

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Nancy Valentine,
Ansonia

File No. 2018-097

FINDINGS AND CONCLUSIONS

Complainant Nancy Valentine of Ansonia filed this complaint alleging that David Papcin, a candidate for the office of registrar of voters in the Town of Ansonia, had failed to register as a candidate as required under General Statutes § 9-604. After an investigation of the complaint, the Commission makes the following findings and conclusions:

1. Respondent David Papcin was a candidate for the office of registrar of voters in Ansonia in 2018.
2. On or about June 1, 2018, Papcin filed SEEC Form 1 with the Office of the Ansonia Town Clerk. The form that Papcin submitted was internally inconsistent. First, Papcin indicated on the form, at section 11, that he was forming a candidate committee called *Papcin 2018*, and that he was naming Sheila O'Malley as the treasurer of the committee and Anna Andretta as deputy treasurer.¹
3. But he also stated in that same form, at section 12, that he was exempt from forming a candidate committee and that he was one of a slate of candidates whose campaigns would be funded by the Ansonia Republican Town Committee.²
4. Papcin told investigators that he had made a mistake on the initial filing and had filed a subsequent amended registration statement with SEEC showing that his candidacy would be funded by the town committee. The only filing that investigators found, however, was the one received from the Ansonia Town Clerk that included both the formation of a candidate committee and the designation of the town committee as the primary funding mechanism to support his candidacy.
5. Papcin's ostensible candidate committee filed no campaign finance reports during the 2018 election cycle. The Ansonia Republican Town Committee, however, did report spending on to promote Papcin's candidacy, specifically, \$150 paid by the town committee on December

¹ See SEEC Form 1 – Registration of Candidate Committee (*Papcin 2018*, June 1, 2018) (reflecting establishment of candidate committee by David Papcin and appointment of Sheila O'Malley as treasurer and Anna Andretta as deputy treasurer).

² See SEEC Form 1 – Registration of Candidate Committee (*Papcin 2018*, June 1, 2018) (claiming exemption from formation of candidate committee based on funding through town committee).

5, 2018, for a “robo-call” on behalf of Papcin and another candidate.³ Papcin made a \$75 contribution to the Ansonia Republican Town Committee on December 5, 2018.⁴

6. General Statutes § 9-604 requires a candidate to register a candidate committee within 10 days of becoming a candidate.⁵ In the alternative, a candidate may claim an exemption from forming a candidate committee based on several potential scenarios, including that the candidate is one of a slate of candidates funded solely by the town committee.⁶
7. General Statutes § 9-608 requires the treasurer of a candidate committee to file periodic statements to report contributions and expenditures made by the committee.⁷ If a candidate committee receives or spends less than \$1,000, it is exempt from filing those periodic reports, but must still file a sworn statement noting that it has yet to spend or receive more than \$1,000.⁸
8. It appears that Respondent Papcin erred when he completed his initial registration statement and formed a candidate committee while simultaneously claiming an exemption from doing so.
9. Based on statements that he provided to investigators, he believed he had cured his error and designated the town committee as his sole funding mechanism in a subsequent filing. This mistaken belief that he had amended his filings resulted in the failure of the candidate committee to make subsequent campaign finance filings.
10. Given the good faith error, and the fact that expenditures made by the town committee on his behalf were reported during the election cycle, the Commission will dismiss this complaint.⁹

³ See SEEC Form 20 – Itemized Campaign Finance Disclosure Statement: January 10 Filing (*Ansonia Republican Town Committee*, January 10, 2019) (reporting payment for robo call for Papcin). Anna Andretta serves as treasurer of the Ansonia Republican Town Committee; she was also named as deputy treasurer for Papcin’s purported candidate committee.

⁴ *Id.*

⁵ See General Statutes § 9-604(a).

⁶ See General Statutes § 9-604(b).

⁷ See General Statutes § 9-608(a).

⁸ See General Statutes § 9-608(b).

⁹ This complaint was received November 1, 2018. Pursuant to Public Act 17-02, section 274 (currently codified as General Statutes 9-7a (g)(1)) the Commission is required to dismiss a complaint after one year absent certain statutory extensions of time. The Commission acknowledges that this complaint reached the deadline since it last convened. As opposed to calling a special meeting, and having the agency incur the associated cost, in order to dismiss the complaint on the merits, the complaint is dismissed at this time for the above listed considerations and as required by the statutory time limit.

ORDER

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

This matter is dismissed.

Adopted this 6th day of November, 2019 at Hartford, Connecticut.


Commissioner Anthony J. Castagnoli, Chair
By Order of the Commission