

ANNUAL REPORT

Missouri Ethics Commission



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Missouri Ethics Commission – Annual Report

Commission Overview: Authority and Mission

The Missouri Ethics Commission was established by the Missouri General Assembly in 1991 with the passage of SB 262 (§§105.955 – 105.963, RSMo). The Commission consists of 6 members, 3 Republicans and 3 Democrats, who are appointed by the Governor with the advice and consent of the Senate. Each member is appointed for a four year term.

The Commission acts through its Executive Director and a full-time professional, non-partisan staff of 21 employees. Under state statute, the Commission is responsible for the following:

- Lobbyist registration and reporting of lobbyist expenditures
- Campaign finance reporting for those committees filing reports with the Commission
- Receiving Personal Financial Disclosure Statements (Financial Interest Statements) and maintaining an up-to-date list of required filers

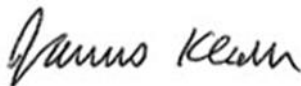
In furtherance of the Commission's duties, the General Assembly has provided the Commission with the authority to conduct audits and investigations as necessary to ensure that lobbyists, committees and public officials are properly filing reports. In addition, the Commission has the authority to investigate complaints relating to the conflict of interest laws (§§105.450 to 105.468, RSMo), provisions of the Missouri Constitution or a statute or local order, ordinance or resolution relating to the official conduct of public officials or employees.

As part of the Commission's efforts to ensure compliance with reporting laws, the Commission is actively engaged in training for public officials and candidates, particularly relating to the campaign finance laws (Chapter 130, RSMo) and conflict of interest laws.

The Commission staff has adopted its current Strategic Plan which includes the following Mission Statement:

The MEC serves the public interest by promoting and maintaining transparency, accountability, and compliance with campaign finance, lobbying, and conflict of interest laws. We educate and assist the citizens of Missouri, public officials, lobbyists, and those participating in public elections by increasing awareness and understanding of the law. We investigate and enforce these laws consistently.

We hope that you get a better idea of the work the Commission does by reviewing this Annual Report. While we are issuing this report in 2015, the report reflects our analysis of data as reported to the Commission in 2014. If you are interested in learning more about the Commission and the work we do, please visit our website at www.mec.mo.gov.



James Klahr

Executive Director

Campaign Finance

Introduction & Purpose

Campaign Finance Disclosure is required when individuals, groups, and entities receive money (contributions) and/or spend money (makes contributions or expenditures (paid or incurred)) to support or oppose a candidate or ballot measure. The law requires record-keeping and, in most instances, reporting of this activity. The purpose for these disclosure requirements is to provide accountability, transparency, and enforceability. See Chapter 130 RSMo for more information.

Commission staff members assist filers in complying with the statutes via telephone inquiries, e-mail inquiries, and statewide training seminars. The individuals required to file committee disclosure reports are a person or any combination of persons, who accept contributions or make expenditures exceeding certain dollar thresholds for the purpose of attempting to influence the action of voters. Staff receives, processes, and, if necessary, audits the reports. The number of reports received varies depending on the election year. The even numbered calendar years will contain six to eight reporting deadlines, while the odd numbered calendar years will contain only four to five reporting deadlines.

A **campaign finance committee** is a person or group of persons who accept money from others (contributions received) or spends or incurs money (expenditures made) to influence the action of voters for or against candidates and/or ballot measurers, or to pay a campaign debt. See §130.011 RSMo for full definition of “committee” and “person”. Once the money spent or received exceeds certain dollar amounts a campaign finance committee must be formed and registered.

A candidate committee is the most common type of campaign finance committee. The type of office a candidate is running for, the amount of money accepted (contributions received), and the amount of money spent or incurred (expenditures made) by the candidate determines his/her level of reporting and whether or not the candidate has to form and register a campaign finance committee. Based on these same factors, certain committees are required to register the committee and file their disclosure reports with the MEC, or the MEC, and their local election authority (county clerk or board of election commissioners) while others may be required to register their committee and file their disclosure reports with their local election authority only.

NOTE: Data is compiled from reports from committees that are registered with the MEC and subsequently file their reports with the MEC; local committees filing only with their local election authorities are not included.

🔗 See [When to Form and Register a Committee](#) for specifics.

Campaign Finance

2014 Statistics

Total Campaign Finance Activity as Reported to the MEC in 2014

Category	Amounts*
Total Receipts**	\$106,061,362.39
Total Expenditures	\$65,008,316.53
Total Contributions Made To Other Committees	\$29,711,032.01

* Amounts reflect activity during 2014.

** Receipts included both contributions received and miscellaneous receipts (e.g. Interest, returned checks, refunds).

Registered Campaign Finance Committees: There were 2,471 campaign finance committees actively registered with the MEC during 2014. Twenty-nine candidates for statewide office, general assembly, and certain municipal offices who received or spent \$500 or less were exempt from forming a committee and filed a Statement of Exemption with the MEC.

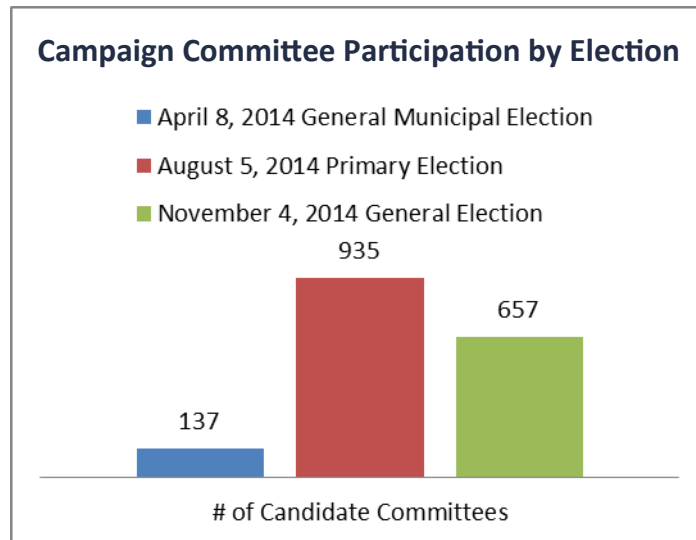
2014 Campaign Finance Committee Types	Number	Definition
Campaign	60	Formed to support or oppose ballot measure(s) in a specific election or for the retention of judges appointed under the nonpartisan court plan.
Candidate	1,322	Formed by a single candidate for office in a specific election. Contributions received are used in the specific election to support the candidacy. The candidate may have only one candidate committee per office sought.
Continuing (Political Action/PAC)	817	Formed to support or oppose candidate(s) or ballot measure(s), and to remain in existence beyond any one election cycle.
Debt Service	40	Formed to retire a candidate committee's debt as reported on the 30 Day After Election campaign finance disclosure report. May stay in existence no more than 18 months after forming.
Exploratory	2	Formed to receive/spend money to determine whether an individual will seek public office.
Political Party	230	Formed as a committee of a political party. A state, district, county, city, or area committee of a political party, defined in §115.603 RSMo.
TOTAL	2,471	

Information provided as of January 29, 2015, and is based upon data as reported to the Missouri Ethics Commission

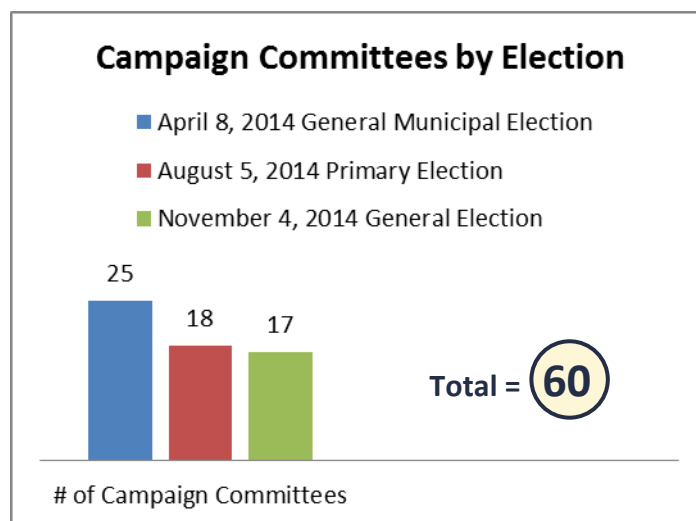
Campaign Finance

2014 Statistics

Candidate Committees participating in 2014 elections, by election date: (Candidate Committees successful in the August 5 Primary Election also participate in the November 4 General Election.)



Campaign Committees formed for 2014 elections, by election date:



Information provided as of January 29, 2015, and is based upon data as reported to the Missouri Ethics Commission

Campaign Finance

2014 Statistics

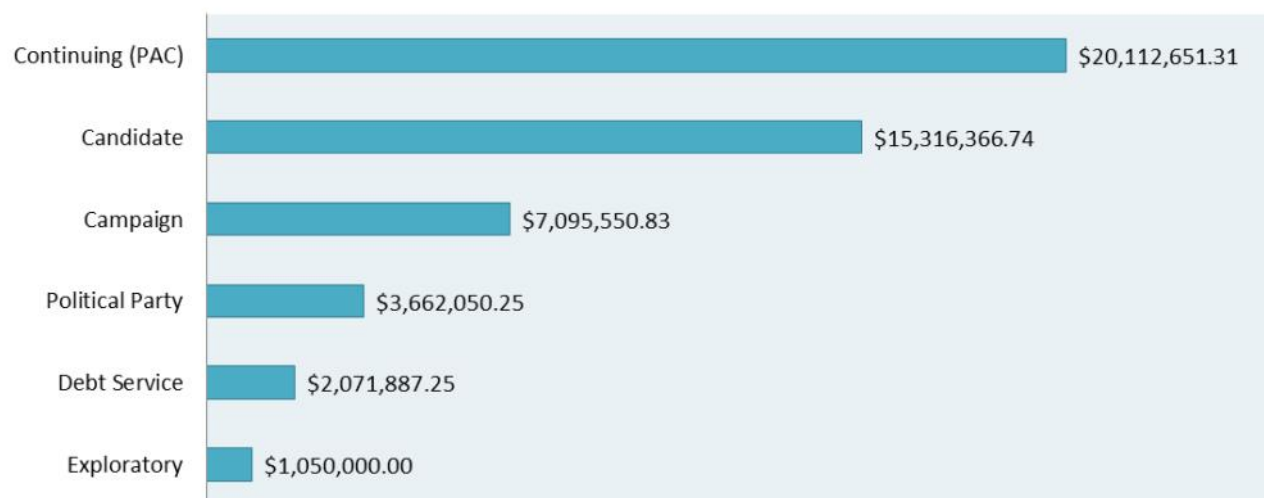
Large Contributions over \$5,000: Any individual or committee that receives a single contribution (including a loan, see §130.011 RSMo for full definition of contribution) from a contributor in an amount over \$5,000 must electronically report the contribution to the MEC within 48 hours of its receipt and must also report this contribution on the committee’s next filed report. This report is required from all committees, including local committees, who upon receipt of a large contribution over \$5,000 must register their committee with the MEC and file the report, within 48 hours to avoid late fees.

2014 Reported Contributions Received over \$5,000		Number
# of large contributions reported received		1750
# of committees reporting receiving large contribution		356
Total \$ amount reported received in large contributions		\$49,308,506.38
Largest \$ contribution reported received		\$2,500,000.00

Type of contributor making large contribution		Number
Committees		705
Businesses/Organizations		698
Individuals		347

Type of committee receiving large contribution		Number
Candidate		191
Continuing (PAC)		128
Campaign		17
Debt Service		12
Political Party		6
Exploratory		2

Total Amount of Contributions over \$5,000 Received by Committee Type

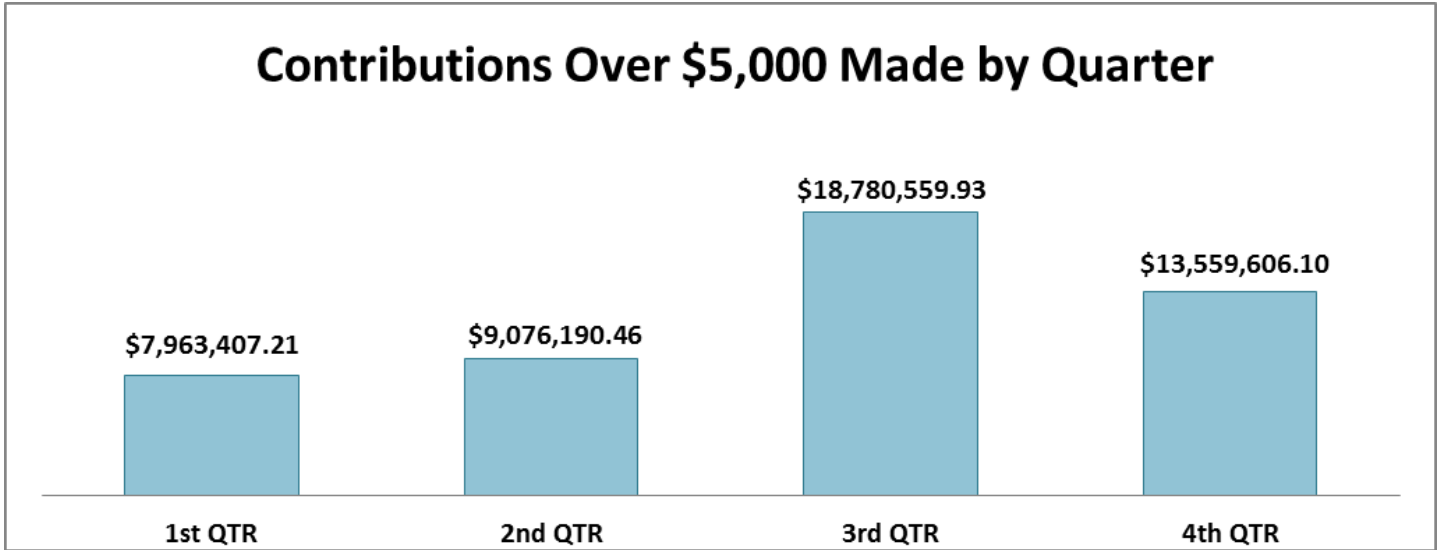


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Campaign Finance

2014 Statistics

Large Contributions over \$5,000 (cont.):



Campaign Finance

2014 Statistics

Large Contributions over \$5,000 (cont.):

2014 Top 20 Contributors (of reported contributions > \$5,000)	Amount	Number of Contributions
Rex & Jeanne Sinquefield	\$10,463,000.00	34
House Republican House Committee, Inc.	\$1,975,805.64	57
Missouri Senate Campaign Committee	\$1,456,711.95	19
Missouri Democratic State Committee	\$1,122,038.72	81
Claire McCaskill	\$860,000.00	14
MO National Education Association	\$750,000.00	2
National Education Association Campaigns & Elections	\$750,000.00	2
Industry Advancement Fund Heavy Constructors Association	\$710,266.67	11
Vicki Schneider	\$520,000.00*	2
Friends of Diehl	\$500,002.00	8
Susan Montee	\$500,000.00*	1
Missourians for Responsible Government	\$470,700.00	4
Grow Missouri	\$460,513.00	15
Humane Society Legislative Fund	\$392,094.50	2
David Shatz	\$350,000.00	2
Missouri Club for Growth PAC	\$350,000.00	12
Committee to Elect Ron Richard	\$342,375.00	21
Ameren Missouri	\$308,500.00	10
Republican State Leadership Committee	\$297,750.00	7
Herzog Contracting Corp	\$295,000.00	7

*Indicates loan(s) made from candidate to their committee.

Campaign Finance

2014 Statistics

Top 10 Campaign Committees Expending Money to Support/Oppose Ballot Measures:

Contributions and/or expenditures made, as reported by a committee. Local committees that register and file their campaign finance reports only with their county clerk or board of election commission are not included in this search.

Campaign Committee	Ballot Measure	Election Date	Support or Oppose	Pass/Fail	Total Expended
Missourians for Safe Transportation & New Jobs Inc.	Constitutional Amendment 7 : Transportation	08/05/14	Support	Fail	\$4,222,810.97
Committee in Support of Public Education	Constitutional Amendment 3 : Education	11/04/14	Oppose	Fail	\$2,275,399.21
Missouri Early Voting Fund	Constitutional Amendment 6: Voting	11/04/14	Support	Fail	\$1,003,981.40
Missourians for Children's Education	Constitutional Amendment: Education Tax Credit	*	Support	n/a	\$313,591.40
KC Citizens for Safety	Question 1: Fire Safety Tax Renewal	08/05/14	Support	Pass	\$237,493.83
Citizens for a Better Columbia	Proposition 2: Development Fees	11/04/14	Oppose	Fail	\$105,862.78
Farming & Ranching	Constitutional Amendment 1 : Agriculture	08/05/14	Support	Pass	\$97,103.49
Branson Area Regional Tourism	Tourism Community Enhancement District	04/08/14	Support	Pass	\$73,905.07
Missouri Roundtable for Life	Constitutional Amendment: Campaign Contribution Reform	*	Support	n/a	\$69,496.22
Protect Missouri Children	Constitutional Amendment 2: Evidence in Sexual Crimes Against Minors	11/04/14	Support	Pass	\$52,086.14

*Initiative petition effort to place issue on November 4, 2014 General Election ballot but measure was not on ballot.

Campaign Finance

2014 Statistics

Total receipts reported for 2014 election dates: Candidates must indicate what office they are running for (office sought) and identify what election they are running in when they register their committee. In 2014, the only statewide office on the ballot was state auditor. In the general assembly, all the seats of the Missouri House (163) and half the seats of the Missouri Senate (17) were up for election.

Office Sought	Total receipts reported
State Auditor Candidates	\$1,184,607.68
Missouri Senate Candidates	\$12,057,587.92
Missouri House Candidates	\$14,472,111.76

Total receipts reported for 2014 election dates by candidates for county offices with a population over 100,000 (includes City of St. Louis):

Counties	Total receipts reported
St Louis	\$4,970,504.04
Jackson	\$851,977.51
Jefferson	\$606,382.07
St. Louis City (Not w/in a county)	\$581,218.06
Clay	\$492,691.56
St. Charles	\$490,520.82
Greene	\$432,729.35
Boone	\$270,150.64
Jasper	\$153,568.98
Franklin	\$120,731.75

Campaign Finance

2014 Late Fee Assessment

Late Fee Introduction

Section 105.492 and 105.963 RSMo, gives the Executive Director of the Missouri Ethics Commission the authority to assess late filing fees for reports not filed by the statutory deadline.

Campaign Finance Disclosure Reports (§105.963) - Candidates for office and campaign finance committees are required to file campaign finance disclosure reports with the Missouri Ethics Commission in a timely manner. A candidate committee or a campaign finance committee which fails to file a campaign disclosure report shall be assessed a late filing fee of ten dollars (\$10) per day for each day the report is not received by the Missouri Ethics Commission with a maximum assessment amount of \$3,000. However, a candidate committee which fails to file an 8-day before the election report shall be assessed a late filing fee of one hundred dollars (\$100) per day for each day the report is not received by the Missouri Ethics Commission with a maximum assessment amount of \$6,000.

Late Fee Assessment

Committee Type	# of Reports Assessed	\$ Assessed
Candidate		
• Statewide	7	\$690.00
• General Assembly	100	\$12,540.00
• Other Candidate Committees Required to File with the MEC	100	\$13,200.00
PAC	121	\$18,780.00
Political Party	17	\$1,980.00
Campaign	7	\$2,290.00
2014 Total	352	\$49,480.00

Report Types	# of Reports	\$ Assessed
Quarterly	113	\$10,780.00
8 Day Before Election	90	\$11,410.00
30 Day After Election	74	\$3,990.00
Large Contribution Over \$5,000	75	\$23,300.00
2014 Total	352	\$49,480.00

Information provided as of January 29, 2015, and is based upon data as reported to the Missouri Ethics Commission

Lobbying

Introduction & Purpose

A **lobbyist** is a person who attempts to influence the action of government (see §§105.470-105.478 RSMo for more information). A lobbyist principal is any person, business entity, governmental entity, religious organization, non-profit corporation or association who employs, contracts for pay, or otherwise compensates a lobbyist. There are four types of lobbyists:

- Legislative lobbyist
- Executive lobbyist
- Judicial lobbyist
- Elected local government official lobbyist.

A lobbyist may register to lobby any or all of these government branches. Each lobbyist must do the following:

- Register annually with the Missouri Ethics Commission
- Pay a \$10 annual registration fee
- File monthly reports disclosing any monies spent on elected officials, their spouses, and dependent children, and/or staff, and disclosing business relationships with public officials.

Failure to file the monthly statement results in a \$10 per day late fee. A lobbyist may terminate their status at any time.

A lobbyist or lobbyist principal must file a List of Principals and Legislative Action report with the Missouri Ethics Commission by March 15 and May 30 of each year.

Reported Lobbyist Expenses

Lobbyists report monies spent by the lobbyist principal and/or the lobbyist. They report monies spent on behalf of public officials, their staff and employees, spouses, and dependent child(ren). Lobbyist expenditures include:

- Printing & Publication
- Media & Other Advertising
- Travel
- Entertainment
- Honorariums/Gifts
- Meals/Food/Beverages

🔗 See [Lobbyist Tutorials & FAQs](#) on our website.

Lobbying

2014 Statistics

Registered Lobbyists: Each lobbyist shall, not later than January fifth of each year or five days after beginning any activities as a lobbyist, file standardized registration forms, verified by a written declaration that it is made under penalty of perjury, along with a filing fee of ten dollars, with the commission. There were 916* lobbyists registered with the MEC during the calendar year 2014.

2014 Lobbyist Type	Number
Legislative	518
Executive	542
Judicial	7
*Legislative/Executive/Judicial	245
Elected local government official	433

**One lobbyist may register as more than one type.*

Reported Expenditures:

Each month registered lobbyists electronically report to the Commission their expenditures for the prior month and any direct business relationship, association, or partnership the lobbyist has with a public or elected local government official.

Reported expenditures include data from January 2014 through December 2014, as reported in lobbyists' monthly reports filed through January 2015.

2014 Official Type	#	Reported Amount Spent on Official	Reported Amount Spent on Staff	Reported Amount Spent on Family
Representatives	5,835	\$160,444.07	\$19,053.80	\$10,012.87
Senators	2,125	\$48,527.78	\$21,316.70	\$3,857.37
Statewide Elected Officials	40	\$180.74	\$1,575.69	-
Supreme Court Judges	1	\$31.00	-	-
Local Elected Officials	228	\$18,686.71	-	-
Other Public Officials	1,413	\$2,282.80	\$31,747.39	\$3,784.65
Total	9,642	\$230,153.10	\$73,693.58	\$17,654.89

Information provided as of January 29, 2015, and is based upon data as reported to the Missouri Ethics Commission

Lobbying

2014 Statistics

Reported Expenditures (continued):

Group expenditures are made on behalf of a group of public officials, their staff, employees, spouse, or dependent children on any single occasion when any of the following groups are invited, in their entirety, in writing: all members of the Senate or House; all members of a Joint Committee of the General Assembly; all members of a Standing Committee of the Senate or House; and, all members of a caucus of the majority or minority party of the Senate or House.

Committee	Reported Expenditures
General Assembly	\$301,042.10
Senate	\$ 68,040.31
House	\$ 41,894.50
Majority Caucus: House	\$ 29,747.25
Majority Caucus: Senate	\$ 6,106.85
Minority Caucus: Senate	\$ 6,776.00
Minority Caucus: House	\$ 6,165.79
Total	\$459,772.80

Lobbying

2014 Late Fee Assessment

Late Fee Introduction

Sections 105.492 and 105.963 RSMo, gives the Executive Director of the Missouri Ethics Commission the authority to assess late filing fees for reports not filed by the statutory deadline.

Lobbyist monthly expenditure reports (105.492) - Each lobbyist is required to file a monthly expenditure report electronically. The Lobbyist Reports are due the 10th of each month for any activity occurring in the previous month. If the lobbyist made no expenditures, the lobbyist must still file a No Expenditure Report. After the 10th of the month, a lobbyist which fails to file a monthly expenditure report shall be assessed a late filing fee of ten dollars (\$10) per day for each day the report is not received by the Missouri Ethics Commission.

Late Fee Assessment

Month Report Due	# Assessed	\$ Assessed
January	6	\$110.00
February	19	\$250.00
March	10	\$150.00
April	16	\$330.00
May	7	\$190.00
June	21	\$440.00
July	8	\$420.00
August	14	\$550.00
September	8	\$240.00
October	15	\$850.00
November	15	\$380.00
December	20	\$280.00
2014 Total	159	\$4,190.00

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Personal Financial Disclosure

Introduction & Purpose

Personal Financial Disclosure (PFD) statements are financial interest statements completed and filed by a public official, an employee, or a candidate. The purpose of filing a PFD is to disclose any potential conflicts of interest between the individual and the individual's political subdivision (subdivision). A subdivision includes subdistricts or special districts of the state. PFD filers must include financial information for themselves, their spouses, and dependent children. The financial information disclosed includes only sources of income, assets, and other holdings, not dollar amounts. The MEC must retain the statements for which may be accepted by request. See §§105.483—105.492 RSMo for more information.

Staff members of the MEC assist subdivisions and filers in complying with the statutes. PFD statements are reviewed and processed. The individuals required to file a PFD statement include judges, elected and appointed official holders, candidates for elective or appointed offices, administrative assistants to the statewide office holders, members of boards and commissions, and certain employees of state agencies, just to name a few. 8,000 to 12,000 PFD statements are filed each year depending on the number of candidates required to file a PFD. These statements are retained for public viewing. §105.491.2, RSMo, states that the MEC shall keep a public record of all persons inspecting or copying financial statements. Therefore, these statements are not available on-line but by request.

2014 Subdivisions with officials subject to PFD requirement

Subdivision Type	Number
Cities & Villages	944
Public School Districts, Charter Schools, Colleges & Universities	592
Counties & Townships	427
Fire Districts	379
Water Districts & Sewer Districts	260
Community Improvement Districts	248
Road Districts	236
Transportation Development Districts	184
Ambulance, 911, & Emergency Districts	152
Health Departments, Hospital, Nursing Home Districts	151
Levee, Drainage Districts	144
Library Districts	121
Statewide Offices, General Assembly, Boards & Commissions, Agencies	49
Senate Bill 40/Developmental Disabilities Districts	36
Business Districts	24
Other*	91
Total Subdivisions	4,038

*Other includes Senior Citizens/Services Boards, Senior Citizens Tax Board, Productive Living Boards, Light Districts, Weed/Noxious Weed Control, Johnson Grass Boards, Missouri Botanical Garden, Saint Louis Science Center, Art Museum, and Zoological Boards, and other such special purpose districts.

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Personal Financial Disclosure

2014 Subdivision Statistics (cont.)

The law specifically defines those public officials and candidates (based upon the position they hold with the subdivision or the office they are seeking) that are required to file a PFD. The law also allows each subdivision the option of adopting its own method of disclosing conflicts of interests and provides minimum requirements. This ordinance, order, resolution, or policy must be adopted or re-adopted biennially by September 15. A certified copy of the ordinance, order, resolution, or policy must be filed with the MEC.

Annual Operating Budget (AOB): Each subdivision notifies the MEC of its AOB, indicating if it is

- Over \$1 million, or
- \$1 million or under

In 2014, 1,411 subdivisions recorded as having an AOB as over \$1 million with 2,627 subdivisions recorded as having an AOB \$1 million or under.

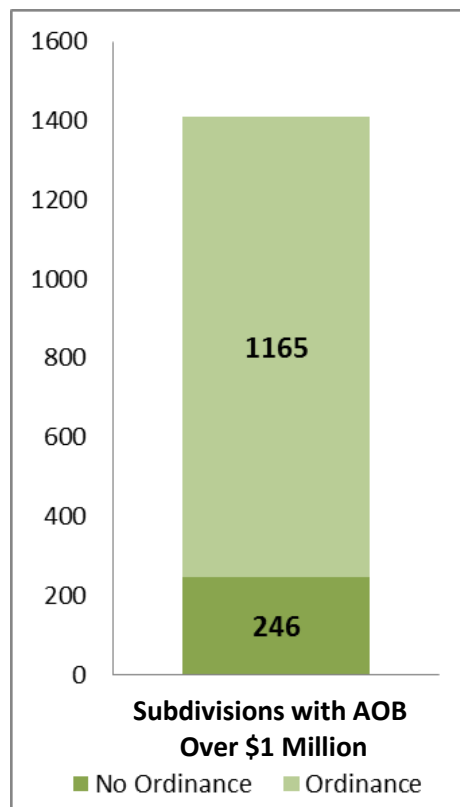
Annual Operating Budget

Category	Percentage
\$1 million or under	69%
Over \$1 million	31%

Conflict of Interest Ordinance: §105.485.4 RSMo allows a subdivision to adopt its own ordinance, order, resolution, or policy setting forth which individuals must annually file a PFD and what information must be disclosed (see Sample Ordinance on the MEC website). At a minimum each official that had a business transaction over \$500 with the subdivision, the chief administrative and chief purchasing officer are required to file a PFD.

The subdivision is responsible for enforcing its ordinance, including imposing any penalties the ordinance may provide for those who fail to file or file late. If a subdivision does not adopt such an ordinance, resolution, or policy, then all public officials must file a PFD. PFDs are due each year by May 1, or if the person is newly appointed or hired, within 30 days of the appointment date, or if a candidate, within 14 days after filing closes for such office.

Of the 1,411 subdivisions reporting an AOB over \$1 million, 1,165 have an adopted a conflict of interest ordinance, resolution, or policy on file with the MEC.

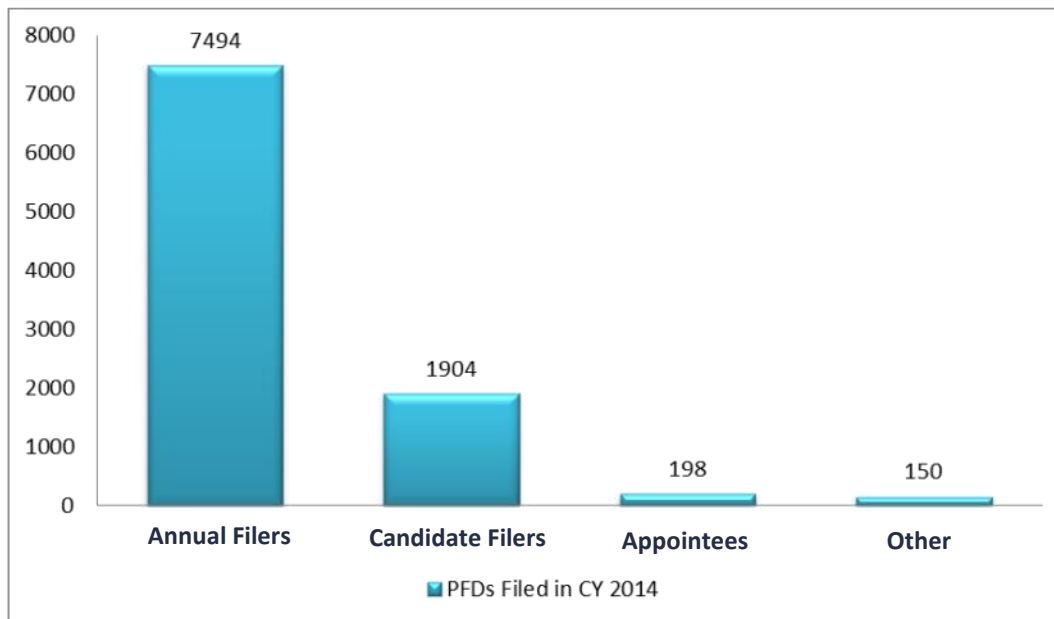


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Personal Financial Disclosure

2014 Statistics

The following represents the number of filers submitting a PFD statement with the MEC during the 2014 calendar year. A total of 9,746 PFDs were filed in 2014.



Annual Filers include those required or designated within their state agency or by their subdivision to file a PFD due to the position held. They must file the PFD by May 1.

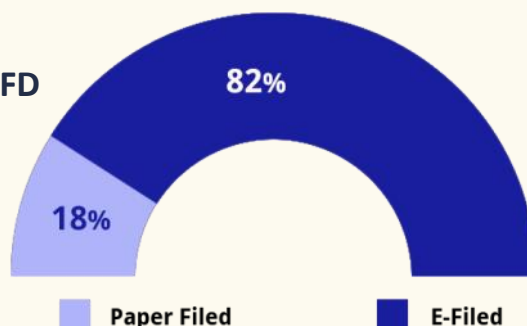
Candidate Filers include candidates required to file a PFD due to the office they are seeking. They must file the PFD within 14 days of the closing date for candidate filing for the office.

Appointees include those required to file a PFD due to the position, board, or commission to which they have been appointed. They must file within 30 days of their appointment date.

Other includes those required to file a PFD that are not identified above, including new hires, who must file their PFD within 30 days of their hire date.

E-filing is available to all PFD filers and encouraged by the MEC staff. In 2014, approximately 82% of those required to file a PFD did so electronically.

E-File PFD



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Personal Financial Disclosure

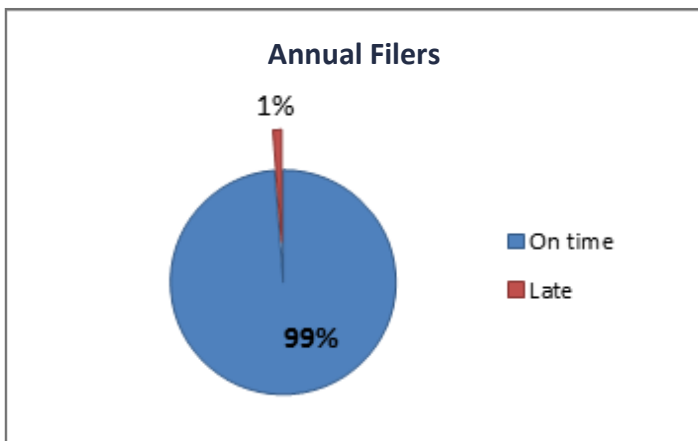
2014 Late Fee Assessment

Section 105.492 and 105.963 RSMo, gives the Executive Director of the Missouri Ethics Commission the authority to assess late filing fees. For reports not filed by the statutory deadline.

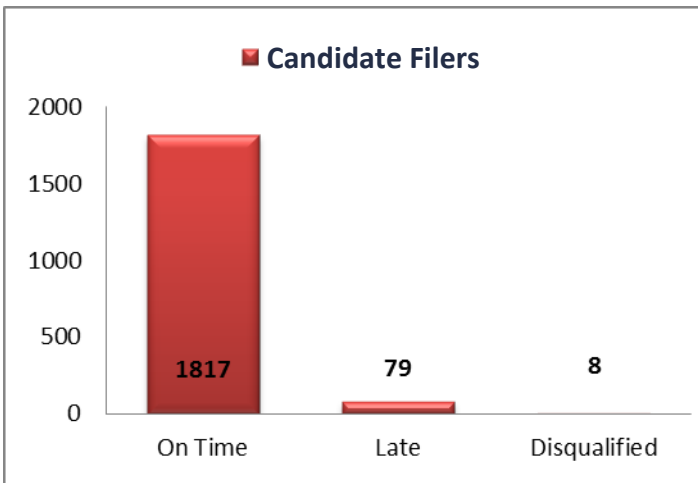
2014 PFD: Late Fee Assessment

Annual Filers that do not file their PFD by May 1 are assessed a \$10 per day late fee. The late fee may accrue at \$100 per day if the person persists in not filing the PFD.

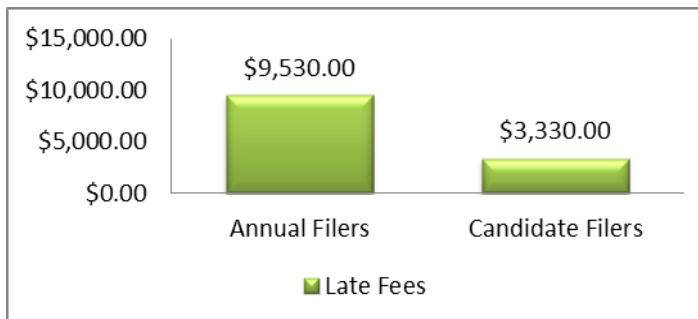
A person who fails to file the PFD may also be subject to having compensation withheld until that person files the PFD and may also be subject to suspension from office if the person does not file the PFD within 30 days after receiving notice that the PFD is late. The Attorney General or prosecuting attorney may take necessary legal action to enforce this provision (§105.492 & §105.963.3 RSMo).



Candidate Filers that do not file their PFD by the 14th day after the close of filing for their election are assessed a \$10 per day late fee, for the first seven days. If the candidate has not yet filed a PFD by the 21st day after the close of filing for their election, the MEC will notify the election official who accepted the declaration of candidacy of the failure to file a PFD. The candidate is disqualified as a candidate and the election authority is required to remove his or her name from the ballot (§105.492 RSMo).



In 2014, total late fees assessed for annual filers was \$9,530.00 and total late fees assessed for candidate filers was \$3,330.00. These fees are deposited in the state general revenue fund.



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Educational Resources & Training

Training

The Missouri Ethics Commission offers training, in a variety of mediums, to candidates, elected and public officials, legislators, lobbyists, and others wanting to learn about campaign finance laws. Topics include campaign finance, conflict of interest, personal financial disclosure, and lobbying.

What types of training are offered?

- Trainings/Presentations—as requested from various associations and groups at their events/conferences
- County/Board of Election Commission training - hosted by a particular county or BOEC for the benefit of their candidates and elected officials and located in host county
- Webinars—hosted by the MEC and transmitted over the web
- In-person regional training—hosted by the MEC and presented in Jefferson City
- Self-running Tutorials—hosted on the MEC website

Publications and Brochures: Information and Education

- Quarterly MEC e-Newsletter
- Quick reference Fact Sheets on topics including campaign finance, complaints, lobbyist, and personal financial disclosure
- Campaign Materials Identification Requirements brochure (Paid For By)
- Guide to Ethics Law
- Election Deadlines and Reminders publications for candidates
- @MOEthics Twitter account provides news, deadlines, and links to informative content.

2014 In Person Training



2014 Webinar Attendees



Enforcement

Introduction and Purpose

Explanation of Investigative and Audit Processes

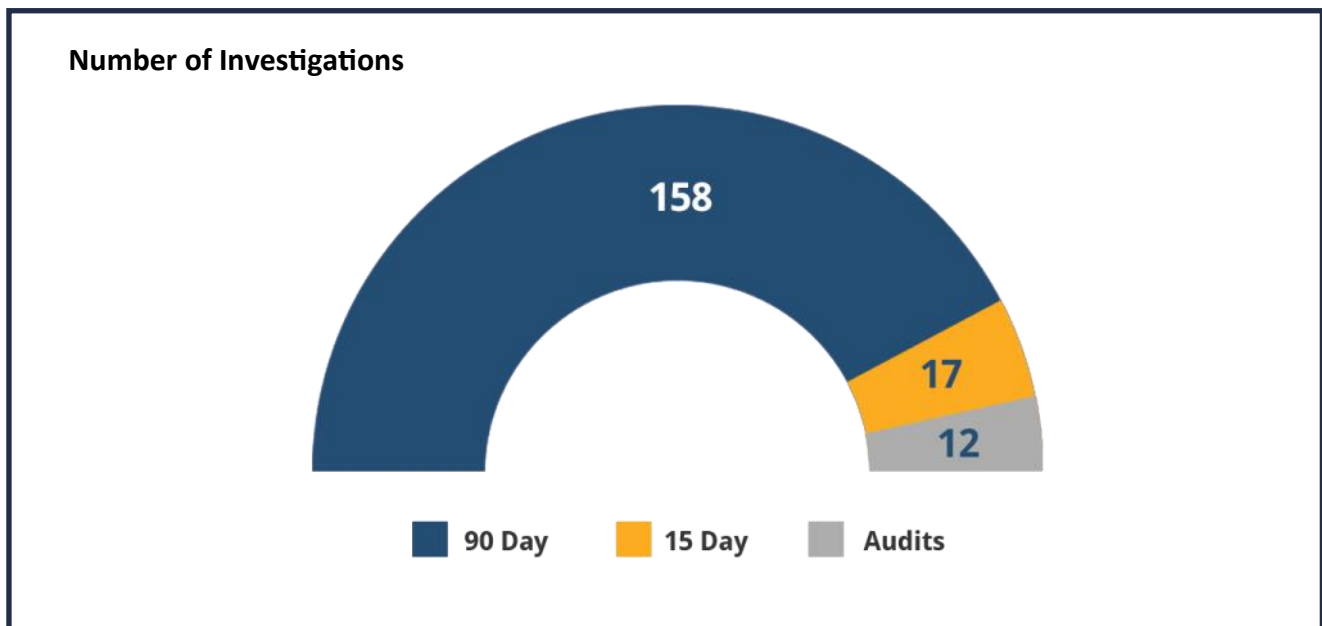
The Missouri Ethics Commission derives its authority to conduct audits and investigations from §§105.955 to 105.961, RSMo. The Commission may receive a notarized complaint alleging a violation within the following MEC jurisdictional areas: Campaign Finance Disclosure (Ch. 130); Conflict of Interest (Ch. 105); Use of Public Funds (§115.646); Nepotism (Mo. Const. Art. VII, §6) Lobbying, and Personal Financial Disclosure (Ch. 105). The Commission has jurisdiction to investigate if the conduct (Ch. 105) occurred within 2 years before the complaint is filed.

A complaint is assigned to an investigator. The investigator must complete the investigation and present a report to the Commission within 90 days; however if a complaint is received alleging campaign finance violations by a candidate within 60 days before the election, the investigation must be presented to the Commission within 15 business days.

The Commission reviews the report to determine if there are reasonable grounds to believe a violation has occurred. If so, the Commission refers the report to the Commission Counsel for further legal action. If the Commission does not find reasonable grounds, it dismisses the complaint.

An audit typically occurs as a result of staff review of campaign finance disclosure reports filed with the MEC and, upon review, if there are reasonable grounds to believe that a violation has occurred the Director shall initiate an audit of such reports. The Commission assigns most audits to a staff auditor. Similar to the complaint process, an audit report is presented to the Commission at which time it determines whether to refer the report to legal counsel or dismiss.

Within 5 days of initiating an investigation or audit, the Commission notifies the parties, as required by statute. Investigations and audits must remain confidential, as required by state law, except for the Commission’s final actions which are posted on the MEC website.



Enforcement

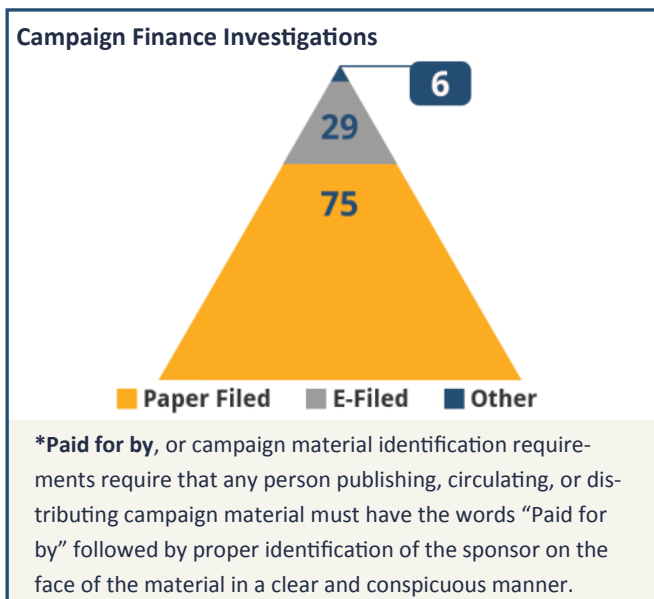
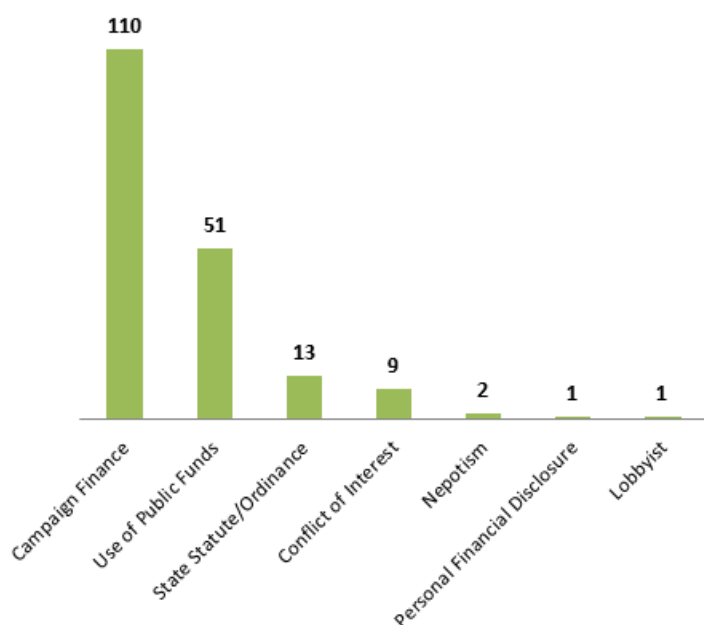
2014 Enforcement: Statistics

Jurisdictional Areas of Investigation

1. **Campaign Finance:** The campaign finance disclosure requirements contained in chapter 130. Campaign finance violations may include reporting issues, paid for by violations, and related violations.
2. **State Statute/Ordinance:** Constitutional provisions, state statutes, orders, ordinances, or resolutions relating to a state or local official’s conduct (including constitutional provision regarding nepotism, and state statute, such as, use of public funds).
3. **Code of Conduct:** Any code of conduct promulgated by any department, division or agency of state government, or by state institutions of higher education, or by executive order.
4. **Conflict of Interest:** The conflict of interest laws contained in §§105.450 to 105.468 and §171.181.
5. **Personal Financial Disclosure:** The financial interest disclosure requirements contained in §§105.483 to 105.492.
6. **Lobbyists:** The requirements imposed on lobbyists by §§105.470 to 105.478.

Investigations must remain confidential, as required by state law, except for the Commission’s final actions. Within 5 days of initiating an investigation, the Commission notifies the parties, as required by statute.

