

98-3



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

May 27, 1998

PRESS RELEASE

On May 14, 1998, Ethics Commission Principal Attorney Brenda M. Bergeron filed an Amended Complaint against A. Robert Zeff and Bridgeport Jai Alai, Inc., alleging reporting, record keeping and gift violations of the Code of Ethics for Lobbyists, Conn. Gen. Stat. §1-91 et seq.

On May 27, 1998, the Ethics Commission and the Respondents settled this matter by entering into a Stipulation and Order which requires the Respondents to pay a civil penalty of \$15,000.

Copies of the Amended Complaint and the Stipulation and Order are attached.

FOR MORE INFORMATION CALL:

Alan S. Plofsky
Executive Director and General Counsel

or

Brenda M. Bergeron
Principal Attorney

566-4472

zeffpr



STATE OF CONNECTICUT
STATE ETHICS COMMISSION

DOCKET NUMBER 98-3

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT

A. ROBERT ZEFF AND

MAY 19, 1998

BRIDGEPORT JAI ALAI, INC.

d/b/a SHORELINE STAR GREYHOUND

PARK AND ENTERTAINMENT COMPLEX

STIPULATION AND ORDER

The Commission finds that the Respondents violated the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq., and the Code of Ethics for Lobbyists, Conn. Gen. Stat. §1-91 et seq., as described in the Second Amended Complaint dated May 14, 1998. The Commission further finds that the alleged violations described in Counts Two, Three and Four were unintentional. These findings are made solely on the basis of the Commission's staff investigation into this matter, and are not to be used as evidence or deemed to prejudice any subsequent civil, criminal, licensing or administrative proceeding with respect to the Respondents.

Pursuant to Connecticut General Statutes §4-177(c), the State Ethics Commission and the Respondents agree to settle this matter in the manner described below:

1. The Respondents neither admit nor deny the allegations contained in the Amended Complaint. Respondents state that they relied on private legal counsel in filing their lobbyist financial reports with the Ethics Commission, at all times believed that they reported all that was required by law, and that they otherwise did not knowingly or intentionally violate any provision of Title 1 of the Connecticut General Statutes or regulations adopted thereunder.

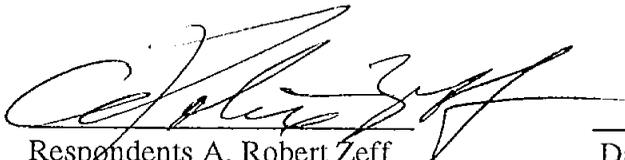
2. The Respondents waive any rights they may have under Conn. Gen. Stat. §§1-93, 1-93a, 1-98 and 1-80, including any right to a hearing or appeal in this case, and agree with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. §4-177(c).

WHEREFORE, the State Ethics Commission enters and the Respondents agree to the following order in lieu of any other action regarding this matter:

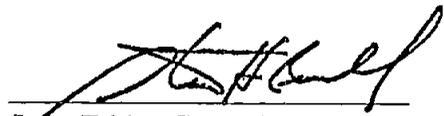
1. The Respondents agree to pay \$2000.00 to the State Ethics Commission in connection with the Muska matter as set forth in Count One of the Amended Complaint, and \$13,000.00 to the State Ethics Commission allocated as follows: (a) \$7000 in connection with the client lobbyist reports and maintenance of substantiating documents for 1995 as set forth in Counts Two, Three and Four of the Amended Complaint; (b) \$4000 in connection with the client lobbyist financial reports and maintenance of substantiating documents for 1996 as set forth in Counts Three and Four of the Amended Complaint; and (c) \$2000 in connection with the maintenance of substantiating documents for 1997 as set forth in Count Four of the Amended Complaint. Respondents agree that payments will be made in six monthly installments of \$2500 each, commencing within thirty days of the signing of this Stipulation and Order.

2. The Respondents agree to establish a system, to the extent that one does not already exist, for calculating and reporting expenditures made in furtherance of lobbying, including expenditures for the benefit of public officials. The Respondents agree to provide proof of the establishment and implementation of this system upon request of the State Ethics Commission. The Respondents further agree henceforth to comply with the Codes of Ethics.

3. The Ethics Commission and the Respondents agree that the foregoing terms and provisions of this Stipulation and Order constitute their entire Agreement.


