



STATE OF MISSOURI

MISSOURI ETHICS COMMISSION
P. O. BOX 1254
JEFFERSON CITY, MISSOURI 65102

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March 12, 2010

The Missouri Ethics Commission, at its March 11, 2010 meeting, took the following actions:

An Opinion was issued in response to the following:

Re: Campaign Finance-Opinion No. 2010.03.CF.002

A Missouri City is not an “employer” under §130.028.3, RSMo and is not required to make payroll deductions upon written request of ten or more employees to make contributions to a continuing committee as defined in §130.011, RSMo.

Re: Conflict of Interest-Opinion No. 2010.03.CI.003

A Building Inspector/Code Enforcement/Zoning Administrator for a 4th Class City must observe §105.452, RSMo and all conflict of interest statutes, as well as local policies and procedures prior to performing private commercial mowing services to clients within the corporate city limits of the community in which he serves.

Re: Lobbyist-Opinion No. 2010.03.L.004

A legislative lobbyist would report expenditures for meals made on behalf of standing committees as a group expenditure under §105.473.3(2)(d), RSMo when the members of the standing committee are “invited” in writing, regardless of whether the lobbyist, lobbyist principal, or member of the General Assembly invites the members to committee occasion. A public posting of a committee meeting qualifies as an invitation in writing to a standing committee. A request by a member or staff member of the General Assembly to provide an expenditure for an occasion under Section 105.473.2(d), RSMo for a standing committee luncheon, which otherwise fits the definition of a group expenditure under §105.473.2(d), RSMo is not a “solicitation” on behalf of the member and would not be reported individually on behalf of that member.

The following cases were dismissed as they were unsubstantiated:

09E101 Bob Tullock, St. Louis Co. Section 130.031.8, RSMo.

09E306 Jerel Poor, Jefferson Co., Chapter 105, RSMo. and Chapter 130, RSMo.

10E002 John Temporiti, St. Louis Co., Chapter 105, RSMo.
10R001A Friends of Rick Lucas, St. Charles Co., Chapter 130, RSMo.

The following case was closed:

08E082 Mona Smith, Dade Co., Chapter 130, RSMo.

The Commission held hearings on the following cases and issued the following Findings of Fact, Conclusions of Law and Orders:

09A113 Coleman for Representative and Samuel Coleman, St. Louis Co.,

The Commission finds probable cause that Samuel Coleman and Coleman for Representative knowingly violated §130.041.1(3)(a) , RSMo, §130.041. 1(4)(d), RSMo, §130.046. 1(3), RSMo,§130.046. 5(2), RSMo, and §130.011(9), RSMo and §130.046.7, RSMo.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Samuel Coleman and Coleman for Representative in the amount of \$5,000.00 pursuant to § 105.961.4(6) RSMo and that Samuel Coleman and Coleman for Representative file all campaign finance disclosure reports which are due by the committee within 45 days of the date of this order. However, if Respondents Samuel Coleman and Coleman for Representative file all necessary reports with the Commission and pay \$500.00 of that fee within 45 days after the date of the Order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission. If Respondents Samuel Coleman and Coleman for Representative have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay, then the Respondents will not be required to pay the remainder of the fee. If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding Respondents probable cause of such a violation.

09A115 Friends of Bob Pund and Bob Pund, Boone Co.

The Commission finds probable cause that Bob Pund and Friends of Bob Pund knowingly violated §130.041.1(3)(a), RSMo, §130.041.1(4)(d), RSMo, §130.041.4, RSMo, §130.046.1 RSMo, §130.011(9), RSMo and §130.021.8, RSMo.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Bob Pund and Friends of Bob Pund in the amount of \$35,689.00 pursuant to §105.961.4(6) RSMo and that Bob Pund and Friends of Bob Pund file all campaign finance disclosure reports which are due by the committee within 45 days of the date of this order. However, if Respondents Bob Pund and Friends of Bob Pund file all necessary reports with the Commission and pays \$3,568.00 of that fee within 45 days

after the date of the Order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission. If Respondents Bob Pund and Friends of Bob Pund have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay, then the Respondents will not be required to pay the remainder of the fee. If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding Respondents probable cause of such a violation.

09A275 Citizens to Elect Cheryl Nelson, Cheryl Nelson and Daphyne Garrett, Treasurer, St. Louis, Co.

The Commission finds probable cause that Cheryl Nelson and Citizens to Elect Cheryl Nelson knowingly violated §130.041. 1, RSMo, §130.046.1, RSMo, §130.011(9), RSMo and §130.021. 8, RSMO.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Cheryl Nelson and Citizens to Elect Cheryl Nelson in the amount of \$19,000.00 pursuant to § 105.961.4(6) RSMo and that Cheryl Nelson and Citizens to Elect Cheryl Nelson file all campaign finance disclosure reports which are due by the committee within 45 days of the date of this order. However, if Respondents Cheryl Nelson and Citizens to Elect Cheryl Nelson file all necessary reports with the Commission and the Local Election Authority and pay \$950.00 of that fee within 45 days after the date of the Order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission. If Respondents Cheryl Nelson and Citizens to Elect Cheryl Nelson have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay, then the Respondents will not be required to pay the remainder of the fee. If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding Respondents probable cause of such a violation.

The Commission approved the following Joint Stipulations of Facts, Conclusion of Law, Waiver of Hearing before the Missouri Ethics Commission, and issued a Consent Order in the following cases:

09E077 Eddie Tucker, St. Louis City

The Commission entered a Consent Order with Findings of Fact and Conclusion of Law (“Joint Stipulation”) finding probable cause that Respondents Eddie Tucker, Candidate, and Eddie Tucker, Committee, violated §130.016, §130.021, §130.021.2, §130.031.2, §130.046, and §130.050.3, RSMo, as stated in the Joint Stipulation.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Eddie Tucker, Candidate and Eddie Tucker, Committee in the amount of \$6,228.00 pursuant to §105.961.4(6) RSMo. However, if Respondents pay \$622.00 of that fee within forty- five (45) days after the date of

the Order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission. If Respondents Eddie Tucker, Candidate and Eddie Tucker, Committee have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo 2000, during the two year stay then Respondents will not be required to pay this fee. If, however, any Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents will be required to pay the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding Respondent guilty of such a violation.

09E103 Committee to Elect Janet Steinbrenner, St. Louis Co.

The Commission entered a Consent Order with Findings of Fact and Conclusion of Law (“Joint Stipulation”) finding probable cause that Respondents that the Respondents Janet M. Steinbrenner, Candidate, and Janet M. Steinbrenner, Committee, violated §130.046.1 and §130.031.1(8), RSMo, as stated in the Joint Stipulation.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Janet M. Steinbrenner Candidate and Committee in the amount of \$4,000.00 pursuant to §105.961.4(6), RSMo. However, if Respondents pay \$100.00 of that fee upon execution of this agreement, and an additional \$300.00 within sixty (60) days after the date of the Order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission. If Respondents Janet M. Steinbrenner Candidate and Committee have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay, then the Respondents will not be required to pay the remainder of the fee. If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding Respondents guilty of such a violation.