

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Karen Jackson,
Bridgeport

File No. 2015-175

FINDINGS AND CONCLUSIONS

Complainant brought this complaint pursuant to § 9-7b, General Statutes of Connecticut, alleging that the City of Bridgeport violated § 9-204, in that it failed to maintain minority representation on the Bridgeport Board of Education; and that Mr. Andre Baker of Bridgeport held incompatible offices pursuant to § 9-210, pertaining to his membership on that board while also serving as a state representative. After investigation of the matter, the Commission makes the following findings and conclusions:

1. Complainant's allegations are detailed below.

Allegation One: The City of Bridgeport violated General Statutes § 9-204, in that they failed to maintain minority representation on the Bridgeport Board of Education; and,

Allegation Two: Andre Baker violated General Statutes § 9-210 being a member of the Bridgeport Board of Education while also being a state representative and therefore holding "incompatible offices."
2. Complainant originally raised Allegation One pertaining to General Statutes § 9-204 and minority representation in Commission File No. 2016-096 and therefore that allegation will not be treated by this disposition.
3. General Statutes § 9-210, provides:

No selectman shall hold the office of town clerk, town treasurer or collector of town taxes during the same official year, nor that of judge of probate for the district within which such town is located; *no town treasurer* shall hold the office of collector of town taxes during the same official year; nor shall any town clerk or selectman be elected a registrar of voters; and no registrar of voters shall hold the office of town clerk. *No assessor* shall act as a member of the board of assessment appeals. *No member of*

the board of finance of any town shall hold any salaried town office unless otherwise provided by special act. *If any registrar of voters* is elected to the office of town clerk or selectman and accepts the office, he shall thereupon cease to be a registrar; and, if any town clerk or selectman is elected registrar of voters, the election shall be void; ...
[Emphasis added.]

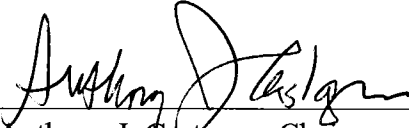
4. Upon investigation, the Commission finds that at the time of this complaint Mr. Baker held the office of state representative and as alleged also served as a member of the Bridgeport Board of Education.
5. Further, the Commission finds that General Statutes § 9-210 pertains to the municipal offices of selectman, town treasurer, assessor, members of boards of finance and registrars of voters and delineates various reciprocal prohibited offices depending on the office held by an individual. The Commission further finds that § 9-210 does *not* include board of education members as individuals who by holding such office are therefore prohibited within the parameters of that section from holding another municipal office.
6. Moreover, the Commission finds that General Statutes § 9-210 applies to “incompatible municipal offices” and therefore an individual serving as a state legislator would not qualify as a *municipal* office holder based solely on their membership in the General Assembly.
7. Upon thorough investigation of this matter, the Commission concludes that at the time of Complainant's complaint the evidence did not support the finding that Mr. Andre Baker held more than one municipal office.

8. The Commission concludes therefore that Allegation Two regarding a violation of General Statutes § 9-210 and Complainant's assertion that the office of state representative and municipal board of education member are "incompatible municipal offices" was not supported by the facts *or the law* after investigation.
9. The Commission therefore dismisses Allegation Two and declines to address Allegation One in this instance as it is the subject of a prior complaint and investigation in File No. 2015-096.

ORDER

The following Order is recommended on the basis of the aforementioned findings: That the complaint is dismissed as to Allegation Two; and, that the Commission leaves the disposition of Allegation One for the resolution of File No. 2015-096.

Adopted this 14th day of September, 2016 at Hartford, Connecticut



Anthony J. Castagno, Chairman
By Order of the Commission