

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

*In re. Audit of Edward Colon for State Representative*

File No. 2015-143

**AGREEMENT CONTAINING A CONSENT ORDER**

This Agreement by and between Eugene R. Klimaszewski, City of Meriden, State of Connecticut, hereinafter referred to as Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. The Commission initiated this enforcement matter against the candidate and treasurer for the *Edward Colon for State Representative* candidate committee following an audit of the committee by the Commission's Campaign Disclosure & Audit Unit. The review of the committee's records and campaign finance disclosure reports showed that the committee failed to provide several invoices to support expenditures made by the candidate committee. Based on the recommendation encapsulated in the draft audit, the Commission referred this matter to the Enforcement Unit for additional investigation and prosecution.
2. The Commission reviewed the internal documentation that the candidate committee treasurer had collected to support expenditures made by the *Edward Colon for State Representative* candidate committee after the committee's selection in the random audit lottery conducted following the 2014 election cycle. Edward Colon established this candidate committee in February 2014 to support his nomination for election as a candidate in the 25<sup>th</sup> General Assembly district.<sup>1</sup> Colon amended his registration on June 26, 2014, to name Eugene Klimaszewski as treasurer.<sup>2</sup> The committee, with Klimaszewski as treasurer, opted to participate in the Citizens' Elections Program.<sup>3</sup> The committee received grant funds totaling \$26,850 on October 20, 2014.<sup>4</sup>

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<sup>1</sup> See SEEC Form 1 – Registration of Candidate Committee (*Edward Colon for State Representative*, February 24, 2014) (reflecting establishment of candidate committee by Edward Colon and appointment of Piotr S. Ceglarz as treasurer and Edwin Torres as deputy treasurer).

<sup>2</sup> See SEEC Form 1 – Registration of Candidate Committee (*Edward Colon for State Representative*, June 26, 2014) (reflecting change in treasurer for committee with Klimaszewski replacing Piotr S. Ceglarz).

<sup>3</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Edward Colon for State Representative*, June 26, 2014) (reflecting intent of candidate, treasurer, and deputy treasurer to participate in Citizens' Election Program and follow voluntary program rules).

<sup>4</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: First Weekly Supplemental Filing (*Edward Colon for State Representative*, October 23, 2014) (reporting receipt of grant from Citizens' Election Fund totaling \$26,850 on October 20, 2014).

3. In reviewing expenditures made by the committee, the Commission staff found that a number of payments made by the treasurer lacked sufficient backup documentation to show that these expenditures were made to promote Colon's candidacy. Specifically, the Commission's audit identified 23 expenditures for which the committee lacked necessary backup documentation to support the expenditures. During the course of the investigation, candidate Colon provided documentation to support all of the expenditures except one. That missing receipt stemmed from an event that occurred when the committee was transitioning from the original treasurer, Ceglarz, to Klimaszewski, who is executing this consent order on behalf of the committee.
4. General Statutes § 9-608 (c) (1) (C) requires a campaign treasurer to itemize each expenditure made by the committee on financial disclosure statements filed periodically with the Commission.<sup>5</sup> To corroborate those expenditures, the treasurer must supply contemporaneous documentation of each expenditure.<sup>6</sup> General Statutes § 9-606 (a) requires a treasurer, among other things, to make and report all expenditures of the committee and to keep internal records of each entry made on statements filed with the Commission.<sup>7</sup> The general statutes require the campaign treasurer of a candidate committee to retain all financial documentation from the committee for four years from the date of the last report that the candidate committee was required to file.<sup>8</sup> To corroborate expenditures, the treasurer must supply contemporaneous documentation of each expenditure.<sup>9</sup> The Commission's regulations require all committees to execute a written contract for any services rendered valued at more than \$100 as well as to provide documentation showing what services were actually provided.<sup>10</sup>
5. General Statutes § 9-7b provides in part:

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<sup>5</sup> See General Statutes § 9-608 (c) (1) (C) (directing campaign treasurer to provide "itemized accounting of each expenditure, if any, including the full name and complete address of each payee, . . . the amount and the purpose of the expenditure, the candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate. . .").

<sup>6</sup> See General Statutes § 9-607 (f) (requiring treasurer to maintain "contemporaneous invoices, receipts, bills, statements, itineraries, or other written or documentary evidence showing the campaign or other lawful purpose of the expenditure").

<sup>7</sup> See General Statutes § 9-606 (a) (laying out responsibilities of committee treasurers under Connecticut campaign finance statutes).

<sup>8</sup> *Id.*

<sup>9</sup> See General Statutes § 9-607 (f) (requiring treasurer to maintain "contemporaneous invoices, receipts, bills, statements, itineraries, or other written or documentary evidence showing the campaign or other lawful purpose of the expenditure").

<sup>10</sup> See Regs., Conn. State Agencies § 9-607-1 (a) (1) and (2) (State Elections Enforcement Comm'n) (requiring executed contracts before any service is provided by contractors as well as "contemporaneous detailed documentation" for all expenditures incurred by committee).

(a) The State Elections Enforcement Commission shall have the following duties and powers: . . .

(2) To levy a civil penalty not to exceed . . . (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against

6. As stated above, the Commission has the authority to impose a civil penalty of as much as \$2,000 for each offense of Connecticut's General Statutes regarding campaign finance and can also reduce that penalty where circumstances warrant such leniency.
7. Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered into after a full hearing and shall become final when adopted by the Commission.
8. Respondent waives:
  - a) Any further procedural steps;
  - b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
  - c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
9. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

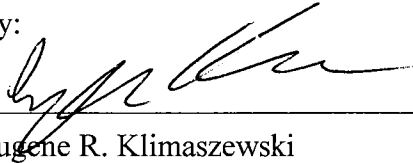
**ORDER**

IT IS HEREBY ORDERED THAT the Respondent Eugene R. Klimaszewski agrees henceforth to maintain all backup documentation to support expenditures and provide that documentation to the Commission upon request to justify expenditures made by the candidate committee.

The Respondent

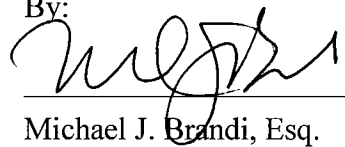
For the State of Connecticut

By:



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Meriden, CT 06451-2800

By:



Michael J. Brandi, Esq.  
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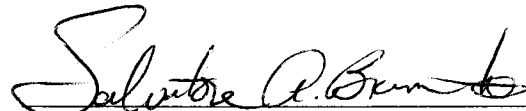
Dated:

10/10/18

Dated:

10/12/18

Adopted this 17<sup>th</sup> day of October, 2018 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman  
By Order of the Commission *Via*

*Salvatore A. Bramante*