

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Pamela Viens, Columbia

File No. 2012-121

FINDINGS AND CONCLUSIONS

The Complainant filed this Complaint pursuant to Connecticut General Statutes § 9-7b. The Complainant alleges that the Friends of Saxton B. Little Free Library spent funds in August of 2012 for a sign promoting the success of a referendum question without any form of registration or filing with the Columbia Town Clerk's office as of August 22, 2012.

After an investigation of the Complaint, the Commission makes the following findings and conclusions:

1. At all times relevant hereto, Friends of Saxton B. Little Free Library (the "Friends") was a corporation.
2. The Friends filed an Independent Expenditure Statement (SEEC Form 26) with the Columbia Town Clerk on October 1, 2012 (the "Statement"). The Statement reports that the Friends spent more than \$1,000.00 for promoting the success of a referendum question to be determined on November 6, 2012 and concerning bonding for the town library expansion.
3. The Statement reports expenditures for a sign made in August 2012. The Friends have confirmed that the August 6, 2012 expenditure and the August 29, 2012 expenditure so reported represent expenditures for the sign at issue in the instant complaint.
4. General Statutes § 9-601 (19) provides:

"Entity" means the following, whether organized in this or any other state: An organization, *corporation*, cooperative association, limited partnership, professional association, limited liability company, and limited liability partnership. [Emphasis added.]

5. General Statutes § 9-601b (a) (1), defining "expenditure" for purposes of Chapter 155 (Campaign Financing), provides in relevant part:

Any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, when made for the purpose of influencing the nomination for election, or election, of any person or for the purpose of aiding or *promoting the success or defeat of any*

referendum question or on behalf of any political party; [Emphasis added.]

6. General Statutes § 9-612 (e) (1), setting forth certain requirements for independent expenditure reporting concerning referendum questions, reads, in relevant part:

Any individual, entity or committee acting alone may make unlimited independent expenditures. Except as provided in subdivision (2) of this subsection, any such individual, entity or committee that makes or obligates to make an independent expenditure or expenditures in excess of one thousand dollars, in the aggregate, shall file statements according to the same schedule and in the same manner as is required of a campaign treasurer of a candidate committee under section 9-608.

7. General Statutes § 9-608 (a) (1), setting forth the filing schedule for campaign treasurers of candidate committees, provides, in relevant part:

Each campaign treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, (A) *on the tenth calendar day in the months of January, April, July and October....* [Emphasis added.]

8. The Commission finds that the Friends of the Library was a corporation and, as such, an “entity” as that term is defined in General Statutes § 9-601 (19).
9. The Commission concludes that, as the expenditures at issue were made in August for a referendum question scheduled for November 6, 2012, the next reporting date prescribed in General Statutes § 9-608 (a) (1) was October 10, 2012.
10. Accordingly, the Commission concludes that the expenditures at issue were appropriately reported on the Statement filed with the Columbia Town Clerk of October 1, 2012 and due to be filed with such clerk on October 10, 2012.

ORDER

The following Order is recommended on the basis of the aforementioned findings:

That no further action be taken.

Adopted this 14 th day of November, 2012 at Hartford, Connecticut.



Stephen F. Cashman, Chairperson
By Order of the Commission