

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by John Schwarzkopf, Prospect

File No. 2021-183

FINDINGS & CONCLUSIONS

Complainant John Schwarzkopf of Prospect filed this complaint alleging that the candidate committee of Stanley J. Pilat, a candidate in Prospect in 2021, had failed to register properly prior to the 2021 municipal election. After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. Complainant filed this complaint on October 27, 2021, alleging that Stanley J. Pilat had failed to register as a candidate prior to the November 2, 2021 election. Because of his failure to register as a candidate, the Complainant alleged, Pilat had received impermissible contributions from the Prospect Republican Town Committee.
2. According to the complaint and the investigation conducted by the Commission, in July 2021, the Prospect Republican Town Committee endorsed a slate of candidates for the 2021 municipal election. Among those candidates that were endorsed was Respondent Pilat.
3. The certificate of endorsement that was required to be filed with the Prospect Town Clerk to finalize the endorsement was never filed, meaning that Pilat along with several other candidates that had been endorsed by the town committee were not included on the ballot as endorsed candidates.
4. Respondent Pilate, however, completed the paperwork to become an official write-in candidate, which he executed on September 2, 2021.
5. In addition, Pilat filed an SEEC Form 1B with the Prospect Town Clerk, to register as a candidate on or about July 30, 2021. The form specified that Pilat was exempt from forming a candidate committee because he was a member of a slate of candidates whose campaigns were funded solely by the Prospect Republican Town Committee.
6. On September 28, 2021, Frank Sundermeyer, treasurer of the Prospect Republican Town Committee, wrote to representatives at the Commission seeking guidance on whether Pilat could be a part of the town committee slate even though he was running as a write-in candidate and not as an endorsed candidate of the Republican Party.

7. Representatives of the Commission contacted Sundermeyer and informed him that even though Pilat was not an endorsed Republican Party candidate, he was still permitted to run as a member of the slate funded by the Prospect Republican Town Committee.
8. Nothing in the statutory provisions regarding "slate committees" limits them to candidates that are endorsed by the party committee.
9. General Statutes § 9-604 (b) requires a candidate to register as a candidate and specify why the candidate would be exempt from forming a candidate committee. One of those exemptions includes being a member of a slate funded solely by a town committee.
10. General Statutes § 9-607 includes within the list of "permissible expenditures" for a party committee those that promote the party, party building activities, and the candidates of the party, and paying for the continuing operating costs of the party.
11. As a candidate that was endorsed by the Prospect Republican Town Committee, Pilat was a candidate supported by the party even if the documentation to perfect that endorsement was not executed in a timely manner.
12. Any expenditures that were made to promote the write-in candidacy of Pilat by the Prospect Republican Town Committee were made based on his being a member of the town-committee-funded slate. His status as a write-in candidate, for the purposes of campaign financing, is not relevant.

ORDER

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

That the Commission will dismiss this matter.

Adopted this 21st day of September, 2022 at Hartford, Connecticut.



Stephen Penny, Chairperson
By Order of the Commission