

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by
Faith Burns, East Granby

File No. 2009-067

FINDINGS AND CONCLUSIONS

Complainant filed this complaint, pursuant to Connecticut General Statutes § 9-7b, and alleged that the political committee Support Our School (SOS) appeared to have exceeded the \$1,000 expenditure and/or contribution limit threshold to file a Short Form Campaign Finance Statement (SEEC Form 21), which SOS treasurer Jill Vancour filed for the June 9, 2009 filing date seven days prior to the June 16, 2009 referendum.

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

1. The Town of East Granby held three referenda during the first part of 2009, on April 21, 2009; May 26, 2009; and June 16, 2009.
2. The proposed budget for the fiscal year beginning July 1, 2009 through June 30, 2009 was \$17,945,651. Of this amount, approximately 73% or \$13,100,000 were designated for the Board of Education. The SOS committee, which is an ongoing political committee organized locally, was in favor of the proposal and Concerned Taxpayers of East Granby (CTEG), of which the Complainant is a member, opposed it.
3. The Respondent filed the *Short Form Campaign Finance Disclosure Statement* (SEEC Form 21) for the 7th day preceding the June 16, 2009 referendum, certifying that she "*did not receive contributions or other funds, or make or incur expenditure in excess of \$1,000*" for the period ending June 9, 2009.
4. Complainant's estimation that more than \$1,000 was spent was mostly due to the amount of flyers distributed as inserts in local newspaper and hand delivered to the public, as well as the amount of lawn signs posted throughout the town of East Granby, and estimates she obtained for similar flyers, but without evidence of quantity SOS had ordered.
5. Connecticut General Statutes § 9-608 provides in pertinent part:

(a) Filing dates. (1) **Each campaign treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, (A) on the tenth calendar day in the months of January, April, July and October, provided, if such tenth calendar day is a Saturday, Sunday or legal holiday, the statement shall be filed on the next business day, (B) on the seventh day preceding each regular state election, except that (i) in the case of a candidate or exploratory committee established for an office to be elected at a**

municipal election, the statement shall be filed on the seventh day preceding a regular municipal election in lieu of such date, and (ii) in the case of a town committee, the statement shall be filed on the seventh day preceding each municipal election in addition to such date, and **(C) if the committee has made or received a contribution or expenditure in connection with any other election, a primary or a referendum, on the seventh day preceding the election, primary or referendum.** The statement shall be complete as of the last day of the month preceding the month in which the statement is required to be filed, except that for the statement required to be filed on the seventh day preceding the election, primary or referendum, the statement shall be complete as of seven days immediately preceding the required filing day. The statement shall cover a period to begin with the first day not included in the last filed statement. In the case of a candidate committee, the statement required to be filed in January shall be in lieu of the statement formerly required to be filed within forty-five days following an election. ...

(b) Exemption from filing requirements. The statements required to be filed under subsection (a) of this section and subdivisions (2) and (3) of subsection (e) of this section, shall not be required to be filed by: (1) A candidate committee or political committee formed for a single primary or election until such committee receives or expends an amount in excess of one thousand dollars for purposes of the primary or election for which such committee was formed; (2) a political committee formed solely to aid or promote the success or defeat of any referendum question until such committee receives or expends an amount in excess of one thousand dollars; or (3) a party or political committee organized for ongoing political activities until such committee receives or expends an amount in excess of one thousand dollars for the calendar year except the statements required to be filed on the second Thursday in the month of January and on the seventh day preceding any election shall be so filed. The provisions of this subsection shall not apply to state central committees or to the statement required to be filed by an exploratory committee upon its termination. A committee which is exempted from filing statements under the provisions of this subsection shall file in lieu thereof a statement sworn under penalty of false statement, indicating that the committee has not received or expended an amount in excess of one thousand dollars. [Emphasis added.]

6. In accordance with Conn. Gen. Stat. §9-607, Respondent supplied Commission staff with copies of invoices, receipts, bills, statements, and other written or documentary evidence showing the lawful purpose of expenditures made. After a review of the supplied documentation, it was noted that contribution totals from small contributors (\$390.00) and in-kind contributions (\$429.63) totaled \$819.63 while the overall expenditures were \$790.00.
7. It is thereby concluded that the Respondent did not exceed the \$1,000 threshold and therefore, the Respondent qualified to file the *Short Form Campaign Finance Disclosure*

Statement (SEEC Form 21), and was not required to file the Itemized Campaign Disclosure Statement (SEEC Form 20.)

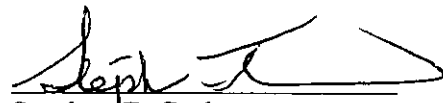
8. There is no violation of law as alleged by the Complainant.

ORDER

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

That the complaint is dismissed.

Adopted this 30 th day of September of 2009 at Hartford, Connecticut.



Stephen F. Cashman
Chairman

By Order of the Commission