

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Harold B. Hatch,
Stafford Springs

File No. 2015-152

AGREEMENT CONTAINING CONSENT ORDER

This agreement, by and between Salverio P. Titus, of the Town of Stafford, County of Tolland, State of Connecticut (hereinafter "Respondent"), and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. Complainant filed this complaint alleging that Respondent as Stafford Republican Town Committee ("SRTC") treasurer violated General Statutes § 9-606 by serving both as SRTC treasurer and appearing as a candidate for Stafford Board of Finance on a slate of candidates solely funded by the SRTC for the November 3, 2015 municipal election in Stafford.
2. By way of background, Respondent has been SRTC treasurer since November 24, 2014 when the SRTC filed an amended *Party Committee Registration* (SEEC Form 2) with the Commission. The Respondent has no prior case history with the Commission.
3. At all times relevant to the filing of this complaint Respondent was a candidate for Board of Finance at the November 3, 2015 municipal election in the Town of Stafford. This Complaint was filed with the Commission on October 30, 2015 pertaining to the aforementioned election and candidacy.
4. General Statutes, §9-602, provides in pertinent part:
 - (a) Except with respect to an individual acting alone, or with respect to a group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars in the aggregate, no contributions may be made, solicited or received and no expenditures may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, unless (1) the candidate or chairman of the committee has filed a designation of a campaign treasurer and a depository institution situated in this state as the depository for the committee's funds, or (2) the candidate has filed a certification in accordance with the provisions of section 9-604. ...

5. General Statutes, §9-604, provides in pertinent part:

...

(b) The formation of a candidate committee by a candidate and the filing of statements pursuant to section 9-608 shall not be required if the candidate files a certification with the proper authority required by section 9-603, not later than ten days after becoming a candidate, and any of the following conditions exist for the campaign: ***(1) The candidate is one of a slate of candidates whose campaigns are funded solely by a party committee or a political committee formed for a single election or primary and expenditures made on behalf of the candidate's campaign are reported by the committee sponsoring the candidate's candidacy;***

...

6. General Statutes, §9-606, provides in pertinent part:

...

(d) No person shall act as a campaign treasurer or deputy campaign treasurer unless the person is an elector of this state, and a statement, signed by the chairman in the case of a party committee or political committee or by the candidate in the case of a candidate committee, designating the person as campaign treasurer or deputy campaign treasurer, has been filed in accordance with section 9-603. In the case of a political committee, the filing of a statement of organization by the chairman of the committee, in accordance with the provisions of section 9-605, shall constitute compliance with the filing requirements of this section. No provision of this subsection shall prevent the campaign treasurer, deputy campaign treasurer or solicitor of any committee from being the campaign treasurer, deputy campaign treasurer or solicitor of any other committee or prevent any committee from having more than one solicitor, but no candidate shall have more than one campaign treasurer. ***A candidate shall not serve as the candidate's own campaign treasurer or deputy campaign treasurer, except that a candidate who is exempt from forming a candidate committee under subsection (b) of section 9-604 and has filed a certification that the candidate is financing the candidate's campaign from the candidate's own personal funds or is not receiving or expending in excess of one thousand dollars may perform the duties of a campaign treasurer for the candidate's own campaign.*** [Emphasis added.]

7. The Commission has prior cases regarding alleged violations of General Statutes § 9-606 (d) (formerly § 9-333h (d)) and the prohibition against an individual serving as their own treasurer. Specifically, such cases have included town committee treasurers who designate that same party committee to be the funding sources of their campaigns. *See In the Matter of a Complaint by Steve L. Smock*, Baltic, File No. 2005-261 and *In the Matter of a Complaint by Katherine G. Grace*, Beacon Falls, File No. 2005-282. In each instance, the Commission has consistently found that individuals cannot at the same time serve as party (town) committee treasurers *and* designate such committees as their funding sources for an election. *Id.*
8. The Commission further notes that, prior to the November 2015 election, the Commission reiterated its long standing application of the prohibition against a candidate serving as their own treasurer in *A Guide for Party Committees* where it warned, that a candidate who serves as a treasurer of a town committee and authorizes that party committee to serve as their funding source for an election “...*must immediately resign as treasurer.*” Furthermore, the Commission instructed that the candidate “...*may not resume the position of town committee treasurer ... until he or she ceases to be a candidate.*” *See* State Elections Enforcement Commission, *A Guide for Party Committees*, (Rev. 5/13) at page 6.
9. Upon investigation, it was determined that Respondent filed a *Certification of Exemption From Forming a Candidate Committee* (SEEC Form 1B) on July 29, 2015 with the Stafford Town Clerk indicating that he was one of a slate of candidates whose campaign was solely funded by the SRTC. Further, the Commission finds that Respondent filed his notice of his resignation as treasurer of the SRTC with the Stafford Town Clerk’s office on September 9, 2015.
10. The Commission finds therefore that Respondent remained treasurer of the SRTC for approximately 40 days after he designated the SRTC his sole funding vehicle for the November 3, 2015 election.
11. Finally, the Commission finds that: (1) Respondent resigned his position as SRTC treasurer *prior* to the November 3, 2015 election; (2) Respondent resigned the aforementioned position *prior* to the filing of this complaint on October 30, 2015; and (3) the SRTC had minimal receipts and expenditures during the forty day period that Respondent was simultaneously SRTC treasurer and a member of the slate that the SRTC funded for the November 3, 2015 municipal election.

12. The Commission concludes that Respondent violated General Statutes § 9-606 (d) pertaining to his candidacy for Board of Finance and membership on a slate of candidates funded by the SRTC at the November 3, 2015 election in Stafford.
13. The Respondent admits all jurisdictional facts and agrees that this agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
14. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission by either party in any subsequent hearing, if the same becomes necessary.
15. The Respondent waives:
 - (a) Any further procedural steps;
 - (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.
16. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent pertaining to this matter.

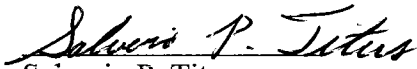
ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth strictly comply with General Statutes § 9-606 (d).

The Respondent:

For the State of Connecticut:

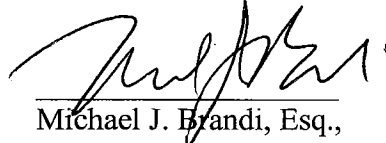
BY:



Salverio P. Titus
8 Murphy Road
Stafford Springs, Connecticut

Dated: 4/22/2016

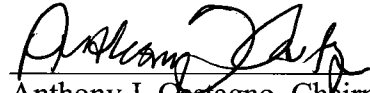
BY:



Michael J. Brandi, Esq.,
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street, Suite 101
Hartford, Connecticut

Dated: 4/27/16

Adopted this 11th day of May, 2016 at Hartford, Connecticut



Anthony J. Castagno, Chairman
By Order of the Commission

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STATE ELECTIONS

APR 26 2016

ENFORCEMENT COMMISSION