

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Ronald C. Eleveld,  
Windsor

File No. 2016-054

**AGREEMENT CONTAINING CONSENT ORDER**

This agreement by and between Darlene Clark Klase, of the Town of Windsor, County of Hartford, 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. At all times relevant to this complaint, Respondent was the treasurer of the Windsor Democratic Town Committee ("WDTC").
2. Complainant alleged that certain individuals and groups violated campaign finance laws by advocating for the June 7, 2016 referendum in the Town of Windsor by, among other things, using public funds for advocacy; by failing to register as a referendum committee with the Windsor Town Clerk's office and by failing to provide disclaimers on signs and social media sites that advocated for the referendum.
3. Specifically, Complainant alleged that: Respondent, as treasurer of the WDTC, spent \$2,000.00 with other individuals and groups, to advocate for a "yes" vote at the June 7, 2016 referendum without registering a referendum committee in violation of General Statutes §9-602.
4. To the extent that Complainant's allegations pertain to individuals other than Respondent, they are treated under separate dispositions.
5. 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, other than independent 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 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. In the case of a political committee, the filing of the statement of organization by the chairman of such committee, in accordance with the provisions of section 9-605, shall constitute compliance with the provisions of this subsection. ...

6. General Statutes § 9-607, provides in pertinent part:

(g) (1) As used in this subsection, (A) "the lawful purposes of the committee" means: (i) For a candidate committee or exploratory committee, the promoting of the nomination or election of the candidate who established the committee, except that after a political party nominates candidates for election to the offices of Governor and Lieutenant Governor, whose names shall be so placed on the ballot in the election that an elector will cast a single vote for both candidates, as prescribed in section 9-181, a candidate committee established by either such candidate may also promote the election of the other such candidate; (ii) for a political committee, the promoting of a political party, including party building activities, the success or defeat of candidates for nomination and election to public office or position subject to the requirements of this chapter, or the success or defeat of referendum questions, provided a political committee formed for a single referendum question shall not promote the success or defeat of any candidate, and provided further a legislative leadership committee or a legislative caucus committee may expend funds to defray costs for conducting legislative or constituency-related business which are not reimbursed or paid by the state; and ***(iii) for a party committee, the promoting of the party, party building activities, the candidates of the party and continuing operating costs of the party***, and (B) "immediate family" means a spouse or dependent child of a candidate who resides in the candidate's household.

[Emphasis added.]

7. As an initial matter, the Commission concludes that the WDTC, as a political (town) committee, was *not* required to register as a political group pursuant to General Statutes § 9-602 in connection with its expenditures to advocate for the June 7, 2016 referendum.

8. The Commission therefore dismisses Complainant's allegation that the WDTC violated General Statutes § 9-602 by failing to register as a committee relating to its expenditures regarding the June 7, 2016 Windsor referendum.
9. Additionally, after investigation, the Commission finds that Ms. Jane M. Garibay was the agent of an entity known as *Women for Windsor*. Further, the Commission finds Ms. Garibay was responsible for the organization and maintenance of this group through use of social media such as Facebook and a website.
10. The Commission finds that *Women for Windsor* established a bank account in June of 2013. The Commission notes that the formation of *Women for Windsor* predated the June 7, 2016 Windsor referendum that is the subject of this complaint and finds a lack of evidence that the group was formed solely to support or oppose a referendum.
11. The Commission, upon investigation, finds that WDTC spent \$2,037.15 to advocate for the June 7, 2016 referendum that included the purchase of "*Vote Yes signs, Vote Yes stickers, postage, banner ads in the Windsor Journal, robocall and predictive dialer time and Voter Yes postcards.*" Furthermore, the Commission finds that the WDTC made an expenditure in the amount of \$1,157.15 to reimburse *Women for Windsor* pertaining to the latter's expenditures advocating for the June 7, 2016 referendum.
12. General Statutes § 9-607 provides that the WDTC, as a party (town) committee, can make permissible expenditures for "...*promoting of the party, party building activities, the candidates of the party and continuing operating costs of the party.*" The Commission concludes that the WDTC expenditure to reimburse *Women for Windsor* for costs pertaining to the June 7, 2016 referendum was not a permissible expenditure pursuant to General Statutes § 9-607 (g).
13. More specifically, the Commission concludes that WDTC's expenditure in the amount of \$1,157.15 to reimburse *Women for Windsor*, a non-registered entity, was not a permissible expenditure pursuant to General Statutes § 9-607 (g). The Commission therefore concludes that Respondent, as treasurer of the WDTC, violated § 9-607 by authorizing the expenditure as detailed herein.

14. The Commission deems the remittance by the WDTC of \$750.00, in proportion to its total expenditure, as appropriate and necessary to put Respondent and the WDTC on notice of the requirements of making permissible expenditures pursuant to General Statutes § 9-607g and to ensure that the WDTC meets such requirements moving forward. The WDTC for its part represents that its actions in this matter were made in good faith.
15. 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 into after a full hearing and shall become final when adopted by the Commission.
16. 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.
17. It is understood and agreed by the parties to this agreement that the Commission will consider this Agreement at its next available meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by either party in any subsequent hearing, if one becomes necessary.

**ORDER**

IT IS HEREBY ORDERED THAT the Respondent shall henceforth strictly comply with the requirements of General Statutes § 9-607 (g).

IT IS HEREBY FURTHER ORDERED THAT the Respondent shall cause the WDTC to remit to the State of Connecticut ~~one thousand one hundred fifty seven dollars and fifteen cents (\$1,157.15)~~ to the Commission on or before April 17, 2017. *Seven hundred fifty dollars \$750.<sup>00</sup>*  
*BOW Treasurer*

The Respondent:

For the State of Connecticut:

BY:

*Darlene Clark Klase*

Darlene Clark Klase  
318 Hitching Post Lane  
Windsor, Connecticut

Dated: 4/6/17

BY:

*Michael J. Brandi*

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: 4/19/17

Adopted this 19<sup>th</sup> day of April, 2017 at Hartford, Connecticut

*Salvatore A. Bramante*

~~Anthony J. Castagno~~, Chairman  
By Order of the Commission

*Salvatore A. BRAMANTE Vice*

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APR 11 2017

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