

STATE OF CONNECTICUT
STATE ETHICS COMMISSION

DOCKET NUMBER 2003-5

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

JOHN G. ROWLAND

JUNE 13, 2003

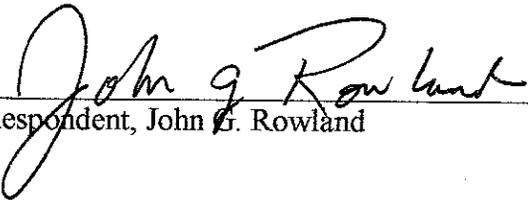
STIPULATION AND ORDER

Pursuant to Conn. Gen. Stat. §4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

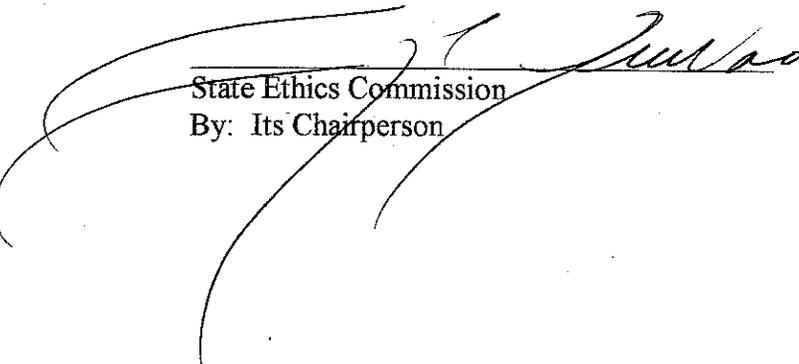
1. WHEREAS, the Respondent has expressed a willingness to pay the fair market value for all of the trips referred to herein, notwithstanding:
 - a. The expiration of the statute of limitations with respect to the 1999 and 2000 trips described in Attachment A; and
 - b. The good faith dispute regarding the factual and legal predicates regarding the applicability of Conn. Gen. Stat. §1-84(j) and §1-84(m) to the trips described in Attachment A; and
2. WHEREAS, the Commission has no credible or legally sufficient evidence that the Respondent violated Conn. Gen. Stat. §1-84(j) or §1-84(m) in any respect other than as alleged in Counts 1 and 2 of the complaint; and
3. WHEREAS, the Respondent enters into this Stipulation and Order, without admitting that he has violated any law, or otherwise committed any improper act. The Respondent is entering into this Stipulation for the sole purposes of avoiding the time and expense of litigation and of resolving the controversy over this subject; and
4. WHEREAS, the Respondent and the Commission waive any rights they may have under Conn. Gen. Stat. §§1-82, 1-82a, 1-87, and 1-80, including any right to a hearing or appeal in this case, and agree with each other to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

NOW THEREFORE, the Commission enters and the Respondent agrees to the following, in lieu of any other action with regard to this matter.

1. The Respondent agrees to make a payment, within thirty (30) days of the signing of this Stipulation and Order, to the General Fund of \$6,972.00 – an amount equal to the difference between the fair market value of the trips described in Schedule A and the amount the Respondent paid for said trips; and
2. The Respondent agrees to pay a civil penalty of \$2,000.00 to the Commission, within thirty (30) days of the signing of this Stipulation and Order; and
3. The Respondent agrees to pay the applicable sales and/or lodging taxes to the States of Vermont and Florida based on the market values set forth in Attachment A.


Respondent, John G. Rowland

6/12/03
Date


State Ethics Commission
By: Its Chairperson

13 JUNE 03
Date



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

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IN THE MATTER OF A : 20 TRINITY STREET
COMPLAINT AGAINST : HARTFORD, CT 06106
JOHN G. ROWLAND : JUNE 13, 2003