Respondents A. Robert Zeff
and Bridgeport Jai Alai, Inc., by
A. Robert Zeff, Its President

5/20/98
Dated


State Ethics Commission
By: Stanley Burdick
Its Chairperson

5/27/98
Dated

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STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 98-3

STATE ETHICS COMMISSION

IN THE MATTER OF A

20 TRINITY STREET

COMPLAINT AGAINST

HARTFORD, CT 06106

A. ROBERT ZEFF AND
BRIDGEPORT JAI ALAI, INC.
d/b/a SHORELINE STAR GREYHOUND
PARK AND ENTERTAINMENT COMPLEX

MAY 14, 1998

AMENDED COMPLAINT

COUNT ONE

1. In 1995 and 1996, the Respondent Bridgeport Jai Alai, Inc. was a registered lobbyist, or registrant, as those terms are used in the Code of Ethics for Lobbyists, Conn. Gen. Stat. §1-91 et seq., and the Code of Ethics for Public Officials, Conn. Gen. Stat. §1-79 et seq.
2. At all times relevant herein, the Respondent A. Robert Zeff was the President of Bridgeport Jai Alai, Inc., which also does business as Shoreline Star Greyhound Park and Entertainment Complex. In 1997, Mr. Zeff was also a registered lobbyist.
3. At all times relevant herein, the Respondents had matters pending before, and/or were regulated by, the Gaming Policy Board. Such matters included the question of whether to waive a background investigation of Respondent Zeff and the scheduling and hours of operation for Bridgeport Jai Alai and its competitors.
4. At all times relevant herein, Francis J. Muska, Jr. was the chairman of the Gaming Policy Board and Vice President for Student and External Affairs at Western Connecticut State University and was therefore both a state employee and a public official as those terms are used in the Code of Ethics for Public Officials and the Code of Ethics for Lobbyists.
5. At all times relevant herein, Connecticut General Statutes §1-97 stated in part that "no registrant or anyone acting on behalf of a registrant shall knowingly give to any state employee or public official . . . any gift or gifts that amount to fifty dollars or more in value in the aggregate in any calendar year."

6. At all times relevant herein, Connecticut General Statutes §1-84(m) prohibited any person from knowingly giving, directly or indirectly, any gift or gifts known to amount to, at all times relevant herein, fifty dollars or more in value in a year to a public official or state employee if the person is engaged in activities which are directly regulated by the official's or employee's department or agency. At all times relevant herein, Conn. Gen. Stat. §1-84(m) also prohibited the giving of such gifts by any person who has financial interests which may be substantially affected by the performance or nonperformance of official duties by the public official or state employee.

7. From April 24, 1996 to April 27, 1996, the Respondent A. Robert Zeff traveled with Francis J. Muska, Jr. on a trip to Las Vegas, Nevada.

8. Dr. Muska's ground transportation, including round-trip transportation to and from JFK Airport, lodging (which was complimentary) and at least two meals, all valued at a total of approximately \$500, were provided by or on behalf of the Respondents A. Robert Zeff and/or Bridgeport Jai Alai, Inc. Any out-of-pocket expenditures in connection with Dr. Muska were made by Respondent Bridgeport Jai Alai, Inc.

9. The provision by or on behalf of the Respondents of each and every item worth over \$50 to Dr. Muska in 1996 violated Conn. Gen. Stat. §§1-84(m) and 1-97.

COUNT TWO

1-4. Paragraphs One through Four of Count One are hereby incorporated as Paragraphs One through Four of Count Two.

5. Connecticut General Statutes §1-96(e) in part requires a client lobbyist to include in its financial reports an itemized statement of each expenditure of ten dollars or more for the benefit of a public official in the legislative or executive branch, or a member of his or her staff.

6. On occasion in 1995 and 1996, including in connection with the trip described in Count One, the Respondents expended ten dollars or more for the benefit of a public official, but did not report same to the Ethics Commission.

7. Each and every failure to itemize is a violation of Conn. Gen. Stat. §1-96(e).

COUNT THREE

1-2. Paragraphs One and Two of Count One are hereby incorporated as Paragraphs One and Two of Count Three.

3. Connecticut General Statutes §1-96(e) in part requires client lobbyists to file periodic financial reports which accurately reflect the lobbyists' expenditures for lobbying and in furtherance of lobbying.
4. Although the Respondent Bridgeport Jai Alai, Inc. filed the required periodic financial reports in 1995 and 1996, the reports omit certain expenditures which were made for lobbying and in furtherance of lobbying, including expenditures in furtherance of administrative lobbying.
5. Each and every failure to report expenditures made by the Respondent Bridgeport Jai Alai, Inc. in 1995 and 1996 constitute a violation of Conn. Gen. Stat. §1-96(e).

COUNT FOUR

- 1-2. Paragraphs One and Two of Count One are hereby incorporated as Paragraphs One and Two of Count Four.
3. Under Conn. Gen. Stat. §1-96a and Regulations of Connecticut State Agencies §1-92-55, a registrant must maintain all documents necessary to substantiate the financial reports required by §1-96, including substantiation of each expenditure for the benefit of a public official of ten dollars or more. The registrant must preserve for three years from the date of the report all documents which will provide in sufficient detail the necessary information from which the financial reports may be verified, explained, clarified and checked for accuracy and completeness.
4. In 1995, 1996, and 1997, the Respondents failed to keep each and every record necessary to substantiate and verify whether their expenditures were for the benefit of a public official.
5. Failure to keep each and every record necessary to substantiate and verify such expenditures is a violation of Conn. Gen. Stat. §1-96a.

5/14/98
Dated


Brenda M. Bergeron
Ethics Commission Attorney

Zeffcomp