

STATE OF CONNECTICUT

STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of David Haseltine, Mansfield

File No. 2009-139

FINDINGS AND CONCLUSIONS

Complainant brings this Complaint pursuant to Connecticut General Statutes § 9-7b and alleges that the Mansfield Republican Town Committee (hereinafter "the Committee") violated General Statutes § 9-621 when it made an expenditure of committee funds for campaign communications that merely indicated that they were "Paid for by MRTC, Doryann Plante, Treasurer" rather than the "Mansfield Republican Town Committee." The Complainant further alleges that the Committee "concealed its full name behind the acronym "MRTC" in an attempt to deceive voters into thinking that their candidates were not affiliated with the Republican Party.

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

1. On March 28, 2008, the Mansfield Republican Town Committee filed an amended Party Committee Registration (SEEC Form 2) with the Commission under the name "Mansfield Republican Town Committee." It also indicates that it goes by the acronym "MRTC" in a field provided on that Registration form.
2. Doryanne Plante was designated as treasurer of the Committee in that filing and acted as treasurer of the Committee at all times relevant to the matters raised in the Complaint.
3. In the fall of 2009, the Committee produced and disseminated several flyers and postcards concerning the November 3, 2009 municipal election (hereinafter "Election Day") in the Town of Mansfield.
4. The communications at issue referenced the following individuals: Lee Girard, Richard Hossack, Denise Keane, Meredith Lindsey, Gene Nesbitt, and Christopher Paulhus.
5. Each of those individuals was a Republican candidate for Mansfield Town Council on Election Day. In addition, each of those individuals designated the Committee as the vehicle through which they would fund their campaigns on their Registration of Candidate Committee and Exemption from Forming a Candidate Committee forms (SEEC Forms 1 and 1B).
6. General Statutes § 9-621 (a), provides in pertinent part:

No . . . committee shall make or incur any expenditure including an organization expenditure for a party candidate listing . . . for any . . . printed communication . . . which promotes the success or defeat of any candidate's campaign for nomination at a primary or election . . . unless such communication bears upon its face (1) the words "paid for by" and the following: . . . (C) **in the case of a party committee, the name of the committee** . . . . [Emphasis added.]

7. Pursuant to § 9-621 (a) Ms. Plante was prohibited from making on behalf of the Committee any expenditure, or organization expenditure for a party candidate listing, for printed or web based written communications which promoted the success or defeat of candidates for Mansfield Town Council unless those communications contained the proper attribution. See General Statutes §§ 9-606 (a) and 9-607 (a) (providing that the treasurer of a party committee is responsible for authorizing and making expenditures on behalf of a committee.)
8. Here, Ms. Plante admits that she made payments from Committee funds for the printed communications at issue.
9. General Statutes § 9-601b, provides in pertinent part as follows:
  - (a) As used in this chapter and sections 9-700 to 9-716, inclusive, the term “expenditure” means:
    - (1) Any . . . payment . . . when made for the purpose of influencing the . . . election, of any person . . . .
10. Ms. Plante admits that the payments for those communications were made to influence the election of the Republican candidates for Town Council. The Commission concludes that those payments qualify as “expenditures” pursuant to General Statutes § 9-601b.
11. In addition, the Commission concludes that those communications promoted the success of candidates’ campaigns for election to Mansfield’s Town Council as the communications contained the following messages:

“Denise Keane for Town Council . . . Vote November 3, 2009”; “Vote for Meredith Lindsey”; “Gene Nesbitt - Town Council . . . Re-Elect Gene Nesbitt”; “Lee James Girard for Town Council . . . Vote Nov 3<sup>rd</sup>”; “Richard “Ric” Hossack for Town Council . . . Vote Nov. 3<sup>rd</sup> For an informed independent voice on the Mansfield Town Council”; “Town Council - Christopher Paulhus – Incumbent – Vote Nov 3<sup>rd</sup>”; and “We ask for your vote on Tuesday, Nov 3<sup>rd</sup> for Town Council . . . Thanks for your consideration and your vote, Lee Girard, Richard Hossack, Denise Keane, Meredith Lindsey, Gene Nesbitt, Christopher Paulhus.”
12. The evidence establishes that the attribution on each communication contained was the same: “Paid for by the MRTC, Doryann Plante, Treasurer.”
13. The Commission acknowledges that it has previously held that the use of a committee’s acronym does not satisfy the requirements of General Statutes § 9-621 (a) if that acronym was not “the name of the committee.” See, e.g. *Complaint of Jonathan Rosenthal, Easton, File No. 2005-166* (concluding that the use of an acronym in an attribution does not comply with the requirements of General Statutes § 9-621 (a) if that acronym is not the name of the committee listed on the committee’s registration statement). In each of those cases, however, while the Commission concluded that General Statutes § 9-621 was violated, the Commission dismissed those matters because the Committee provided its commonly known acronym in its attribution.

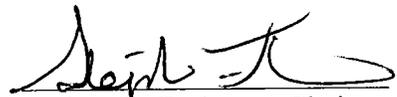
14. Since those cases, however, the Commission has become the filing repository and has redesigned the Party Committee Registration Statement (SEEC Form 2) and now allows those committees to identify an "acronym" as part of the committee name. Those Registration Statements are available to the public upon request and via the Commission's website. As such, the Commission concludes that a party committee that has provided an original acronym on their registration statement may utilize that acronym for the purposes of complying with the attribution requirements of General Statutes § 9-621 (a).
15. Here, the Committee identified the name "Madison Republican Town Committee" and its acronym "MRTC" in its Registration Statement filed with the Commission. The Commission therefore concludes that Ms. Plante did not violate General Statutes § 9-621 when she made expenditures for communications that included the following attribution: "Paid for by MRTC, Doryann Plante, Treasurer," as "MRTC" is a registered name for the Madison Republican Town Committee.

**ORDER**

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

That the case be dismissed.

Adopted this 18th day of August, 2010 at Hartford, Connecticut



Stephen F. Cashman, Chairman  
By Order of the Commission