

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Phoebe Sussler Pilj, New London

File No. 2011-154

FINDINGS AND CONCLUSIONS

Complainant Phoebe Sussler Pilj brings this complaint pursuant to General Statutes § 9-7b alleging that just before a 2011 referendum in New London she received several cards in support of the referendum. According to her complaint, the cards lacked the proper attribution.

After the investigation of the Complainant's complaint, the Commission makes the following findings and conclusions:

1. Complainant filed this complaint following a November 8, 2011 referendum in the City of New London.
2. The complaint centered on post cards that Complainant received shortly before the referendum, which lacked any attribution.
3. The Commission investigated the Complainant's allegations and was able to identify Edward DeMuzzio, hereinafter "Respondent," as the individual who made the expenditures to pay for the postcards related to the November 8, 2011 referendum, which comprised the gravamen of the complaint.
4. Respondent acknowledged that he had he had made the expenditures for the postcards. He also provided investigators with the SEEC Form 22 that he filed with the New London Town Clerk after the November 2011 referendum, showing that he had spent a total of \$3,313.96 on material in support of the referendum. *See* SEEC Form 22 – Ed DeMuzzio (12/1/11). According to the filing, Respondent placed two orders for the postcards, both on Nov. 3, 2011, costing \$1,278.47 and \$962.96 respectively. *Id.*
5. Respondent said that he had spoken with the Commission's compliance unit about how properly to report the expenditures, and he followed that advice.
6. Respondent's actions related to the November 2011 referendum were the focus of two prior complaints that the Commission handled. *See Complaint of Ronna Stuller, et al., New London*, File Nos. 2011-146 and 2011-147. The Commission dismissed both of those complaints on the basis that Respondent had properly reported the independent expenditures that he made in support of the referendum. *Id.*
7. General Statutes § 9-602 (a) allows individuals acting alone or groups of individuals who spend less than \$1,000 to promote a referendum question to make those expenditures without first registering

as a political committee. *See* General Statutes § 9-602 (a) (exempting individuals from requirement to form political committee).

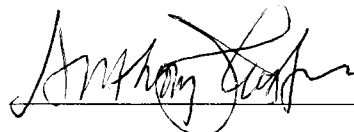
8. General Statutes § 9-612 (d) allows an individual to make unlimited expenditures related to a referendum question so long as the individual “files statements according to the same schedule and in the same manner as is required of a campaign treasurer of a political committee under section 9-608.” General Statutes § 9-612 (d).
9. Respondent followed the requirement to register and file statements with the New London City Clerk, thus complying with General Statutes § 9-612.
10. General Statutes § 9-621 (c) requires attribution on printed materials paid for by groups of “two or more individuals.” Because Respondent acted alone in his effort to support the referendum question, as the Commission found in the prior decisions related to this matter, Respondent had no obligation to place an attribution on the material he circulated. *See Complaint of Ronna Stuller, et al., New London*, File Nos. 2011-146 and 2011-147.
11. Based on the preceding findings, the Commission will dismiss the complaint.

ORDER

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

That the complaint be dismissed.

Adopted this 15th day of MAY of 2013 at Hartford, Connecticut.



Anthony J. Castagno

By Order of the Commission