

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Myrna Watanabe, Harwinton

File No. 2012-161

FINDINGS AND CONCLUSIONS

Complainant Myrna Watanabe brings this complaint pursuant to General Statutes § 9-7b alleging that respondent Scott Matney, in his role as campaign treasurer for the *Welch for State Senate 2012* and *Welch for State Senate (2010)* candidate committees, failed to supply the employer and principal occupation for contributors on the candidate committee's campaign finance disclosure statements. After the investigation of the Complainant's complaint, the Commission makes the following findings and conclusions:

1. Complainant filed this complaint on November 6, 2012, alleging that the *Welch for State Senate 2012* and the *Welch for State Senate (2010)* candidate committees had failed properly to report their contributors' principal occupations and employers on the committees' campaign finance disclosure reports. Complainant identified several instances on the Welch candidate committees' reports where the treasurer reported neither the principal occupation nor the employer on the campaign finance disclosure statements. *See, e.g.*, SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Welch for State Senate*, July 1, 2010); SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Welch for State Senate*, July 15, 2010); SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Welch for State Senate 2012*, August 15, 2012).
2. Respondent acknowledged in his response to the complaint that the candidate committees' financial disclosure statements did not include contributors' principal occupations or employers, as, per his reading of the statute, that information was not required. Respondent stated, however, that the contributor cards he provided to the Commission in support of his grant applications in 2010 and 2012 included all required information.
3. The Commission has the affirmative duty to create and, upon request, distribute forms to ensure compliance with Chapter 155.
 - (a) The State Elections Enforcement Commission shall prepare and print the forms required for compliance with this chapter and distribute them upon request to candidates and campaign treasurers.

General Statutes § 9-624 (a) (requiring Commission to prepare and print campaign finance disclosure forms).

4. General Statutes § 9-608 (c) (1) specifies what information a treasurer must report on the committee's campaign finance disclosure statements, stating that the information shall "include, but not be limited to" thereby allowing the Commission to seek additional information as required

elsewhere in the statute. Specifically, however, the treasurer's campaign finance reports must include the employer and principal occupation of any contributor who has given more than \$100 to the committee. The reported information must include:

...

(F) for each individual who contributes in excess of one hundred dollars but not more than one thousand dollars, in the aggregate, to the extent known, the principal occupation of such individual and the name of the individual's employer, if any;

...

General Statutes § 9-608 (c) (1) (F).

5. Broadly, General Statutes § 9-608 does not require treasurers to report employer and occupation information for contributors giving less than \$100. But treasurers for certain committees, including General Assembly candidate committees, are required to gather information regarding an individual's employer for anyone who contributes more than \$50 to the committee. *See* General Statutes § 9-608 (c) (3) (stating that contributors who give more than \$50 to state senate candidate committees, among others, must provide name of the contributor's employer to committee's treasurer).
6. Candidate committees that voluntarily choose to apply for a grant from the Citizens' Election Fund face program-specific, fund-raising and expenditure limitations as well as additional reporting obligations, to qualify for those grant funds. General Statutes § 9-706 specifies that the candidate committees seeking to qualify for a grant must file a "cumulative itemized accounting" reflecting all funds received and all expenditures made or incurred as of three days preceding the application. *See* General Statutes § 9-706. In addition, the legislature granted authority to the Commission to specify what information would be required in that "cumulative itemized accounting."

The commission shall prescribe the form of the application and the cumulative itemized accounting. The form for such accounting shall conform to the requirements of section 9-608.

General Statutes § 9-706 (requiring Commission to create forms to collect information in "cumulative itemized accounting" from candidate committees seeking to qualify for grants).

7. In both the 2010 and 2012 election cycles, the candidate committees for Jason Welch applied for and received grants from the Citizens' Election Fund. Respondent Matney, the Welch committees' treasurer in both cycles, completed SEEC Form CEP 15 as part of the grant-application process. *See* SEEC Form CEP 15 (*Welch for State Senate*) (July 1, 2010); SEEC Form CEP 15 (*Welch for State Senate 2012*) (Aug. 8, 2012). Those forms included language, which Matney acknowledged reading by initialing the relevant paragraph, that he would adhere to "requirements for campaign finance disclosure statements and recordkeeping" pursuant to Chapters 155 and 157 as well as SEEC regulations. *Id.*
8. General Statutes § 9-608 (c) (3) requires General Assembly candidate committees, as well as other committees designated in the statute, to collect information regarding the employer of any

contributor who has contributed more than \$50 to the committee. *See* General Statutes § 9-608 (c) (3).

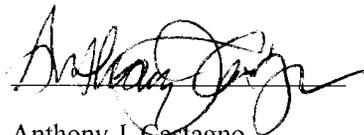
9. As part of the “cumulative itemized accounting” required for participating candidate committees seeking a grant through the voluntary Citizens’ Election Program, the Commission has the authority to require those committees to include employer and principal occupation, to the extent known, for any contributors who have made contributions to the committee. The treasurer should have this information, supplied on contributor’s certification cards, already in their records and would simply need to include that information in reports to the Commission.
10. Respondent provided the information related to contributors’ principal occupations and employers on those contributors’ contribution certification cards that he was required to report under General Statutes § 9-608 (c) when he served as campaign treasurer for Jason Welch in both 2010 and 2012 but did not include that information on his “cumulative itemized accounting” that accompanied his grant application.
11. Based on the authority granted to the Commission in General Statutes §§ 9-624, 9-706, and 9-608, henceforth, the Commission will require candidate committees that apply for grants from the Citizens’ Election Program to include on their “cumulative itemized accounting”¹ the employer and principal occupation, to the extent known, for each contributor to the committee.

ORDER

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

That the Commission take no further action on this complaint.

Adopted this 21st day of August of 2013 at Hartford, Connecticut.



Anthony J. Castagno
By Order of the Commission

¹ The “cumulative itemized accounting” includes preliminary grant application reviews that the Commission performs to assist participating candidate committees in complying with the statutory provisions regarding qualifying contributions, before the committees actually apply for grants.