

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Sean Hughes, Wolcott

File No. 2018-088C

**FINDINGS AND CONCLUSIONS**

The Complainant, brought this Complaint pursuant to Connecticut General Statutes § 9-7b, alleging that the *Vickie Nardello for State Senate* candidate committee made improper payments to the *Prospect Democratic Town Committee* and the *Southington Democratic Town Committee*. The following is the Commission's assessment of the investigation concerning Respondents Vickie Nardello and James Sinclair<sup>1</sup>:

**FACTUAL BACKGROUND**

1. On or about April 20, 2018, Respondent 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.
2. At all times relevant hereto, Megan Groski was the treasurer of the Committee.
3. 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.
4. 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").
5. On or about July 12, 2018, the Commission voted to approve the Application.
6. 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.
7. 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.

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<sup>1</sup> Allegations concerning other respondents shall be addressed in a separate document.

8. 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).
9. At all times relevant hereto, Joan Levy was the treasurer of the PDTC.
10. 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).
11. At all times relevant hereto, James Sinclair was the treasurer of the SDTC.
12. 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.
13. 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.
14. 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**

15. It is the sole responsibility of the treasurer of a candidate committee to make and report expenditures. General Statutes § 9-606 (a).
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. As the liability for these expenditures lies with the treasurer, the Commission concludes that this matter should be dismissed as to Respondent Nardello.
22. The receipt of funds from a CEP Candidate Committee for purchase of an advertisement from a party committee does not bring with it independent liability for the party committee's treasurer. Accordingly, the Commission further concludes that this matter should be dismissed as to Respondent Sinclair. Nevertheless, the Commission stresses that party committee treasurer's should take extra care during years in which Citizens' Election

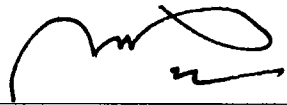
Program grants are issued that the Committee accept no payments from grant recipient committees.

ORDER

The following Order is recommended on the basis of the aforementioned findings:

That this matter is dismissed as to Respondents Nardello and Sinclair.

Adopted this 17<sup>th</sup> day of July, 2019 at Hartford, Connecticut.

  
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Stephen T. Penny  
By Order of the Commission