STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Judy Aron, West Hartford — File No. 2008-073

FINDINGS AND CONCLUSIONS

Complainant filed the instant complaint with the Commission on June 12, 2008 pursuant to General Statutes §9-7b, alleging that the Morley Elementary School Parent Teacher Organization, (hereinafter the Morley PTO,) the Norfeldt Elementary School Parent Teacher Organization, (hereinafter the Norfeldt PTO) and the Sedgwick Middle School Parent Teacher Organization, (hereinafter the Sedgwick PTO) all committed possible violations of General Statutes §§ 9-621 and 9-369b.

After an investigation of the matter, the Commission makes the following findings and conclusions:

1. On June 17, 2008 the Town of West Hartford held a budget referendum.

2. The Complainant's allegations regarding the Sedgwick PTO did not amount to election law violations and accordingly the Commission took no action regarding those allegations.

3. Complainant alleged that the Norfeldt PTO failed to inform PTO members of an organized effort to defeat the budget. This allegation regarding the Norfeldt PTO did not amount to election law violations and accordingly the Commission took no action regarding this specific allegation.

4. The Complainant's allegations regarding the Morley PTO are addressed separately from this Findings and Conclusions.

5. Complainant specifically alleged that the Norfeldt PTO violated General Statutes § 9-369b by disseminating an email to its' members that allegedly advocated a position on the June 17, 2008 budget referendum by using the West Hartford Public Schools web server and as such using public funds.

6. On June 9, 2008, the Norfeldt PTO through its' webmaster sent an email to Norfeldt PTO members regarding the June 17, 2008 budget referendum and the fact that the purpose of the PTO is to support education. In that context, the email informed members that there was a group organizing an effort to inform voters and support the budget in the June 17, 2008 referendum.

7. The Norfeldt PTO website is hosted by an outside web service firm which is paid for by PTO with PTO funds. A publicly funded web server was not used to disseminate the email.

8. Accordingly, the Norfeldt PTO did not violate General Statutes § 9-369b because public funds were not used and General Statutes § 9-369b is only applicable when public funds are used

9. Complainant further asserted that the Norfeldt PTO violated General Statutes § 9-621 by failing to include an attribution on the email that the PTO disseminated.

10. General Statutes § 9-621(c) provides in pertinent part:

> **No business entity, organization, association, committee,** or group of two or more individuals who have joined solely to promote the success or defeat of a referendum question and is required to file a certification in accordance with subsection (d) of section 9-605, **shall make or incur any expenditure for any written, typed or other printed communication which promotes the success or defeat of any referendum question unless such communication bears upon its face the words "paid for by" and the following: (1) In the case of a business entity, organization or association, the name of the entity, organization or association and the name of its chief executive officer; (2) in the case of a political committee, the name of the committee and the name of its campaign treasurer;** (3) in the case of a party committee, the name of the committee; or (4) in the case of such a group of two or more individuals, the name of the group as it appears on the certification filed in accordance with subsection (d) of section 9-605, and the name and address of its agent. [Emphasis added.]

11. General Statutes § 9-621 (c) only requires an attribution on "written, typed or other printed communication[s]." (See Complaint of Judy Aron, West Hartford State Elections Enforcement Commission File No. 2008-274).

12. Accordingly, the email that the Norfeldt PTO disseminated does not require an attribution.

13. The complaint is dismissed as to the Norfeldt PTO for the above mentioned reasons.

ORDER

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

That the matter be dismissed.

Adopted this 25th day of March 2009 at Hartford, Connecticut

Stephen F. Cashman, Chairman
By Order of the Commission