

STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by  
Elections Officer

File No. 2010-064NF

FINDINGS AND CONCLUSIONS

Commission Elections Officer made this referral pursuant to General Statutes § 9-623, against Naddeen McKenzie, treasurer of the candidate committee "Gonzalez for State Senate," for her failure to file with the Commission the April 12, 2010 financial statement for the Committee.

After an investigation of the referral, the following Findings and Conclusions are made:

1. The Respondent was the treasurer for "Gonzalez for State Senate, (hereinafter "Committee") a candidate committee established by Robert L. Gonzalez, for the 3rd Senate District for the November 2, 2010 election. Respondent was designated treasurer of the Committee on March 12, 2010.
2. General Statutes § 9-608, provides in pertinent part:
  - (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, . . .*  
[Emphasis added.]
3. General Statutes § 9-623 provides in pertinent part as follows:
  - ...  
(b) (1) If any campaign treasurer . . . fails to file the statements required by section 9-608 or subsection (g) of section 9-610. . . within the time required, the campaign treasurer . . . , shall pay a late filing fee of one hundred dollars.
  - (2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, *if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section . . . 9-608 . . . .*
  - ...  
(4) *The penalty for any violation of section 9-603, 9-604 or 9-608 shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both.*  
[Emphasis added.]
4. On April 22, 2010 a Commission Elections Officer mailed a notice to Respondent via certified mail, return receipt requested, advising her that she failed to file the April 12, 2010 financial statement for the Committee. Respondent did not respond to that notice.

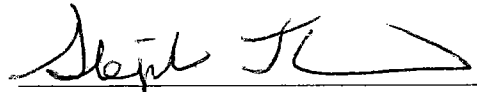
5. On May 17, 2010 a Commission Elections Officer pursuant to General Statutes § 9-623 referred Respondent as Committee treasurer to the Commission Legal Unit for failure to file the April 12, 2010 financial statement discussed in paragraph 4 above. The aforementioned letter resulted in the enforcement proceeding in this instant, File No. 2010-064NF.
6. The Commission concludes that that the Respondent failed to timely file a financial statement on behalf of the Committee which was due on April 12, 2010, in violation of § 9-608.
7. On May 21, 2010 pursuant to §9-623 the Commission issued a letter of demand to the Respondent requiring that she file the April 12, 2010 Committee financial statement and pay a mandatory civil penalty of \$200. The Respondent did not respond to this demand.
8. On September 25, 2010 Robert L. Gonzalez designated Jack. W. Jacobs as the treasurer of the Committee, and registered his new treasurer by filing a *Registration by Candidate* (SEEC Form 1) with the Commission on October 5, 2010. Further, the candidate and Mr. Jacobs filed the April 12, 2010 Committee financial statement that is the subject of the instant enforcement proceeding on October 5, 2010.
9. A Notice of Hearing and Order to Show Cause was issued to the Respondent scheduling a Commission hearing on October 19, 2010 for File No. 2010-064NF.
10. The Commission finds that Respondent, on October 18, 2010 provided the Commission with a letter of resignation and paid a civil penalty in the amount of \$200 in connection with File No. 2010-064NF.
11. On October 19, 2010, a Motion for Continuance of the hearing was made by the State, in agreement with the Respondent, and granted by Hearing Officer Albert P. Lenge, so that the parties could negotiate a settlement in resolution File No. 2010-064NF.
12. The Commission finds that the Respondent's payment of a civil penalty of two hundred dollars (\$200.00), her resignation as treasurer of the Committee, and the candidate's effecting compliance in this matter by replacing the Committee's treasurer and filing the April 12, 2010 financial statement, satisfies its original demand of May 21, 2010.
13. The Commission concludes therefore that because the interests of public disclosure and requirements of §§ 9-608 and 9-623 have been satisfied, that enforcement proceeding, File No. 2010-064NF, requires no further action.

**ORDER**

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

This matter is hereby closed.

Adopted this 17<sup>th</sup> day of November, 2010 at Hartford, Connecticut.

A handwritten signature in cursive script, appearing to read "Stephen F. Cashman", written over a horizontal line.

Stephen F. Cashman

Chairman

By Order of the Commission