In the Matter of a Complaint by   File Nos. 2008-090
Caroline Atwood, Durham

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint with the Commission pursuant to General Statutes §9-7b(a)(1), alleging that the "Stay with Ray '08" committee and its committee treasurer, Tracy Mancinelli (hereinafter the "Respondent"), failed to report fundraisers on their Itemized Campaign Finance Disclosure Statement (SEEC Form 30) for the period ending March 30th and July 10th 2009.

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

1. Specifically, the Complainant alleged that "*in the April 10 filing, all but a small handful of over eighty total contributions were listed as having been received on March 4 or March 21*" and that "*in the July 10 filing, all but one of over fifty total contributions were listed as having been received on April 4 or April 21.*" She suspected that the "Stay with Ray '08" committee failed "*to report fundraisers*" activities or were misreporting the contribution dates.

2. The "Stay with Ray '08" committee was the campaign vehicle of the candidate for State Representative for House District 100 in the Town of Durham, Raymond C. Kalinowski.

3. Respondent Mancinelli is the "Stay with Ray '08" committee treasurer and served in that post until her resignation on August 18, 2008. Following her resignation, the Deputy Treasurer and candidate's wife, Sandra Kalinowski, became the treasurer.

4. General Statutes § 9-608 provides in relevant part as follows:

   > ... (c) **Content of statements. (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A)** *An itemized accounting of each contribution* ... Each campaign treasurer shall include in such statement (i) an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-609 *or any other fund-raising affair, which is referred to in subsection (b) of section 9-601a, and (ii) the date, location and a description of the affair*.

5. The Stay with Ray '08 committee Itemized Campaign Finance Disclosure Statement (SEEC Form 30) for the period ending March 30, 2008 and June 30, 2008 recorded individual contributions in the amount of $1,130 on March 4, 2008, $3,905 on March 21, 2008, $310 on April 4, 2008 and $230 on April 21, 2008. The April 10th report disclosed 3 additional individual contributions totaling $155.00 and the July 10th report listed one $0.01 (penny test) contribution from the State of Connecticut.
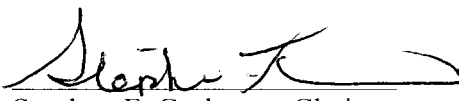
6. Respondent Mancinelli maintains that the Complainant's assertions are false. She declared that the committee did not hold any fundraising events and that contributions received for the periods stated in paragraph 5, above, was the result of a solicitation letter mailed to electors within the district (House District 100-Durham.)

7. Respondent Mancinelli further stated that those deposits, recorded in the committee's SEEC Form 30 for the periods referred to above, were received from a post office box and collected on those reported dates.

8. The Complainant formed her suspicions based solely on the single day contributions were reported as received by Respondent Mancinelli in the committee's SEEC Form 30 for the periods ending March 30 & June 30, 2008. The investigation revealed that the dates that those clustered contributions were reported were due to infrequent trips to the post office, when multiple contributions were collected at a single time.

9. The Stay with Ray '08 committee did not hold fundraising events and then fail to report them as alleged. Accordingly, no violation of Connecticut General Statutes §9-608 occurred under the facts or circumstances of this case.

ORDER

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

That the matter be dismissed.

Adopted this 16th day of December of 2009 at Hartford, Connecticut

Stephen F. Cashman, Chairman
By Order of the Commission

2