

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. Audit Report for *Dauplaise for Connecticut*

File No. 2014-014

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between David Stein, City of Stamford, State of Connecticut, hereinafter referred to as Respondent Stein, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. Also referenced in this consent agreement is Daniel D. Dauplaise, City of Stamford, State of Connecticut, hereinafter referred to as Respondent Dauplaise. The matter against Respondent Dauplaise will be resolved separately. In accordance herewith, the parties agree that:

1. The Commission initiated an investigation into whether Respondent Dauplaise, a candidate to represent the 36th district in the Connecticut State Senate, and/or his candidate committee campaign treasurer, Respondent Stein, violated General Statutes §§ 9-607, 9-608, CEP program statutes, regulations or requirements based up on information discovered during the audit of the *Dauplaise for Connecticut* candidate committee.
2. The Commission performed an in-depth review of the expenditures of the *Dauplaise for Connecticut* candidate committee after the committee's selection in the random audit lottery conducted following the 2012 election cycle. Respondent Dauplaise established the committee in 2012 to support his nomination for election as a senator to represent the 36th state senate district.¹ The committee opted to participate in the Citizens' Elections Program.² The Commission issued a grant from the Citizens Election Fund totaling \$91,659 on October 16, 2012.³

¹ See SEEC Form 1 – Registration of Candidate Committee (*Dauplaise for Connecticut*, May 2, 2012) (reflecting establishment of candidate committee by Daniel D. Dauplaise and appointment of David Stein as treasurer).

² See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Dauplaise for Connecticut*, Sept. 13, 2012) (reflecting intent of candidate and treasurer to participate in Citizens' Election Program and follow voluntary program rules).

³ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Second Additional Itemized Statement in the Support of Application for Public Grant (*Dauplaise for Connecticut*, Oct. 19, 2012) (reporting grant received from Citizens' Election Fund for major party candidate running in general election). *N.B.* This filing was likely misnamed, as it should have probably have been "Second Weekly Supplemental Filing General Election," since the form included reporting of receipt of a grant from the Citizens' Election Fund.

3. The audit of the candidate committee showed that the candidate committee hosted a post-election party after the 14-day timeframe within which such post-election parties must occur under General Statutes § 9-608 (e) (1) (F).⁴
4. The 2012 General Election occurred on Nov. 6, 2012. On December 15, 2012, the candidate committee paid The Palms in Stamford \$1,000 for a thank-you event for volunteers.⁵ According to information supplied by the treasurer, the event was held on December 15 because of “scheduling issues.”⁶ The treasurer went on to state that approximately 20 people attended the event and that he was unaware that the statute required candidate committees to hold such events within 14 days of the election.⁷
5. The December 15 thank-you party was not held within the 14 days required under General Statutes § 9-608 (e) (1) (F). Qualified candidate committees must hold these parties within 14 days of the election, which would have been no later than November 20 in 2012. The candidate bears the sole liability to repay any impermissible payments made by his candidate committee.⁸
6. Respondents acknowledge that the post-election event occurred after the deadline specified in Connecticut’s campaign finance statutes but state that they were unaware of the 14-day timeframe and that this violation was unintentional.
7. Respondents admit all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered into after a full hearing and shall become final when adopted by the Commission.
8. Respondents waive:
 - a) Any further procedural steps;

⁴ See General Statutes § 9-608 (e) (1) (F) (“The treasurer of a qualified candidate committee may, following an election or unsuccessful primary, provide a post-primary thank you meal or a post-election thank you meal for committee workers, provided such meal (i) occurs not later than fourteen days after the applicable election or primary day, and (ii) the cost for such meal does not exceed thirty dollars per worker;”) see also Regulations, Connecticut State Agencies, § 9-706-3 (b) (14) (prohibiting qualified candidate committee from spending funds in bank account for any “[e]xpenditures in violation of a federal, state or local law.”)

⁵ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: January 10 Filing (*Dauplaise for Connecticut*, Jan. 5, 2012) (reflecting post-election party for volunteers on December 15, 2012).

⁶ See Letter from David Stein to Charles Urso (March 26, 2014) (recounting circumstances surrounding December 15 thank you event for volunteers).

⁷ *Id.*

⁸ General Statutes § 9-703 (a) (2) (requiring candidate to repay any funds that were not expended in accordance with General Statutes § 9-607 (g) and regulations adopted by Commission related to expenditures for qualified candidate committees).

- b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
9. Upon the Respondents' agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against them concerning this matter or any other findings that appear in the Final Audit Report for the 2012 *Dauplaise for Connecticut* candidate committee.
10. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondents in any subsequent hearing, if the same becomes necessary.

ORDER

IT IS HEREBY ORDERED THAT the Respondent David Stein henceforth shall strictly comply with restrictions on payments for post-election parties for candidate committees participating in the Citizens' Election Program.

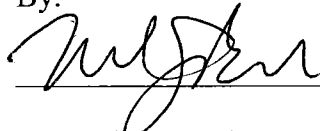
The Respondent

For the State of Connecticut

By:



By:



David Stein
83 Boulder Brook Dr.
Stamford, CT 06903

Michael J. Brandi, Esq.
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
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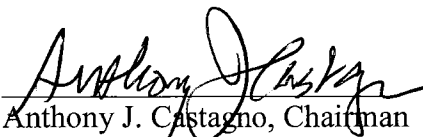
Dated: _____

8/29/16

Dated: _____

9/12/16

Adopted this 14 day of SEPT, 2016 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission