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ENFORCEMENT
COMMISSION

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
John Kisluk, Plainville

File No. 2007-344

AGREEMENT CONTAINING HENCEFORTH ORDER
FOR VIOLATIONS OF
CONNECTICUT GENERAL STATUTES § 9-621

This agreement, by and between Andre Grandbois, Scott Saunders, Deborah Tompkins, and Thomas Arcari (hereinafter referred to as "the Respondents"), of the Town of Plainville, County of Hartford, State of Connecticut and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut.

In accordance herewith, the parties agree that:

1. Respondents were candidates seeking the Republican nomination for Town Council in the September 11, 2007 Plainville Republican primary.
2. All four respondents individually and separately filed Registration by Candidate (SEEC Form 1) with the Plainville Town Clerk and checked off the data box indicating that they were exempt from forming a candidate committee. All four respondents individually and separately filed a "*Certification of Exemption from Forming a Candidate Committee*" (SEEC Form 1B), and checked off the data box indicating that they did not intend to receive or expend funds in excess of one thousand dollars.
3. The Respondents disseminated approximately one thousand flyers and one thousand palm cards that solicited votes for their candidacies as handouts. The flyer does not have an attribution indicating who paid for it however it does have the names of all four respondents at the end of the flyer. The palm card says that it was "Paid For By The Above True Republicans," and lists the names of all four respondents and their individual phone numbers. The Respondents each paid their pro rata share of the production of the flyers and the palm cards.
4. General Statutes § 9-621 provides in pertinent part:
 - (a) No individual shall make or incur any expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, and **no candidate or committee shall make or incur any expenditure for any written, typed or other printed communication**, or any web-based, written communication, **which promotes the success or defeat of any candidate's campaign for**

nomination at a primary or election or solicits funds to benefit any political party or committee unless such communication bears upon its face (1) the words "paid for by" and the following: (A) In the case of such an individual, the name and address of such individual . . . and (2) the words "approved by" and the following: (A) In the case of an individual making or incurring an expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, the name of such individual. . . .

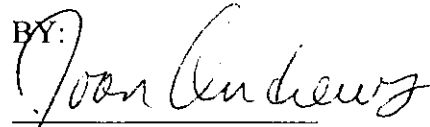
5. Accordingly, the flyers and the palm cards should have contained the attribution "paid for by" and the name and address of each of the four Respondents; and the words "approved by."
6. Complainant alleged that the Respondents were required to form a political committee in connection with their actions however the Respondents were not required to form a political committee because they properly filed certifications of exemption in accordance with § 9-604, General Statutes, as described in paragraph 2 above.
7. The Respondents admit all jurisdictional facts and agree 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 Respondents shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
8. 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 Respondents and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
9. The Respondents waive:
 - (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 agreement or Order entered into pursuant to this agreement.
10. Upon the Respondents' agreement with the Order hereinafter stated, the Commission shall not initiate any further proceedings against them pertaining to this matter.

ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth comply with § 9-621, General Statutes.

Dated: 12/11/07

For the State of Connecticut

BY: 

Joan M. Andrews, Esq.
Director of Legal Affairs
and Enforcement and
Authorized Representative
of the State Elections
Enforcement Commission
20 Trinity Street, Suite 101
Hartford, Connecticut

The Respondents

Dated: 12-8-07



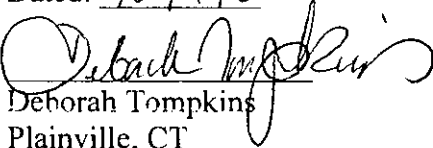
Andre Grandbois
Plainville, CT

Dated: 12/9/07



Scott Saunders
Plainville, CT

Dated: 12/9/07



Deborah Tompkins
Plainville, CT

Dated: 12/8/2007



Thomas Arcari
Plainville, CT

Adopted this 19th day of December, 2007 at Hartford, Connecticut



Stephen F. Cashman, Chair
By Order of the Commission