



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
April 18, 2018
9:30 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:33 A.M. Commissioners Ajello, Bramante and Penny were also present. Agency staff was also present.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of March 23, 2018

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the March 23, 2018 minutes by a 3-0-1 vote with Commissioner Ajello abstaining. So voted.

III. Administrative Reports

Executive Director and General Counsel Michael Brandi updated the Commission on the agency budget. Staff are closely monitoring the numbers as well as checking for any potential for surplus funds. Those surplus funds will be dedicated to Information Technology needs. Even in meetings with the budget officials, they realize there is no money even available to strip from the SEEC budget.

Executive Director Brandi was asked to serve on a cyber security panel by Secretary of the State Denise Merrill. This task force is looking into how to best allocate the \$5.1 million that is coming to Connecticut to support our technological protections to preserve and protect elections. Information Technology Manager Douglas Frost attended the first meeting with Executive Director Brandi and the hope from the SEEC is to put monies toward hardware and basic equipment to protect the state's systems from a cyberattack. In 2016, Connecticut was one of 21 states impacted by Russian phishing attempts. The influx of federal funds should help offset some of the agencies' monetary challenges in regards to information technology needs.

The top candidates for the open Legal Investigator position have been identified through two rounds of interviews and will be conducted next week. The hire for the position should be completed within the next two weeks.

July 1, 2018 marks the start of the term of the newest appointed Commissioner. Andrew F. Cascudo has been appointed by Governor Malloy to succeed Patty

Stankevicius. Commissioner Stankevicius has provided the SEEC with 10 years of service and we appreciate all her time and input through her service.

As a legislative update, staff is currently watching House Bill 5526 which provides more regulation on foreign entities operating as independent expenditures. There are global companies who have been using paid targeted advertising to influence elections and those advertisements should have attribution and reporting requirements. This bill also clarifies some of the requirements on political consultants. Staff is monitoring this bill to see how it changes and moves through the legislative process.

Legal Program Director Kief summarized the commission's review of the Consumer Price Index Adjustments to limits on Meal Expenditures as Set Forth in Citizens' Election Program Regulations. Ms. Kief recommends that since there is such a small incremental increase, the increase is unnecessary.

Motion to acknowledge that the calculation has been made based upon the statutory requirement, but that the regulations will not change for the 2018 election cycle. The reimbursements will remain for the 2018 election cycle. It was moved by Commissioner Penny and seconded by Commissioner Ajello to not change the meal expenditures. So voted by a vote 4-0-0.

IV. Pending Complaints and Investigations

A. Hearing Officer Report

1. In the Matter of a Referral by the Campaign Disclosure and Audit Unit
File No. 2017-033NF
Proposed Final Decision
Respondent: Lamont Finney
Hearing Officer: Michael J. Ajello
Prosecutor: Ryan M. Burns

Hearing Officer Ajello summarized the above referenced report in File No. 2017-033NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Final Decision in 2017-033NF. So voted by a vote 4-0-0. The Final Decision is available on our website under Commission Decisions.

B. Public Session

1. In re: Referral of Greenwich Registrars of Voters, Fred A. DeCaro and Michael Aurelia
File No. 2017-030
Proposed Consent Order & Agreement
Respondent: Sylvia E. James
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is marked off.

2. In the Matter of Bernice C. Bartlett, Haddam
File No. 2017-059
Proposed Consent Order & Agreement
Respondent: Leonard J. Weir
Attorney: Ryan M. Burns
Lead Legal Investigator: Gilberto Oyola

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2017-059. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2017-059. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

3. In the Matter of a Referral by Stacey Gravino, Town Clerk, East Haven
File No. 2015-132A & 2015-132B
Proposed Consent Orders & Agreements
Respondents: Richard DePalma and Michael Speer
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-132A. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Consent Order & Agreement in File No. 2015-132A. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-132B. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2015-132B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by John Traynor, Self-Report
File No. 2018-002
Proposed Consent Order & Agreement
Respondent: John Traynor
Attorney: William B. Smith

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2018-002. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2018-002 upon receipt in ten (10) days. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

V. Executive Session per General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) and General Statutes §9-7a, as amended by Public Act 11-48 §300 (Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)

It was moved by Commissioner Penny and seconded by Commissioner Ajello at 10:03 A.M. to proceed into Executive Session pursuant to General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1),(3),(4),(10) to discuss strategy and negotiations with respect to pending claims and exempt records. So voted.

Commissioners Castagno, Ajello, Penny and Bramante were present. Staff members present were William Smith, Ryan Burns, James Talbert-Slagle, Kevin Ahern, Gilberto Oyola, Scott Branfuhr, Evelyn Gratacos, Joshua Foley, Michael Brandi, Douglas Frost, Shannon Kief, Linda Waterman, Sarah Clark and Sheri-Lyn Lagueux.

The Commission returned to public session at 1:07 P.M.

The Commission took the following actions in public session:

1. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

Attorney Smith summarized the Recommendation of Counsel dated April 4, 2018 and requested that two (2) matters be moved to investigate and summarized the Recommendation of Counsel dated April 9, 2018 and requested that seven (7) matters be moved to investigate.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to make a determination that it is necessary to investigate violations relating to nine (9) complaints File Nos.: 2018-004, 2018-005, 2018-013, 2018-014, 2018-016, 2018-017, 2018-018 and 2018-019. So approved by the Commission, 4-0-0. So voted.

