

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION
RECEIVED
STATE ELECTIONS

In re "Royston 2008"

FEB 17 2011

File No. 2010-121

ENFORCEMENT COMMISSION
AGREEMENT CONTAINING CONSENT ORDER

This Agreement, by and between Michael E. Royston, of the Town of Windsor Locks, County of Hartford, State of Connecticut and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177 (c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. The Commission authorized an investigation into whether Michael E. Royston, a candidate for State Representative of the 60th District, and/or his candidate committee treasurer Amy Tria violated General Statutes § 9-607, Citizens Election Program statutes, regulations or requirements based up on the information discovered during the audit of the "Royston 2008" candidate committee. In that audit, a finding was made that backup documentation was not provided to the Commission for 26 expenditures totaling \$6,957.91.
2. General Statutes § 9-607 (f) concerns the treasurer's responsibility for preserving the internal documents of the committee and reads, in pertinent part:

"The campaign treasurer shall preserve all internal records of transactions required to be entered in reports filed pursuant to section 9-608 for four years from the date of the report in which the transactions were entered. Internal records required to be maintained in order for any permissible expenditure to be paid from committee funds include, but are not limited to, contemporaneous invoices, receipts, bills, statements, itineraries, or other written or documentary evidence showing the campaign or other lawful purpose of the expenditure. . . . In the case of a candidate committee, the campaign treasurer or the candidate, if the candidate so requests, shall preserve all internal records, cancelled checks, debit cards slips and bank statements for four years from the date of the last report required to be filed under subsection (a) of section 9-608;. . . (Emphasis added.)

3. Section 9-706-1 (b) of the Regulations of Connecticut State Agencies requires that documentation substantiating any expenditure be made at the time of the expenditure, and reads, in pertinent part:

The absence of contemporaneous detailed documentation indicating that an expenditure was made to directly further the participating candidate's nomination for election or election *shall mean that the expenditure was not made to directly further the*

participating candidate's nomination for election or election, and thus was an impermissible expenditure. Contemporaneous detailed documentation shall mean documentation which was created at the time of the transaction demonstrating that the expenditure of the qualified candidate committee was a campaign-related expenditure made to directly further the participating candidate's nomination for election or election to the office specified in the participating candidate's affidavit certifying the candidate's intent to abide by Citizens' Election Program requirements. Contemporaneous detailed documentation shall include but not be limited to the documentation described in section 9-607(f) of the Connecticut General Statutes. . . . (Emphasis added.)

4. Here, there is no evidence that Respondent Tria maintained the requisite internal records for the 26 expenditures at issue. The Commission therefore concludes that Respondent Tria violated General Statutes § 9-607 (f).
5. For the purposes of settlement, the candidate, Mr. Michael E. Royston, agrees to assume the liabilities and responsibilities of Ms. Tria in this matter. Accordingly, subsequent references to the Respondent in this agreement refer to Mr. Royston.
6. The 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.
7. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him concerning this matter or any other findings that appear in the Final Audit Report for the "Royston 2008" candidate committee.
8. 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

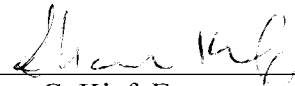
IT IS HEREBY ORDERED that Respondent Michael E. Royston shall pay a civil penalty of \$225 and will henceforth strictly comply with the requirements of Connecticut General Statutes § 9-607 (f) and § 9-706-1 of the Regulations of Connecticut State Agencies.

The Respondent:



Michael E. Royston
18 Poplar Street
Windsor Locks, CT

For the State of Connecticut:

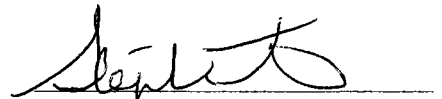
BY: 

Shannon C. Kief, Esq.
Legal Program Director
& Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT

Dated: 2/14/11

Dated: 2/19/11

Adopted this 16th day of Feb of 2011 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission