



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR MEETING
5th Floor Conference Room
December 15, 2015
9:00 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:02 A.M. Commissioners Salvatore Bramante, Stephen Penny and Michael Ajello were present. Agency staff was also present.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of November 17, 2015

It was moved by Commissioner Penny and seconded by Commissioner Ajello to approve the Minutes of the November 15, 2015 regular meeting by a 4-0-0 vote.

III. Administrative Reports

SEEC sustained a mid-year cut of \$144,000 as a result of the Special Session held in December. After SEEC's initial analysis of the budget and the hope that no further cuts with the session coming up, we'll do our best to keep on target and should be able to manage the reduction.

On the personnel side, we lost the clerk typist position in November when the clerk typist left for another position outside of state service. SEEC is now going through the four levels of approval at OPM to refill the position. Also, Lead Legal Investigator, Charlie Urso will be retiring as of February 1st. SEEC will ask for this position to be refilled as well, but may take a while to be approved and then will go out to the application process. Positions are not expected to be filled until the spring.

The Commission will be focusing right now on internal training, building redundancies and back-ups through all of our systems. Also, due to the gap in enforcement, Attorney Burns has been moved into the enforcement unit, since we are short staffed there.

Regarding expenditures and purchasing, there is no bond money for SEEC to use. Normally we receive bonded money every year for our IT purchasing. SEEC is trying to pay for as much as possible out of operating funds and limiting purchases to essential items. SEEC is looking at data recovery and where we can make some improvements and we will do that out of our operating budget as best as we can.

Commission staff was recently at COGEL in Boston. Both Director Brandi and Shannon Kief moderated panels. It was a lot of healthy discussion regarding elections and Campaign Finance.

This month is the anniversary of the signing of the legislation creating the CEP. In January we are going to have a little bit of the celebration for the 10th anniversary of the Citizens' Election Program. We will have a wall display in the concourse of the LOB, to commemorate the signing of the bill and the creation of the CEP.

Earlier this month, there was an attempt, certainly a discussion, of suspending the CEP for the 2016 election. Legislators, especially the young legislators in the House Democratic Caucus came out in support of the program and the discussion was dropped and was not, not part of the special session.

Over the next year, in our budget proposals we will be recommending restoration of funds to the Citizens' Election Fund for the 2018 cycle.

The 2016 legislative session is coming up and we are talking about some of the bills notably related to public financing. One of the bills important to bring back is mandatory electronically filing. This is a concept that the Commission has proposed in the past and may want to introduce. Paper filings take time and it is a significant amount of money that SEEC has to spend. Part of ongoing efforts as a staff, is trying to convert as many treasurers as possible into electronic filing. The numbers have increased every year, but they are not increasing fast enough. There was a lot of discussion at the COGEL conference regarding this topic. Mandatory electronic filing is a cost saver for the state and is one piece of legislation that SEEC will bring back this year.

On the campaign finance side, Commission staff recommends the "coordinated spender language" which is a cutting edge initiative. Staff thinks it's worthwhile again, as well as being part of a larger technical bill that would attempt to roll things back prior to the passage of P.A. 13-180.

Finally, regarding the grants, obviously one concern is the amount given in the governor's race. As it currently sits it is 6 and a half million and it is argued that there is not enough money for the race. Commission staff has proposed a revision to the program to increase the grant in the Governor's race. The addition of the Probate Judges to the Citizens' Election Program is an initiative by Commission staff being analyzed and we believe it is time to propose it to the legislature.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Referral by the Campaign Disclosure and Audit Unit of the State Elections Enforcement Commission

File No. 2014-177NF & 2014-186NF

Proposed Final Decision

Hearing Officer:

Michael J. Brandi

Respondent:

Jason Bartlett

Prosecutor:

Ryan M. Burns

Hearing Officer Brandi summarized the above referenced report in File Nos. 2014-177NF and 2014-186NF. He recommended adoption of the Final Decision.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Final Decision in File Nos. 2014-177NF and 2014-186NF. So voted by a vote of 4-0-0. The Final Decision is available on our website under Commission Decisions.

V. *Executive Session per General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) and General Statutes §9-7a, as amended by Public Act 11-48 §300 (Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)*

It was moved by Commissioner Bramante and seconded by Commissioner Penny at 9:44 A.M. to proceed into Executive Session pursuant to General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) to discuss strategy and negotiations with respect to pending claims and exempt records. So voted.

Commissioners Castagno, Bramante, Ajello and Penny were present. Staff members present were Michael Brandi, Kevin Ahern, Scott Branfuhr, Marianne Sadowski, Ryan Burns, Evelyn Gratacos, Gilberto Oyola, William Smith, James Talbert-Slagle, Doug Frost, Linda Waterman, Shannon Kief, Sarah Clark and Sheri-Lyn Lagueux.

The Commission returned to public session at 10:57 A.M.

The Commission took the following actions in public session.

1. In the Matter of a Complaint by Jerry Labriola, Wallingford
File No. 2014-126
Recommendation of Counsel
Attorney: Kevin M. Ahern
Lead Legal Investigator: Charlie Urso

The matter is continued. No action taken.

2. In re: Referral of the Secretary of the State, Hartford
File No. 2013-152

Recommendation of Counsel

Attorney: Kevin M. Ahern
Legal Investigator: Gilberto Oyola

The matter is continued.

3. In the Matter of a Complaint by Thomas Brummet, Canterbury
File No. 2014-079

Proposed Findings & Conclusions

Attorney: James M. Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney Talbert-Slagle summarized the above referenced complaint and Recommendation of Counsel in File No. 2014-079. He recommended adoption of a Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2014-079. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Thomas Brummet, Canterbury
File No. 2014-090

Proposed Findings & Conclusions

Attorney: James M. Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney Talbert-Slagle summarized the above referenced complaint and Recommendation of Counsel in File No. 2014-090. He recommended adoption of a Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2014-090. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

5. In re: SEEC initiated Kearney 2011- Audit Findings, Hartford
File No. 2012-068

Proposed Consent Order

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

6. In re: SEEC Initiated Wadsworth for State Senate – Audit Findings, Hartford

File No. 2015-099
Recommendation of Counsel

Attorney: James M. Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney Talbert-Slagle summarized the above referenced complaint and Recommendation of Counsel in File No. 2015-099. He requested authorization to initiate a referral to the Office of the Chief State's Attorney.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to authorize a referral to the Office of the Chief State's Attorney in File No. 2015-099. So voted by a vote 4-0-0.

7. In the Matter of a Complaint by Raquel Calderon, Hartford
File No. 2015-049
Recommendation of Counsel

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Recommendation of Counsel in File No. 2015-049. He recommended adoption of a Proposed Findings & Conclusions.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-049. So voted by a vote 3-0-1 with Commissioner Bramante abstaining. The Findings & Conclusions will be available on our website under Commission Decisions.

8. In the Matter of a Complaint by Ryan A. Mulcahy and Frank A. Burgio, Sr.,
Waterbury
File No. 2015-093
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter is continued.

9. In the Matter of a Complaint by Charles A. Coviello, Bridgeport
File No. 2014-073
Recommendation of Counsel

Attorney: William B. Smith
Lead Legal Investigator: Charlie Urso

The matter is continued.

10. In the Matter of a Complaint by Paul S. Lavoie, Trumbull

File No. 2015-087
Recommendation of Counsel

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

Attorney Smith summarized the above referenced complaint and Recommendation of Counsel in File No. 2015-087. He recommended adoption of a Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Ajello to adopt the Proposed Findings & Conclusions in File No. 2015-087. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

11. In the Matter of a Complaint by Lisa Labella, Trumbull
File No. 2014-046
Recommendation of Counsel

Attorney: William B. Smith
Legal Investigator: Scott Branfuhr

The matter is continued.

12. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

Attorney Smith summarized the Recommendation of Counsel dated December 4, 2015 and requested that fourteen (14) matters be moved to investigate.

It was moved by Commissioner Penny and seconded by Commissioner Ajello to make a determination that it is necessary to investigate violations relating to fourteen (14) complaints File Nos.: 2015-161, 2015-162, 2015-163, 2015-164, 2015-165, 2015-166, 2015-174, 2015-175, 2015-176, 2015-177, 2015-178, 2015-179, 2015-180 and 2015-181. So approved by the Commission, 4-0-0.

13. Consideration of Draft Audit Reports

1. "Committee to Elect Joe Doering," Joseph Doering
Examiner: Matthew Lombardi
2. "Tim for Connecticut," Timothy Herbst
Examiner: Krysta Holmes
3. "Joe Verrengia for State Rep.," Joe Verrengia
Examiner: Amit Shah
4. "Doug for CT," Doug Dubitsky
Examiner: Dinorah Collado

Linda Waterman provided an overview of the audits and recommended that the audit numbered 1 be referred to the Law Enforcement Unit for investigation, so moved by Commissioner Bramante and seconded by Commissioner Ajello. So approved by the Commission, 4-0-0.

Linda Waterman provided an overview of the audits and recommended that the Commission make audits numbered 2-4 final, so moved by Commissioner Ajello and seconded by Commissioner Bramante. So approved by the Commission, 4-0-0.

VI. *Consideration of Matters Discussed in Executive Session*

VII. *Adjournment*

It was moved by Commissioner Penny and seconded by Commissioner Ajello at 11:10 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

Respectfully submitted,

Sheri-Lyn Lagueux
Clerk of the Commission

Adopted this 13th day of January, 2016 at Hartford, Connecticut.

Anthony J. Castagno
By Order of the Commission

The next regular scheduled meeting is January 13, 2016 at 9:30 A.M. in the 5th Floor Conference room.