



STATE OF CONNECTICUT  
STATE ETHICS COMMISSION

86-4

# press release

December 15, 1986

PRESS RELEASE

On September 22, 1986, the Ethics Commission Investigator filed a complaint (Docket No. 86-4) against Peter F. Burns, Deputy Commissioner, Department of Economic Development. The Complaint alleged that Mr. Burns, in connection with his purchase of a 1985 Saab and the related trade-in of his 1982 Chevrolet, had violated a provision of the Code of Ethics for Public Officials which prohibits use of public office for personal financial gain.

On December 15, 1986, the Commission and Mr. Burns settled this matter by entering into a stipulation and order. A copy of the Agreement is attached.

Also on December 15, 1985, the Ethics Commission held hearings in the cases of lobbyists who allegedly had violated a provision of the Code of Ethics for Lobbyists by failing to file required financial disclosure reports in a timely fashion. The Commission's decisions and orders were as follows:

<u>Name</u>	<u>Decision</u>	<u>Civil Penalty</u>
Southwestern Area Commerce and In- dustry Association)	Violation (failure to timely file required report for the third quarter of 1986)	\$280.00
Mr. Harry Harris (Southwestern Area Commerce and Industry Association)	Violation (failure to timely file required report for the third quarter of 1986)	\$280.00

The \$280 civil penalty was the maximum allowed by law.

FOR FURTHER INFORMATION CALL:

Alan S. Plofsky, Esq.  
State Ethics Commission  
566-4472

Enclosure

Phone: (203) 566-4472  
30 Trinity Street • Hartford, Connecticut 06115  
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DOCKET NUMBER 86-4 ) STATE ETHICS COMMISSION  
IN THE MATTER OF A ) 97 ELM STREET (REAR)  
COMPLAINT AGAINST ) HARTFORD, CONN. 06106  
PETER F. BURNS ) DECEMBER 11, 1986

STIPULATION AND ORDER

1. The Respondent, Peter F. Burns, admits that he violated the Code of Ethics for Public Officials (Chapter 10, Part I, General Statutes) as alleged in the attached Complaint, but denies any intentional or wilful violation. The Respondent states that the violations in question were the result of inadvertence on his part.

2. The Commission finds that the violations were not intentional or wilful, but that the Respondent's actions in this matter were inappropriate for a public servant under the Code of Ethics for Public Officials.

3. The Respondent and the Commission agree that the amount of financial gain received by the Respondent as a result of his actions in this matter was approximately twenty-eight hundred dollars (\$2,800). This figure represents a discount of approximately twelve hundred dollars (\$1,200) received by the Respondent on the purchase of his 1985 Saab and a credit of approximately sixteen hundred dollars (\$1,600) over market trade-in value received by the Respondent as a result of the sale of his 1982 Chevrolet incident to his purchase of the Saab.

4. The Respondent, in settlement of this matter, agrees to donate, within sixty days of the date of this Stipulation and Order, the sum of twenty-eight hundred dollars (\$2,800) to the Connecticut Hospice Inc.

5. The Respondent waives any rights he may have under section 1-82, General Statutes, to a hearing on this case, and agrees with the State Ethics Commission to an informal disposition of this matter as authorized by subsection 4-177(d), General Statutes.

WHEREFORE, the State Ethics Commission enters, and Peter F. Burns agrees to, this order: In lieu of any other action it is authorized to take with respect to this matter, the Commission orders the Respondent to henceforth comply with the requirement

Stipulation and Order

Re: 86-4

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of subsection 1-84(c), General Statutes that "No public official...shall use his public office or position...to obtain financial gain for himself". In view of the Respondent's full cooperation in the investigation of this Complaint, his previous suspension by the Governor relative to this incident, and his charitable payment equal to the amount of improper financial gain received, the Commission imposes no additional penalty on the Respondent.

Pete F Burns  
Respondent

12/11/86  
Dated

Julie Peck  
Chairperson, State Ethics  
Commission

12/15/86  
Dated

CONFIDENTIAL

CONNECTICUT STATE ETHICS COMMISSION  
97 ELM STREET (REAR)  
HARTFORD, CONNECTICUT 06106  
TELEPHONE NUMBER 566-4472

86-4

COMPLAINT

THE STATE ETHICS COMMISSION ISSUES A COMPLAINT ALLEGING A VIOLATION OF:

xx THE CODE OF ETHICS FOR PUBLIC OFFICIALS AND STATE EMPLOYEES, CHAPTER 10, PART I, GENERAL STATUTES

THE CODE OF ETHICS FOR LOBBYISTS, CHAPTER 10, PART II, GENERAL STATUTES

TIME AND DATE MATTERS COMPLAINED OF OCCURRED: July/August 1985

PLACE VIOLATION OCCURRED: Various places in Connecticut as indicated by the allegations which follow

PERSONS INVOLVED: Peter F. Burns, Deputy Commissioner, Department of Economic Development

