

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Kevin G. Trejo, Groton

File No. 2011-084

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint pursuant to General Statutes § 9-7b, alleging that specific individuals made excessive contributions to “Taxpayers for Groton Schools II.”

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

1. On or about February 15, 2011 Ellen C. Brown registered “Taxpayers for Groton Schools II” (hereinafter the Committee), by filing a *Political Committee (PAC) Registration* SEEC Form 3 with the town clerk’s office in Groton.
2. The aforementioned SEEC Form 3 designated Ms. Brown as treasurer, disclosed at data field 24 the committee type “Two or More Individuals” *and* indicated that the Committee was “Durational” and formed for a single referendum in the Town of Groton held on May 2, 2011 at data field 25b. At data field 26 in describing the referendum question, the Committee indicated: “Inform and generate support for the Phase 2 School Construction referendum in Groton on May 2, 2011.”
3. Complainant alleged that the Committee, received allegedly excessive aggregate contributions from the following individuals: Mr. Kevin L. Fital (\$2,204.40), Mr. Michael D. Kane (\$1,200.00), and Mr. John F. Scott, IV (\$2,302.47).
4. Additionally, Complainant asserts that the Committee failed to disclose expenditures for advertising on *The Groton Patch*.
5. At all times relevant to this complaint, General Statutes § 9-612 provides:

(d) ***Any individual may make unlimited contributions or expenditures to aid or promote the success or defeat of any referendum question,*** provided any individual who makes an expenditure or expenditures in excess of one thousand dollars to promote the success or defeat of any referendum question shall file statements according to the same schedule and in the same manner as is required of a campaign treasurer of a political committee under section 9-608. [Emphasis added.]

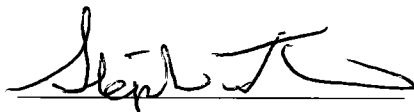
6. General Statutes § 9-612 (d) *permits* individuals to contribute an *unlimited* amount to a referendum committee. The Commission finds, as detailed in paragraphs 1 and 2, that the Committee filed an SEEC Form 3 registering with the Groton town clerk's office as a referendum committee on or about February 15, 2011. The Commission concludes therefore that Mr. Fiftal, Mr. Kane, and Mr. Scott could not, by operation of law, make excessive contributions to the Committee, because it was a referendum committee. The Commission therefore dismisses the allegation described in paragraph 3 above.
7. Upon investigation, the Commission finds that the alleged failure to disclose expenditures, as detailed in paragraph 4, is not supported by the evidence. Specifically, the Commission finds that advertising on *The Groton Patch* was disclosed as an in-kind contribution for "signs and live streaming" on the Committee's termination report filed on June 23, 2011. The Commission therefore dismisses this allegation for the reasons so stated.
8. Accordingly, for the reasons detailed herein, the Commission concludes that the allegations by Complainant are not supported by the evidence.

ORDER

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

That the complaint is dismissed.

Adopted this 21st day of March, 2012 at Hartford, Connecticut.



Stephen F. Cashman, Chairman
By Order of the Commission