COMPLAINT

COUNT 1

1. At all times relevant herein, the Respondent, John G. Rowland, was the Governor of the State of Connecticut and a public official as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 *et seq.*
2. At all times relevant herein, William A. Tomasso was President of a corporation known as Tomasso Brothers, Inc.
3. At all times relevant herein, William A. Tomasso and/or Tomasso Brothers, Inc. was doing business with the State of Connecticut in one or more capacities, designing, constructing, and managing state buildings.
4. At all times relevant herein, William A. Tomasso and/or Tomasso Brothers, Inc. was doing business with, or seeking to do business with, the Office of the Governor, including seeking assistance in obtaining contracts and/or acting as an advisor on matters of foreign trade. Said business included but was not necessarily limited to multiple contacts with the Respondent's Co-Chief of Staff, Peter Ellef.
5. At all times relevant herein, the Respondent knew or had reason to know that William A. Tomasso and/or Tomasso Brothers, Inc. was doing business with or seeking to do business with the Office of the Governor, including but not limited to the Respondent's Co-Chief of Staff, Peter Ellef.

6. Connecticut General Statutes §1-84(m) prohibits a public official from knowingly accepting, directly or indirectly, any gift, as defined in Conn. Gen. Stat. §1-79(e), from any person the official knows or has reason to know is doing business with the official's department or agency, or is engaged in activities which are directly regulated by such department or agency.
7. Regulations of Connecticut State Agencies §1-92-54(c) requires that in order to avoid attribution of an item as directly and personally received, the recipient must either return the item or reimburse the donor within thirty days.
8. On one or more occasions from February 17, 2001 through February 22, 2001, the Respondent directly and personally received a gift provided by William A. Tomasso as personal representative of Tomasso Brothers, Inc. in violation of Conn. Gen. Stat. §1-84(m). Said gift included lodging for approximately 7 days at a residence owned by Tomasso Brothers, Inc. at 2356 Lovers Lane Road, Chester, Vermont.
9. The Respondent did not reimburse the donor the market value of said gift within thirty (30) days of his receipt of said gift.
10. The receipt by the Respondent of a gift valued at greater than ten dollars (\$10.00) at one time from a donor regulated by Conn. Gen. Stat. §1-84(m) without timely reimbursement is a violation of Conn. Gen. Stat. §1-84(m).

COUNT 2

1. At all times relevant herein, the Respondent, John G. Rowland, was the Governor of the State of Connecticut and a public official as that term is used in the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 *et seq.*
2. At all times relevant herein, Robert V. Matthews was Chairman and Chief Executive Officer of a company known as Matthews Ventures Holding, LLC ("Matthews Ventures").
3. At all times relevant herein, Robert V. Matthews and/or Matthews Ventures were doing business with the State of Connecticut in one or more capacities, including but not necessarily limited to leasing buildings to state agencies and seeking state funding on behalf of himself and/or companies in which he had invested.
4. At all times relevant herein, Robert V. Matthews and/or Matthews Ventures were doing business with, or seeking to do business with, the Governor and/or one or members of the Governor's Office.

5. At all times relevant herein, the Respondent knew or had reason to know that Robert V. Matthews and/or Matthews Ventures were doing business with or seeking to do business with the Office of the Governor.
6. Connecticut General Statutes §1-84(m) prohibits a public official from knowingly accepting, directly or indirectly, any gift, as defined in Conn. Gen. Stat. §1-79(e), from any person the official knows or has reason to know is doing business with the official's department or agency, or is engaged in activities which are directly regulated by such department or agency.
7. Regulations of Connecticut State Agencies §1-92-54(c) requires that in order to avoid attribution of an item as directly and personally received, the recipient must either return the item or reimburse the donor within thirty days.
8. On one or more occasions from April 9, 2001 through April 13, 2001, the Respondent directly and personally received a gift provided by Robert V. Matthews as Chairman and CEO of Matthews Ventures in violation of Conn. Gen. Stat. §1-84(m). Said gift included lodging for approximately 4 nights and five days at a residence owned by Matthews or a Matthews-controlled company in or around Palm Beach, Florida.
9. The Respondent did not reimburse the donor the market value of said gift within thirty (30) days of his receipt of said gift.
10. The receipt by the Respondent of a gift valued at greater than ten dollars (\$10.00) at one time from a donor regulated by Conn. Gen. Stat. §1-84(m) without timely reimbursement is a violation of Conn. Gen. Stat. §1-84(m)



Alice M. Sexton
Principal Attorney
State Ethics Commission