2. In the Matter of a Complaint by Thomas J. Daly, Jr., North Haven
File No. 2017-040

Proposed Recommendation of Counsel

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

The matter is continued.

3. In the Matter of a Complaint by Linda Szyrkowicz, Middletown
File No. 2016-093

Proposed Recommendation of Counsel

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

The matter is continued.

4. In the Matter of a Complaint by Timothy J. Sullivan, Barkhamstead
File No. 2017-079

Proposed Recommendation of Counsel

Proposed Consent Order & Agreement

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

The matter is continued.

5. In the Matter of a Complaint by Athena-Lee Maynard and Deborah Maynard,
Voluntown

File Nos. 2016-096 & 2016-097

Proposed Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator:

Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File Nos. 2016-096 & 2016-097. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File Nos. 2016-096 & 2016-097. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

6. In the Matter of a Complaint by James Millington, Fairfield
File No. 2017-024

Proposed Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator:

Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2017-024. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2017-024. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

7. In the Matter of a Complaint by Peter A. Nystrom, Norwich
File No. 2017-063

Proposed Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator:

Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2017-063. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Ajello and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2017-063. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

8. In the Matter of a Complaint by Stephen P. Funk, Self-Report
File No. 2018-012

Proposed Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator: Scott Branfuhr

The matter is continued.

9. In the Matter of a Complaint by Norman Goldman, Self-Report
File No. 2018-015
Proposed Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

10. In the Matter of a Complaint by Maryli Secrest, Bridgeport
File No. 2015-117
Recommendation of Counsel
Attorney: Kevin M. Ahern
Legal Investigator: Scott Branfuhr

The matter is continued.

11. In the Matter of a Complaint by Deolinda Ann Ruas, et al, Bridgeport
File No. 2015-137
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2015-137. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2015-137. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

12. In the Matter of a Complaint by Sean Byrnes, Westport
File No. 2017-086
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin Ahern summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2017-086. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2017-086. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

13. In the Matter of a Complaint by Elissa Ann K. Voccola, Hartford
File No. 2014-095
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-095. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Ajello and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2014-095. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

14. In the Matter of a Complaint by Wayne von Hardenburg, Wethersfield
File No. 2014-123
Proposed Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2014-123. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2014-123. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

15. In the Matter of a Complaint by Thomas J. Banisch, Madison
File No. 2014-120
Proposed Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

The matter is continued.

16. Draft Audit Report

1. "Gary for Senate," Gary Winfield
Examiner: Dinorah Collado

Linda Waterman provided an overview of the audit and recommended that the Commission make audits number 1 final, so moved by Commissioner Penny and seconded by Commissioner Bramante. So approved by the Commission, 4-0-0.

17. Recommendation of Counsel Regarding Petition for Declaratory Ruling on the Political Activity of Organized Groups as requested by Arnold F. Skretta (on behalf of Connecticut Compliance and Law Services LLC)

Attorney Shannon Kief summarized the recommendation of counsel regarding petition for declaratory ruling.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Resolution and Order Setting Forth Specified Proceedings for Declaratory Ruling Addressing Petition of Connecticut Compliance and Law Services LLC so voted by a 4-0-0 vote as follows:

Pursuant to General Statutes § 4-176 (e) and Connecticut Agency Regulations § 9-7b-65 (c), it is hereby resolved and ordered that the following proceedings are set regarding the Petition on behalf of Connecticut Compliance and Law Services LLC, received by the Commission on March 12, 2018, from attorney Arnold Skretta:

- (1) The Commission directs staff to issue notice of receipt of a petition for declaratory ruling on the SEEC website, and via e-mail to all persons who have requested notice of declaratory rulings or who are on record as having contacted the compliance staff within the past twelve months with related questions;
- (2) The Commission directs staff to draft a Proposed Declaratory Ruling 2018-01 for consideration by the Commission at its regular meeting scheduled for May 16, 2018;
- (3) If the Commission votes to approve the proposed Declaratory Ruling at this May 16, 2018 meeting, the Commission shall direct staff to post notice of the proposed Declaratory Ruling on the SEEC website and to send notice to all persons who were sent notice of the receipt of the petition, with a comment period to close at 11:59 p.m. on June 13, 2018 (one week prior to the regular Commission meeting on June 20, 2018). If the Commission does not vote to approve the proposed draft at the June 20, 2018 meeting, the Commission shall set an alternative schedule and any further proceedings as necessary.

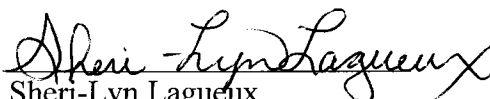
So voted.

VI. Consideration of Matters Discussed in Executive Session

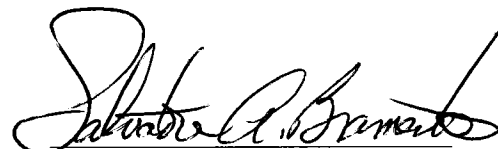
VII. Adjournment

It was moved by Commissioner Ajello and seconded by Commissioner Penny at 1:18 P.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,


Sheri-Lyn Lagueux
Clerk of the Commission

Adopted this 16th day of May, 2018 at Hartford, Connecticut.


Salvatore Bramante, Co-Chair
By Order of the Commission

The next regular scheduled meeting is May 16, 2018 at 9:30 A.M. in the 5th Floor Conference room.