PROBABLE

WITNESSES: Mr. Robert Sinclair (and possibly other officials or employees of Saab-Scania of America); Mr. Stephen Barberino, Sr. (and possibly other officials or employees of Stephen World of Wheels); Mr. Howard Hecht (and possibly other officials or employees of West Haven Motors/Saab); Mr. John J. Carson, Commissioner, Department of Economic Development  
CIRCUMSTANCES WHICH INDICATE THAT THE CODE OF ETHICS DESIGNATED ABOVE WAS VIOLATED ARE AS FOLLOWS (A SHORT, PLAIN STATEMENT ALLEGING A VIOLATION OF CHAPTER 10, GENERAL STATUTES):

see over

(see attached)

(OVER)

000202

PROBABLE  
WITNESSES: (con't.) Development (or his designee)

115

*Allan S. Popky*  
\_\_\_\_\_  
SIGNATURE

9/22/86  
\_\_\_\_\_  
DATE

COMPLAINANT'S NAME AND ADDRESS: STATE ETHICS COMMISSION  
97 ELM STREET (REAR)  
HARTFORD, CT 06106

COMPLAINANT'S TELEPHONE NUMBER: 566-4472

It is hereby alleged that:

1. Mr. Peter F. Burns (hereinafter the "Respondent") is, and at all times relevant to this Complaint has been, Deputy Commissioner of the Connecticut State Department of Economic Development. By virtue of his State position, the Respondent is, and at all times relevant to this Complaint has been, a "Public Official" (1-79(j), General Statutes) subject to the requirements of the Code of Ethics for Public Officials (Chapter 10, Part I, General Statutes).

2. In July of 1985 the Respondent contacted Mr. Robert Sinclair, President of Saab-Scania of America, Inc. (hereinafter "S-S of A") in order to arrange for the purchase of a Saab through S-S of A's VIP sales program. (Said program is designed and operated to offer discounts on new and company used Saabs to certain select groups of individuals including "Trade Commissioners and similar positions").

3. The Respondent was acquainted with Mr. Sinclair, and knew of S-S of A's VIP sales program, by virtue of his State position as Deputy Commissioner of Economic Development. Specifically, as part of his official duties the Respondent previously had worked on various Departmental matters relating to S-S of A, and had met Mr. Sinclair and learned of the VIP Sales Program in the course of this work. Furthermore, at the time of their discussion (paragraph 2, above) both the Respondent and Mr. Sinclair were aware that S-S of A had received aid and assistance from the Department of Economic Development in the past, had an on-going relationship with the Department, and might well seek additional aid or assistance from the Department in the future.

4. As a result of the Respondent's contact with Mr. Sinclair (paragraph 2, above) the Respondent was allowed to purchase a company used 1985 Saab 900S from West Haven Motors, Inc./Saab on July 27, 1985 for a sale price of \$13,196.18 under a formula established by S-S of A for use in its VIP Sales Program.

5. In July of 1985 the Respondent contacted Mr. Stephen Barberino, Sr., President of Stephen World of Wheels, in order to arrange for the sale of the Respondent's 1982 Chevrolet Celebrity incident to the purchase of the Saab in question.

6. The Respondent was acquainted with Mr. Barberino by virtue of his State position as Deputy Commissioner of Economic Development. Specifically, as part of his official duties the

Respondent previously had worked on various Departmental matters relating to Hershey-Lake Compounce Associates, a business with which Mr. Barberino is associated as a limited partner, and had met Mr. Barberino in the course of this work. Furthermore, at the time of their discussion (paragraph 5, above) both the Respondent and Mr. Barberino were aware that Hershey-Lake Compounce Associates had benefitted from aid and assistance that the Department of Economic Development had given to the Hershey Entertainment and Resort Corporation (hereinafter "HERCO") incident to the renovation and reopening of Hershey-Lake Compounce in Bristol, Connecticut. Additionally, both were aware that HERCO had an on-going relationship with the Department, and might well seek additional aid or assistance from the Department in the future.

7. As a result of the Respondent's contact with Mr. Barberino (paragraph 5, above) Stephen Pontiac, Inc., a unit of Stephen World of Wheels, purchased the Respondent's 1982 Chevrolet Celebrity on August 6, 1985 from West Haven Motors, Inc./Saab for \$6,000. This sum had been credited previously to the Respondent's July 27, 1985 purchase of the Saab in question.

8. Considering the circumstances (paragraph 3, above) the Respondent's contact with Mr. Sinclair (paragraph 2, above) and his subsequent participation in the VIP Sales Program (paragraph 4, above) constituted use of his public office to obtain financial gain for himself in violation of subsection 1-84(c), General Statutes. Said financial gain being approximately \$1,500 (the difference between the retail market price for the Saab in question and the price actually paid by the Respondent under S-S of A's VIP Sales Program).

9. Considering the circumstances (paragraph 6, above) the Respondent's contact with Mr. Barberino (paragraph 5, above) and his subsequent acceptance of a \$6,000 credit for the sale of his Chevrolet (paragraph 7, above) constituted use of his public office to obtain financial gain for himself in violation of subsection 1-84(c), General Statutes. Said financial gain being approximately \$1,800 (the difference between the amount credited to the Respondent for his 1982 Chevrolet Celebrity and the average amount being paid for such cars as trade-ins at the time).