 2019

ENFORCEMENT COMMISSION