

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by James P. Sandler,
(Self-report), Hartford

File No. 2019-135

FINDINGS AND CONCLUSIONS

Complainant Attorney James P. Sandler self-reported this Complaint, on behalf of his client Dr. Eugene Chuang (hereinafter "Respondent"), consistent with General Statutes § 9-7b. A single contribution was reported to an exploratory committee for statewide office, that may have been in violation of the state contractor contribution ban pursuant to General Statutes § 9-612. After its investigation, the Commission makes the following findings and conclusions:

1. Complaint was self-reported on behalf of Respondent, the Chief Executive Officer and sole shareholder of Garg Consulting Services, Inc. (hereinafter "Company"). The Company has its principal offices in Rocky Hill, Connecticut and is engaged as an engineering consultant by the State of Connecticut. Respondent, after reporting political contributions to the Department of Transportation (hereinafter "DOT"), learned of this complaint process from Commission staff and proceeded accordingly.

2. Respondent asserted that:

This firm has been retained by Eugene Chuang to self report a political contribution. Dr. Chuang is the chief executive officer and sole shareholder of Garg Consulting Services, Inc., a New Jersey corporation with its principal office in Rocky Hill, Connecticut.

Garg Consulting Services, Inc., as a State contractor, has been engaged as an engineering consultant on numerous state contracts with the State of Connecticut including bridge inspection, road and building construction inspections.

On December 11, 2017, Dr. Chuang contributed \$300 to the Friends of Susan Exploratory Committee. Thereafter, as it was determined as Dr. Chuang is a principal of Garg Consulting Services, Inc., such contribution was unlawful, the contribution was returned to Dr. Chuang. Accordingly, the political contribution was not consummated, as has been confirmed by the Treasurer of the Committee, Laura Cahill.

3. The Friends of Susan (hereinafter the “Committee”) was an exploratory committee registered on April 17, 2017 by Susan Bysiewicz for undetermined statewide office pertaining to the November 6, 2018 election.¹
4. The Commission confirmed that Respondent made a single contribution on December 11, 17 in the amount of \$300 to the Committee.²
5. Pursuant to General Statutes § 9-612 (f) (1) (C) a “state contract” means: “... *an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more.*” Further, the “principal” of a state contractor includes a chief executive officer. See General Statutes § 9-612 (f) (1) (F).
6. The principal of a state contractor is prohibited from making contributions to an exploratory committee for statewide office pursuant to General Statutes § 9-612 f (2) (a).
7. It is not disputed that at all times relevant to this complaint and investigation Respondent was the principal of a state contractor for purposes of applying General Statutes § 9-612.
8. General Statutes § 9-612 (f) (2) (C) indicates “no violation” of the ban on state contractor ban contributions “shall be deemed to have occurred” if:

[T]he improper contribution is returned to the principal by the later of thirty days after receipt of such contribution by the recipient committee treasurer or the filing date that corresponds with the reporting period in which such contribution was made...

[Emphasis added.]
9. The threshold question for the Commission is whether or not Respondent’s contribution was prohibited by General Statutes § 9-612 (f); or was the contribution returned by the recipient committee such that it was statutorily deemed not to be a violation pursuant to that § 9-612 (f) (2) (C.)

¹ See “Friends of Susan Exploratory Committee,” *Exploratory Committee Registration* (SEEC Form 4), received April 17, 2017.

² See “Friends of Susan Exploratory Committee,” *Itemized Campaign Finance Disclosure Statement* (SEEC Form 30), January 10, 2018 filing, at 128, received January 10, 2018.

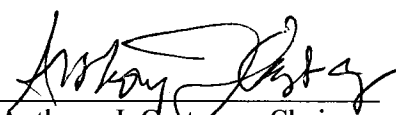
10. Upon investigation, the Commission finds that on December 19, 2019 the Committee returned Respondent's check. Therefore, the Commission finds that the contribution that is subject of this matter was returned by the Committee treasurer to Respondent within two days of its receipt.³
11. The Commission finds that pursuant to General Statutes § 9-612 (f) (2) (C) Respondent's contribution "no violation" is "deemed to have occurred" pertaining to the contribution by Respondent as it was returned by the recipient committee within 30 days of its receipt.
12. The Commission concludes therefore that the contribution that Respondent self-reported as potential violations of General Statutes § 9-612 (f), under these specific facts was *not* an improper contribution pursuant to § 9-612 (f) (2) (C).
13. Consequently, the Commission dismisses this self-reported complaint by Respondent of potential violations of General Statutes § 9-612 (f).

ORDER

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

That the Complaint be dismissed.

Adopted this 6 day of November 2019, at Hartford, Connecticut



Anthony J. Castagno, Chairman
By Order of the Commission

³ See Id., at 241.