

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Lesa C. Peters, Woodbury

File No. 2012-001

AGREEMENT CONTAINING CONSENT ORDER

This agreement, by and between Louis C. DeLuca, of the Town of Woodbury, County of Litchfield, State of Connecticut (hereinafter "Respondent"), and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with the Regulations of Connecticut State Agencies § 9-7b-54 and Connecticut General Statutes § 4-177 (c). In accordance herewith, the parties agree that:

1. On April 12, 2011, "Stomski/Perkinson '11" was registered as a durational, single election PAC, with the Woodbury Town Clerk's office specifying that it would support Gerald Stomski, for Woodbury First Selectman, and Barbra Perkinson, for Woodbury Selectman. Respondent, a former State Senator and Senate Minority Leader, was designated Chairman of *Stomski/Perkinson '11*.
2. Further, Respondent on October 1, 2008 was designated Treasurer of "32 GOP," an ongoing political committee of "two or more individuals" registered for both state and municipal elections and remained Treasurer at all times relevant to this complaint.
3. Complainant alleged that on April 12, 2011 Respondent by registering as Chairman of the *Stomski/Perkinson '11*, a political slate committee, while remaining Treasurer of the 32 *GOP*, an ongoing political committee, in control of two political committees in violation of General Statutes § 9-605 (e) (1).
4. General Statutes § 9-605, provides in pertinent part:

(e) (1) *No individual shall establish or control more than one political committee. The indicia of establishment or control of a political committee by an individual includes the individual serving as chairperson or campaign treasurer of the committee and may include, but shall not be limited to, the individual making the initial contribution to the committee. Such indicia shall not include (A) an individual communicating with (i) an officer of the political committee, or (ii) any individual establishing or controlling the political committee, or (B) the individual monitoring contributions made by the political committee. ...*
[Emphasis added.]

5. Upon investigation, the Commission finds that the Respondent was indeed in *control* of more than one political committee in that Respondent was Treasurer of *32 GOP* and Chairperson of *Stomski/Perkinson '11* concurrently and at all times relevant to this complaint.
6. The Commission concludes that Respondent, as Chairperson of a political slate committee and campaign treasurer of an ongoing political committee satisfied indicia of "control" of more than one political committee by an individual pursuant to General Statutes § 9-605.
7. The Commission concludes, for reasons detailed in paragraphs 6 and 7 above, that Respondent violated General Statutes § 9-605 in that he should have relinquished his control of one of the two political committees as detailed herein.
8. The Commission deems Respondent, with a long history in the State Senate and in electoral politics generally, a sophisticated participant in terms of his knowledge and experience with regard to campaign finance and elections laws and therefore holds him to a higher standard than novices or individuals with less experience with campaigns and elections.
9. Respondent claims that he was not aware of the prohibition against controlling two or more political committees pursuant to General Statutes § 9-605, and maintains that he kept a strict separation between the committees and his roles in each while he served in his respective offices as detailed herein. Further, there is no indication that Respondent intentionally sought to violate the law or circumvent the aforementioned prohibition.
10. 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 the Regulations of Connecticut State Agencies § 9-7b-56.
11. 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 in any subsequent hearing, if the same becomes necessary.
12. 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.

- 13. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondent with respect to this matter.

ORDER

IT IS HEREBY ORDERED that the Respondent shall pay a civil penalty of two hundred dollars (\$250.00) on or before April 17, 2013.

IT IS FURTHER ORDERED that the Respondent shall strictly comply with General Statutes § 9-605.

The Respondent:

For the State Elections Enforcement Commission:

By: 

Louis C. DeLuca
477 Main Street North
Woodbury, Connecticut

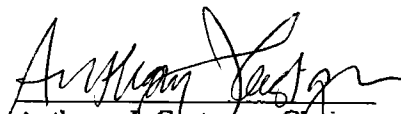
By: 

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: 4/12/13

Dated: 4/15/13

Adopted this 17th day of April, 2013 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission