

**Filed**  
**NOV 02 2010**  
Missouri Ethics  
Commission

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 JAY STILL, Candidate )  
 )  
 and )  
 )  
 JAY FOR JACKSON COUNTY, Committee )  
 )  
 Respondents. )

No. 10C093

**CONSENT ORDER**

The parties having filed a Joint Stipulation of Facts, Waiver of Hearings before the Missouri Ethics Commission, and Consent Order with Proposed Findings of Fact and Conclusions of Law ("Joint Stipulation") with the Missouri Ethics Commission in this matter. The Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that the Respondents Jay Still and Jay for Jackson County violated §130.021.5, RSMo and 130.026.2(3), RSMo, as stated in the Joint Stipulation.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

- a. Respondents agree that they will comply with all relevant sections of Chapter 130, RSMo.
- b. It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Jay Still and Jay for Jackson County in the amount of \$1,000.00 pursuant to §105.961.4(6) RSMo. However, if either Respondent pays \$100.00 of that

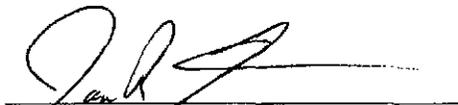
fee within 45 days of the entry of the consent order, the remainder of the fee will be stayed for two years, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.

If Respondents Jay Still and Jay for Jackson County have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay then Respondents will not be required to pay the remainder of this 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 probable cause of such a violation.

SO ORDERED this 2<sup>nd</sup> day of November, 2010.

By:

  
\_\_\_\_\_  
Jim Wright

BEFORE THE  
MISSOURI ETHICS COMMISSION

**Filed**  
**OCT 29 2010**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION )  
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Petitioner, )  
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v. )  
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JAY STILL, Candidate ) No. 10C093  
)  
and )  
)  
JAY FOR JACKSON COUNTY, Committee )  
)  
Respondents. )

**JOINT STIPULATION OF FACTS, WAIVER OF HEARINGS BEFORE THE  
MISSOURI ETHICS COMMISSION, AND CONSENT ORDER WITH JOINT  
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, Jay Still and Jay for Jackson County, acknowledge that they have received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that they are aware of the various rights and privileges afforded by law, including but not limited to: the right to appear and be represented by counsel; the right to have all charges against Respondents proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against Respondents; the right to present evidence on Respondents' own behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights

provided to the Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearings before the Missouri Ethics Commission, and Consent order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

**JOINT FINDINGS OF FACT**

1. The Missouri Ethics Commission (“the Commission”) is an agency of the State of Missouri established pursuant to §105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Respondent Jay Still was an unsuccessful candidate for the Jackson County Legislature in the August 3, 2010 Election.
3. Respondent Jay for Jackson County is a candidate committee registered with Petitioner. On July 16, 2010, a statement of committee organization was filed with Petitioner. A Statement of Committee Organization was filed the Jackson County Board of Elections on July 14, 2010.
4. Respondent Still, as Candidate was ultimately responsible for filing campaign finance reports for Respondent Committee, pursuant to §130.041.1 and §130.058, RSMo.
5. Respondent Still reported a loan to Respondent Committee in the amount of \$1,000.00 on May 27, 2010, and \$2,000.00 on June 4, 2010.

6. Respondents filed the Statement of Committee Organization with the Jackson County Board of Elections on July 14, 2010 and with the Commission on July 16, 2010.

7. The Statement of Committee Organization was required to be filed with Petitioner and the Jackson County Board of Elections within twenty days of June 4, 2010, when Respondents received contributions in excess of \$1,000.00.

8. On July 12, 2010, a complaint was filed with Petitioner.

9. Pursuant to §105.961, RSMo 2000, a special investigator reported its findings to the Commission.

### JOINT CONCLUSIONS OF LAW

1. According §130.016.6, RSMo a candidate for the Jackson County Legislature shall be required to file a statement of committee organization if the aggregate of contributions received or the aggregate of expenditures made on behalf of such candidate exceeds \$1,000.00 and if a single contributor has contributed more than \$325.00.

2. According to §130.011(12), RSMo, a contribution includes:

“a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office... "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

...

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign...

3. According to §130.021.5, RSMo “any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046.”

4. According to §130.026.2(3), RSMo, the Missouri Ethics Commission and the Jackson County Board of Elections are the appropriate officers designated to receive campaign finance reports under Chapter 130 for Respondents.

5. There is probable cause that Respondents violated §130.021.5, RSMo and 130.026.2(3), RSMo by failing to file a statement of committee organization with the Jackson County Board of Elections until July 14, 2010, and with Petitioner until July 16, 2010 which was more than 20 days after Respondents became a committee.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Respondents agree that they will comply with all relevant sections of Chapter 130, RSMo.

b. It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Jay Still and Jay for Jackson County in the amount of \$1,000.00 pursuant to §105.961.4(6) RSMo. However, if either Respondent pays \$100.00 of that fee within 45 days of the entry of the consent 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 Jay Still and Jay for Jackson County have not committed any further violations of the campaign finance disclosure laws pursuant to Chapter 130, RSMo, during the two year stay then Respondents will not be required to pay the remainder of this fee.

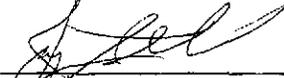
If, however, either Respondent is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo, during this two year stay, Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding probable cause of such a violation.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorney of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including, but not limited to, a claim for attorney's fees whatsoever which Respondents and their

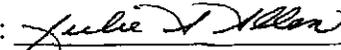
attorney now have or which they may hereafter have, which is based upon or arises out of the above case.

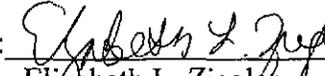
RESPONDENT

By:  28 Oct 10  
Jay Still Date  
Jay for Jackson County

Respondents

PETITIONER

By:   
Julie A. Allen Date  
Executive Director

By:  Oct 29, 2010  
Elizabeth L. Ziegler Date  
General Counsel

Missouri Ethics Commission  
3411-A Knipp Drive  
P.O. Box 1370  
Jefferson City, MO 65102  
Telephone: (573) 751-2020  
Telefax: (573) 526-4506

Attorney for Petitioner