

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by
the Office of the Secretary of the State

RESPONDENT
Kurt Christensen, Treasurer
East Hartford Republican Town Committee
135 Cambridge Drive
East Hartford, CT 06118

File No. 2007-136NF

July 18, 2007

FINAL DECISION

The undersigned heard the above-captioned matter as a contested case on April 30, 2007 pursuant to Chapter 54 of the Connecticut General Statutes, §9-7b (a) (2) of the Connecticut General Statutes and §9-7b-35 of the Regulations of Connecticut State Agencies. Attorney Shannon Bergquist appeared for the State of Connecticut and presented testimony, documentary evidence and argument on the matter. Respondent Kurt Christensen did not appear despite sufficient notice.

After consideration of the entire record, the following facts are found and conclusions of law are made:

1. It is found that Respondent Kurt Christensen was the treasurer of the East Hartford Republican Town Committee on October 31, 2006, and that he accepted the appointment and designation as treasurer on July 23, 2005 according to the party committee registration filed on behalf of such committee with the Office of the Secretary of the State.
2. It is concluded that Section 9-333j (a), Connecticut General Statutes, prescribes the timetable for treasurers of committees to file campaign disclosure statements of receipts and expenditures at various times during the calendar year. It is further concluded that the Respondent, as treasurer of a party committee, was required to file such a campaign disclosure statement with the Office of the Secretary of the State on the seventh day preceding each regular election, in accordance with section 9-333j (a) (1) (B), Connecticut General Statutes.
3. It is found that a regular election was held in the State of Connecticut on November 7, 2006, and that therefore the Respondent was required to file such campaign disclosure statement on October 31, 2006.
4. It is further found that Nancy M. Staniewicz, Elections Officer of the Office of the Secretary of the State, while not legally required to do so, sent prior written notice to all treasurers required to file on October 31, 2006, including the Respondent.
5. It is found that the Respondent failed to file such campaign finance statement by the statutory deadline.

6. It is further found that on November 13, 2006, Ms. Staniewicz sent notice by certified mail to the Respondent concerning his failure to file such campaign disclosure statement. (State's Exhibit 4). This notice indicated that if the Respondent's campaign disclosure statement was not postmarked or received by the Office of the Secretary of the State within 21 days thereof, Section 9-333y required Ms. Staniewicz to refer the matter to the State Elections Enforcement Commission.
7. It is further found that the Respondent did not respond to the notice, and did not comply with the directive in the notice.
8. It is concluded that the respondent violated Sections 9-333j and 9-333y by failing to file such campaign disclosure statement by the October 31, 2006 deadline.
9. It is found that on December 6, 2006, Ms. Staniewicz referred this matter to the State Elections Enforcement Commission for further action, as she was required to do.
10. It is found that the staff member of the State Elections Enforcement Commission made several attempts to obtain compliance and the mandatory minimum penalty from the Respondent, but those attempts were unavailing.
11. Accordingly, the State Elections Enforcement Commission, at a meeting held April 11, 2007 voted to find reason to believe that the Respondent violated Sections 9-333j and 9-333y by his failure to file, thus commencing the instant contested case hearing.
12. It is found that the Respondent did file the required campaign disclosure statement that was due on January 10, 2007 but did not, and has not filed the statement that is subject of the instant case.
13. It is further found that the Respondent was replaced as treasurer of the East Hartford Republican Town Committee on or about February 8, 2007.
14. The Regulations of Connecticut State Agencies §9-7b-48 provides that in its determination of the amount of a civil penalty, the Commission shall consider the following factors, among other mitigating or aggravating circumstances:
 - (1) the gravity of the act or omission;
 - (2) the amount necessary to insure immediate and continued compliance;
 - (3) the previous history of similar acts or omissions; and
 - (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.
15. It is found that failing to provide the public with *any* disclosure of the financial activities of a party committee for the period preceding a regular election is a serious offense.
16. It is found that the imposition of a significant civil penalty is necessary to ensure immediate and continued compliance.
17. It is found that Respondent Kurt Christensen has had no prior violations of this nature.

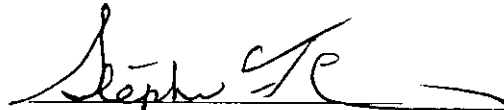
18. It is found that the Respondent made no good faith attempt to resolve this matter, and demonstrated his disrespect and disregard for the requirements by his failure to even respond to the notice of hearing.

ORDER

The following order is adopted on the basis of these findings and conclusions:

1. The Respondent is *reprimanded* and shall pay a civil penalty of five hundred dollars (\$500.00) to the Commission, within thirty days of the adoption of this decision.
2. The Respondent shall submit a campaign disclosure statement covering the applicable period for the October 31, 2006 filing deadline.

Adopted this 18th day of July, 2007 at Hartford, Connecticut by vote of the Commission.



Stephen F. Cashman, Chairman
By Order of the Commission

I certify the preceding notice and final decision were sent to Respondent Kurt Christensen, 135 Cambridge Drive, East Hartford, CT 06118, First-Class Mail on July 18, 2007 via first-class mail with delivery confirmation tracking and receipt, and certified mail.



Lois E. Blackburn
Clerk of the Commission