

90-7



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

January 2, 1991

P R E S S R E L E A S E

On September 10, 1990, Ethics Commission Staff Attorney Marianne D. Smith filed a complaint (Docket No. 90-7) against Nancy Owen, a state employee, alleging that Ms. Owen violated the gift limit of the Code of Ethics for Public Officials by accepting from Linda Kowalski, a registered lobbyist, airline tickets and accommodations for a trip to Monterey, California in July, 1989. An Amended Complaint dated November 8, 1990 further alleged that in August, 1989, Ms. Owen also accepted, from Ms. Kowalski, a chartered fishing trip valued in excess of the gift limit of the Code.

Under the Code's gift provision, a state employee may not accept any gift or gifts known to amount to \$50 or more in the aggregate in any calendar year from a person known to be a registered lobbyist, or to be acting on behalf of a registered lobbyist. The total value of the round-trip airline ticket, 6 nights' accommodations at the Monterey Sheraton Hotel and the chartered fishing trip was approximately \$850, the largest gift to an individual in a single year to have come before the Commission to date.

On January 2, 1991, the State Ethics Commission and the Respondent Nancy Owen settled this matter by entering into a Stipulated Agreement. Under the terms of the settlement, the Respondent agreed to pay a civil penalty in the amount of \$1,000 and to make a charitable contribution in an amount equal to the value of the illegal gifts, \$850. Copies of the Amended Complaint and the Stipulated Agreement are attached.

FOR FURTHER INFORMATION CALL:

Alan S. Plofsky  
Executive Director and General Counsel  
566-4472

000275



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 90-7	)	STATE ETHICS COMMISSION
IN THE MATTER OF A	)	97 ELM STREET (REAR)
COMPLAINT AGAINST	)	HARTFORD, CONN. 06106
NANCY OWEN	)	DECEMBER 31, 1990

STIPULATION AND AGREEMENT

The Commission finds that the Respondent violated the Code of Ethics for Public Officials as alleged in the attached Amended Complaint, dated November 8, 1990.

This conclusion is reached solely on the basis of the Commission's staff investigation into this matter, and is not admissible in, nor shall it be deemed to prejudice, any subsequent civil or criminal proceeding against the Respondent or any other person.

While the Respondent does not admit all of the allegations contained in the Complaint, the Respondent does not choose to contest the Commission's conclusion by requesting a hearing that could result in costly litigation in this matter. The Respondent does agree that the Commission's staff investigation has produced evidence which, if believed, could lead to the conclusion that the violations alleged in the attached Complaint had occurred.

NOW THEREFORE, pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondent, Nancy Owen, agree to settle this matter in the manner described below:

1. The Respondent waives any rights she may have under Conn. Gen. Stat. §§1-93, 1-93a, 1-98 and 1-80, including the right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

2. The Commission agrees not to refer the Respondent to the Chief State's Attorney for any possible action pursuant to Conn. Gen. Stat. §1-100 arising from this matter.

3. The Respondent agrees to make a contribution of eight hundred and fifty dollars (\$850), within thirty days, to a charity of her choice, such choice being subject to approval by the Commission, (in addition to a civil penalty hereinafter described).

4. The Ethics Commission orders, and the Respondent agrees to pay to the Ethics Commission, within thirty (30) days of the signing of this Stipulation and Agreement, a civil penalty of one thousand dollars (\$1,000).

Nancy Owen  
Respondent  
Nancy Owen

December 31, 1990  
Dated

Rabbi Michael Mintoff  
Chairperson  
State Ethics Commission

January 2, 1991  
Dated



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

C O N F I D E N T I A L

DOCKET NUMBER 90-7 ) STATE ETHICS COMMISSION  
IN THE MATTER OF A ) 97 ELM STREET (REAR)  
COMPLAINT AGAINST ) HARTFORD, CT 06106  
NANCY OWEN ) NOVEMBER 8, 1990

AMENDED COMPLAINT

COUNT ONE

1. At all times relevant to the complaint herein, Nancy Owen (hereinafter "the respondent") was a state employee as that term is defined in Conn. Gen. Stat. §1-79(m).

2. At all times relevant to the complaint herein, Linda Kowalski was a registrant as that term is defined in Conn. Gen. Stat. §1-91(q).

3. Pursuant to Conn. Gen. Stat. §1-84(j) no state employee shall accept any gift or gifts known to amount to fifty dollars or more in value in any calendar year from a person known to be a registrant, as such term is defined in §1-91(q), or anyone known to be acting on behalf of a registrant.

4. On June 16, 1989 Linda Kowalski purchased for the respondent a round-trip airline ticket costing \$398.00 for travel from New York, New York to Monterey, California.

5. The respondent used the ticket purchased for her by Ms. Kowalski, a person known to the respondent to be a lobbyist, to travel to Monterey, California on July 15, 1989 and to return to New York, New York on July 21, 1989.

6. The airline ticket purchased by the registrant for the respondent was a gift within the meaning of Conn. Gen. Stat. §§1-79(e) and 1-84(j).

7. The respondent's acceptance, from Linda Kowalski, of a gift of an airline ticket known to her to amount to fifty dollars or more in value violated Conn. Gen. Stat. §1-84(j).

8. On July 15, 16, 17, 18, 19 and 20, 1989, the respondent accepted from Linda Kowalski shared accommodations at the Monterey Sheraton Hotel.

9. The price of a double room at the Monterey Sheraton during the period in question was \$117.00 per day.

10. Pursuant to Regulations of Connecticut State Agencies §1-92-48(c)(2), the value of the accommodations provided by Linda Kowalski to the respondent was at least \$58.50 per day for each of the six days in question, for a total of at least \$351.00.

11. The accommodations provided by Linda Kowalski for the respondent were gifts within the meaning of Conn. Gen. Stat. §§ 1-79(e) and 1-84(j).

12. Each instance of the respondent's acceptance from Linda Kowalski of a gift of hotel accommodations known to her to amount to fifty dollars or more in value, and/or known to her to have been given after Ms. Kowalski had exceeded the \$49.99 gift limitation for the calendar year 1989, violated Conn. Gen. Stat. §1-84(j).


COUNT TWO

1. Paragraphs 1 - 3 of Count One are hereby incorporated as if more fully set forth herein.

4. On or about September 28, 1989 Linda Kowalski, on behalf of a client lobbyist, provided the respondent and three public officials with a chartered fishing boat trip which cost at least \$100.00 per person.

5. The fishing trip provided to the respondent and the three public officials constituted a gift within the meaning of Conn. Gen. Stat. §§1-79(e) and 1-84(j).

6. The respondent's acceptance, from a person known to her to be a lobbyist or to be acting on behalf of a lobbyist, of a fishing trip known to her to exceed \$50 in value, and/or known to her to have been given after the \$49.99 gift limitation had been exceeded for the calendar year 1989, violated Conn. Gen. Stat. §1-84(j).

  
Marianne D. Smith  
Staff Attorney

11/8/90  
Date