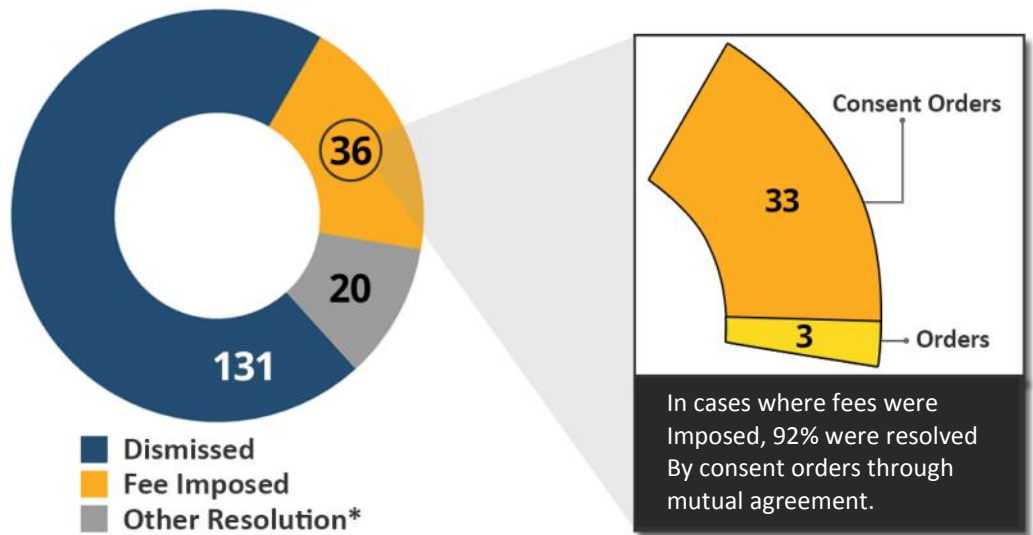
2014 Investigations by Category



Enforcement

2014 Enforcement: Statistics

Results of Investigations and Audits



***Other Resolution:**

- Letter of Reprimand (1)
- Letter of No Further Action (1)
- No Probable Cause (1)
- Official Resigned (1)
- Closed (2)
- Lack of quorum due to Commission recusal (9)
- Lack of four affirmative votes by Commission (5)

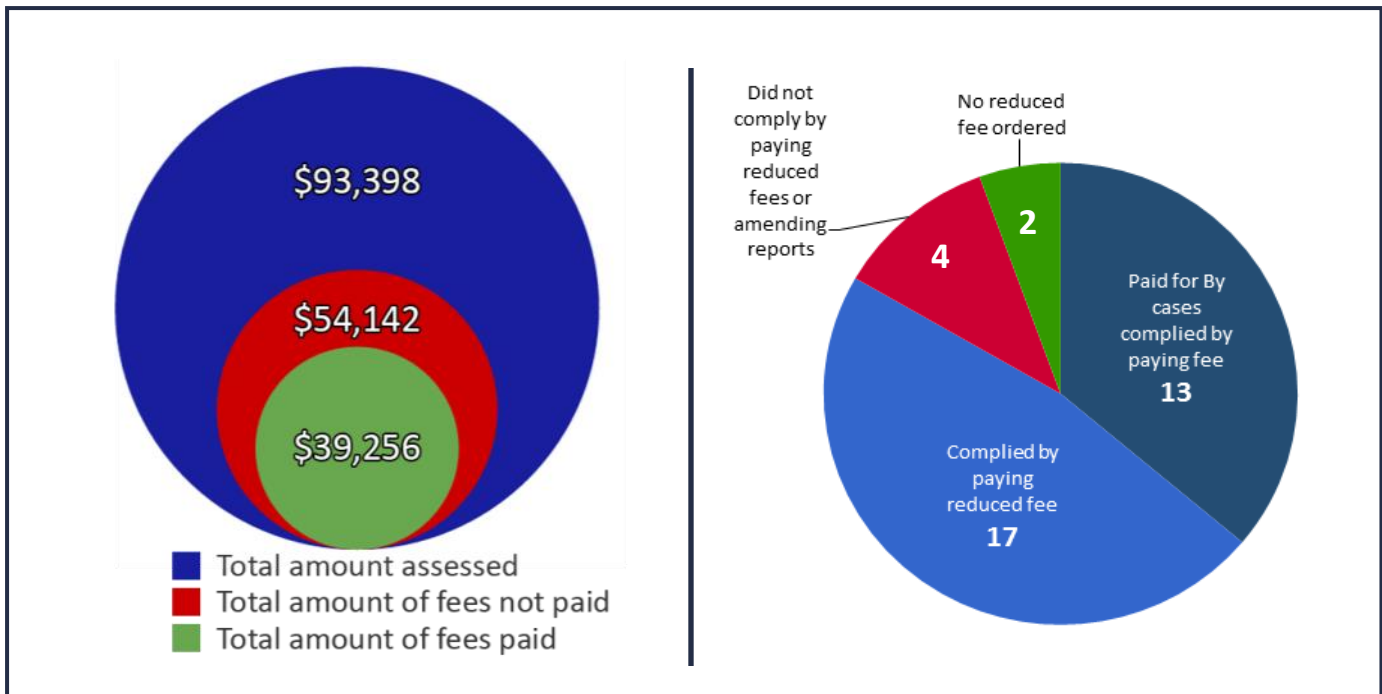
Enforcement

2014 Assessment of Fees for Violations

The Commission has discretion as to whether to assess when it finds probable cause to believe a violation or violations have occurred. Specifically, §105.961, RSMo, provides the Commission with various remedies, including the authority to impose fees. The Commission is authorized to assess up to \$1,000 per violation, or double the amount involved in the violation. A case before the Commission may involve one violation or multiple violations.

When the Commission assesses fees, violators may be given the option to pay a percentage (typically 10% or 20%, depending on the severity of the violation) on the condition that no further violations of law will occur within a 2 year period. Following this approach, the Commission assessed and collected \$39,256 in fees in 32 cases during 2014. This approach achieves compliance with the order and also provides a strong incentive for future compliance.

If the parties agree to a reduced fee or the Commission agrees to assess a reduced fee after a hearing, but the party does not comply with the terms of the agreement or order, the Commission will impose the entire fee. In 2014, the Commission imposed \$54,142 in 4 cases where violators did not meet the conditions set out in the agreement or order.



Missouri Ethics Commission

Commissioners

Charles E. Weedman, Chair
Republican
4th Congressional District
Term expires March 15, 2016

John Munich, Vice Chair
Democrat
2nd Congressional District
Term expires March 15, 2016

Bill Deeken
Republican
3rd Congressional District
Term expires March 15, 2018

Eric L. Dirks
Democrat
5th Congressional District
Term expires March 15, 2018

Nancy Hagan
Democrat
7th Congressional District
Term expires March 15, 2018

William Stoltz
Republican
8th Congressional District
Term expires March 15, 2016

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Stacey Heislen	Assistant Executive Director
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