

**STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION**

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In the Matter of a Complaint by  
Thomas Colapietro, Bristol

File No. 2011-058

**FINDINGS AND CONCLUSIONS**

Complainant Thomas Colapietro filed this complaint pursuant to General Statutes § 9-7b alleging that the 2010 candidate committee of Jason Welch, who ran against Complainant in the 31<sup>st</sup> state senate district, had violated several campaign finance laws. In addition to the Welch campaign, the complaint alleged that the candidate committee of Whit Betts, running for the 78<sup>th</sup> General Assembly seat, had also violated campaign finance laws. The Commission investigated these allegations while concurrently auditing “Welch for State Senate” candidate committee as part of its random audit of certain 2010 candidate committees.

After the investigation of the Complainant’s complaint, the Commission makes the following findings and conclusions:

1. Thomas Colapietro filed this complaint on March 25, 2011, putting forth several allegations against the Welch and Betts candidate committees. Those allegations include charges:
  - that the Welch and Betts committees had jointly paid for use of a billboard to promote their candidacies;
  - that the Welch and Betts committee had placed large signs in the beds of trucks owned by Bobroske Construction, resulting in an improper in-kind contribution;
  - that there were “large rotating pictures on a large truck” with nothing reported in the campaign finance reports; and,
  - that the committees handed out “polo shirts, hooded sweatshirts, pens, Frisbees, cloth bags, and several flyers,” in excess of the limits imposed under the Citizens’ Election Program.
  
2. Jason Welch formed a candidate committee on December 31, 2009, naming Scott Matney as the committee’s campaign treasurer and M.R. Terelmes as deputy treasurer. *See* SEEC Form 1 – Registration by Candidate (“Welch for State Senate,” Dec. 31, 2009).

3. Whit Betts formed a candidate committee on May 12, 2010, naming John A. Letizia as the committee's campaign treasurer and Jacquelyn L. Furniss as deputy treasurer. *See* SEEC Form 1 – Registration by Candidate (“Betts for 78<sup>th</sup> Representative,” May 12, 2010).
4. On July 1, 2010, Welch filed Form CEP 10 to the SEEC, indicating his intent to abide by the expenditure limits of the Citizens' Election Program. Welch signed and initialed the document indicating his acceptance of the provisions of the voluntary program as did Matney in his role as campaign treasurer and Terelmes as deputy treasurer. *See* SEEC Form CEP-10 “Welch for State Senate” (July 1, 2010).
5. On July 1, 2010, Betts returned Form CEP 10 to the SEEC, indicating his intent to abide by the expenditure limits of the Citizens' Election Program. Betts signed and initialed the document indicating his acceptance of the provisions of the voluntary program as did Letizia in his role as campaign treasurer and Furniss as deputy treasurer. *See* SEEC Form CEP-10 “Betts for 78<sup>th</sup> Representative” (July 1, 2010).
6. Candidate committees may neither make expenditures on behalf of nor accept contributions from other candidate committees. *See* General Statutes § 9-616.
7. The complainant alleged that the candidate committees had made a joint expenditure for a billboard, implying that one of the candidates had paid for a billboard that promoted the other. *See* Complaint of Thomas Colapietro, ¶ 1, March 23, 2011.
8. Both candidates reported the expenditure for the billboard in their campaign finance reports. The Welch campaign reported an expenditure of \$2,700 on August 6, 2010 to Lamar Companies for “Billboard.” *See* SEEC Form 30 – October 10, 2010 report “Welch for State Senate” (October 12, 2010). The Betts candidate committee reported that the candidate had made an expenditure of \$2,700 on August 10, 2010 to Lamar Companies. *See* SEEC Form 30 – October 10, 2010 report “Betts for 78<sup>th</sup> Representative” (October 12, 2010). The committee subsequently reimbursed the candidate for the billboard expenditure. *See* Check No. 116 from “Betts for 78<sup>th</sup> Representative” to Whit Betts, August 10, 2010, for \$2,700.
9. Both committees paid equally for the billboard in question, so there was no expenditure made by one candidate committee that inured to the benefit of another candidate.
10. Complainant also alleged that the candidate committees used corporate trucks to promote their candidacies.
11. The Welch campaign acknowledged that they had placed two signs in the back of pickup trucks. The Betts campaign had nothing to do with this promotional effort.

12. Welch campaign treasurer Matney believed the trucks belonged to Mr. Bobroske personally. Matney said he learned as a result of questions he asked to respond to this complaint that one of the pickup trucks actually belonged to Mr. Bobroske's company.
13. Because the use of the trucks represent a *de minimus*, good faith mistake by the Welch candidate committee, the Commission will not pursue this potential violation but reminds the candidate committee that it may not accept contributions from business entities in any form.
14. Complainant also alleged that one of the campaigns used "large rotating pictures on a large truck," but that the committee did not report expenditures related to that advertising.
15. The Welch candidate committee reported two payments for "Mobile Signs" to Mobile Messaging: the first for \$1,250 on October 29, 2010 and the second on Nov. 2, 2010 for \$250. Campaign treasurer Matney said that these entries represented payments for the mobile billboards to which the complaint referred.
16. Finally, Complainant questioned several expenditures that the committees made related for campaign paraphernalia on the basis that they exceeded limits imposed on participating candidate committees for gifts.
17. There are two relevant provisions in the law pertaining to the items handed out by committees. A qualified candidate committee may make expenditures for campaign advertising, including "shirts, hats, buttons or other similar campaign communication materials . . ." Regs., Conn. State Agencies § 9-706-2 (a) (2). Qualified candidate committees are also prohibited from purchasing gifts, particularly those for campaign workers and volunteers as described in General Statutes § 9-607 (g) (2) (T), valued at more than \$5 each. *See* Regs., Conn. State Agencies § 9-706-2 (b) (7).
18. In this instance, both candidate committees purchased various forms of campaign communication materials, campaign paraphernalia as well as gifts for campaign workers, including some of those specified in the regulation limiting such expenditures. The investigation, however, showed that neither the Welch nor Betts campaigns distributed hooded sweatshirts or cloth bags.
19. The Commission has consistently advised candidate committees that they may purchase promotional items, including shirts for campaign workers, but should be aware of the \$5 limit on gifts given to campaign workers and volunteers at the end of the campaign.

20. Neither of the committees violated the regulations at issue. In fact, in this instance, the Welch candidate committee relied on specific advice given by the Commission regarding shirts that the committee planned to distribute to campaign workers.

**ORDER**

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

That the complaint be dismissed.

Adopted this 15<sup>th</sup> day of February of 2012 at Hartford, Connecticut.



Stephen F. Cashman  
By Order of the Commission