



## 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 Eric Reeve was an unsuccessful candidate for State Senate in District 33 in the November 4, 2008 General Election.
3. Respondent Eric Reeve for Senator is a Candidate Committee in support of Respondent Reeve registered with Petitioner and was in existence at all relevant times.
4. Pursuant to § 130.026, RSMo, the Missouri Ethics Commission is the appropriate officer designated to receive campaign finance reports under Chapter 130 for candidate committees.
5. Respondent Reeve, as Candidate, was ultimately responsible for filing campaign finance reports for Respondent Committee, pursuant to § 130.041.1 and §130.058, RSMo.
6. Pursuant to § 105.959, RSMo, the Commission’s staff audited the files of the Committee and reported its findings to the Commission.

### Campaign Finance Disclosure Reports

7. Respondents filed the 30 Day After Primary Election Report on September 9, 2008. This report was due no later than September 4, 2008.
8. Respondents failed to file a 30 Day After Election General Election report for the period October 24, 2008 through November 29, 2008 to be filed with the Commission no later than December 4, 2008, until June 24, 2010.

9. Respondents, having failed to terminate Respondent Committee until June 24, 2010, failed to file the following Quarterly Disclosure Reports: April, July and October 2009, and January 2010.

Contributions Received

10. Respondents filed a 30 Day After General Election Report on June 24, 2010

11. Respondents failed to report timely and accurately the following contributions, including the name, address of the contributor which were deposited into the official fund depository until June 24, 2010:

<b>Date</b>	<b>Item</b>	<b>Contributor</b>	<b>Amount</b>	<b>30DAGen'l</b>	<b>Correct Report</b>
5/11/2008	1906	Rex Reeve Jr.	\$200.00	Yes	Jul08Q
9/9/2008	1858	Carolyn/Richard Lynch	\$50.00	Yes	Oct08Q
10/27/2008	5158	Mark Glass	\$54.00	Yes	30 Day After
<b>Total</b>			<b>\$304.00</b>		

12. Respondents reported the following contributions which were not deposited as reported into the official fund depository:

<b>Date</b>	<b>Contributor</b>	<b>Amount</b>	<b>Reported</b>
5/15/2008	Rex Reeve	\$75.00	July08Q
7/6/2008	Millie Cohn	\$100.00	8DB4Pri
9/14/2008	Richard Lynch	\$200.00	Oct08Q
<b>Total</b>		<b>\$375.00</b>	

Expenditures Made

13. Respondents failed to report timely and accurately the following expenditures as identified as being paid from the official fund depository, including the name and address of each to whom the expenditure was made or incurred from the official fund depository:

<b>Date</b>	<b>Item</b>	<b>Expenditure</b>	<b>Amount</b>	<b>30 Day After Rpt</b>	<b>Correct Report</b>
5/6/2008	ACH	Deluxe Checks	\$51.85	Yes	July08Q
7/21/2008	Debit Card	KFC Mountain View MO	\$11.09	Yes	8DB4Pri
7/28/2008	Debit Card	Byerly's Family Eminence	\$12.37	Yes	30DAPri
7/22/2008	Debit Card	Arby's Columbia	\$20.72	Yes	30DAPri
7/23/2008	Debit Card	LJD Café Hartville	\$26.70	Yes	30DAPri
7/21/2008	Debit Card	Mr. B's Needs & Feeds	\$42.85	Yes	30DAPri
7/28/2008	Debit Card	Mr. B's Needs & Feeds	\$48.00	Yes	30DAPri
7/25/2008	Debit Card	Mr. B's Needs & Feeds	\$55.90	Yes	30DAPri
10/1/2008	1001	USPS	\$16.50	No	8DB4Gen'l
10/14/2008	Debit Card	Steak N Shake	\$36.62	Yes	8DB4Gen'l
11/4/2008	Debit Card	KFC	\$13.36	No	30DAGen'l
11/11/2008	1008	Eric Roofener	\$14.00	No	30DAGen'l
10/28/2008	Debit Card	KFC	\$19.00	No	30DAGen'l
11/3/2008	Debit Card	Ryan's	\$25.06	No	30DAGen'l
10/27/2008	1004	USPS	\$25.14	Yes	30DAGen'l
11/3/2008	Debit Card	Cornerstone Sub & Pizza	\$28.40	Yes	30DAGen'l
10/31/2008	Debit Card	Steak N Shake	\$29.98	Yes	30DAGen'l
11/7/2008	Debit Card	Mr. B's Needs & Feeds	\$31.25	Yes	30DAGen'l
11/3/2008	Debit Card	Stan's Automotive Service	\$32.60	Yes	30DAGen'l
10/30/2008	Debit Card	I-44 Eagle Stop	\$33.03	Yes	30DAGen'l
10/28/2008	Debit Card	Mr. B's Needs & Feeds	\$37.00	Yes	30DAGen'l
11/3/2008	Debit Card	The Ozark Orchard	\$44.93	Yes	30DAGen'l
11/3/2008	Debit Card	River's Edge Resort	\$63.26	No	30DAGen'l
10/31/2008	Debit Card	Lake Sun Leader	\$314.70	Yes	30DAGen'l
10/31/2008	Debit Card	Lebanon Publishing	\$359.58	No	30DAGen'l
		<b>TOTAL</b>	<b>\$1,393.89</b>		

14. Respondents reported the following expenditures which did not appear as reported from the official fund depository:

<b>Date</b>	<b>Expenditure</b>	<b>Amount</b>
4/4/2008	Ozark Digital Data	\$885.00
4/3/2008	Advantage Systems	\$312.27
4/3/2008	Rapid Signs	\$456.77
6/12/2008	Bank of Urbana	\$26.85
	Mountain View News	\$342.00
	KDR Publishing	\$370.06
10/24/2008	Mountain View News	\$336.75
10/24/2008	Lake Sun Leader News	\$629.40
	Ozark Digital Data	\$56.00
	<b>TOTAL</b>	<b>\$3,415.10</b>

#### Termination of Committee

15. On the 8 Day Before Election Report filed on October 27, 2008, which is the most recent campaign finance disclosure report filed, Respondents reported \$1,680.00 in debt.

16. Respondents failed to form a debt service committee under the requirements of §130.037, RSMo and have failed to file campaign finance disclosure reports identifying the satisfaction of committee debt.

17. Respondents terminated the Committee on June 24, 2010.

#### CONCLUSIONS OF LAW

##### Campaign Finance Disclosure Reports

1. §130.046. 1, RSMo provides, in pertinent part:

The disclosure reports required by section 130.041 for all committees shall be filed at the following times and for the following periods:

...

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure...

(3) Not later than the fifteenth day following the close of each calendar quarter...

2. There is probable cause that Respondents have violated §130.046.1, RSMo by failing to file timely the Thirty Day After Primary Election Report and the 30 Day After General Election Report; and that Respondents failed to file the April, July and October 2009, and January 2010 Quarterly Disclosure Reports, and that Respondents did so knowingly.

### Contributions Received

3. According to § 130.041.1(3)(a) , RSMo:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor;

4. According to §130.021.4. (1), RSMo:

Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name... All contributions which the committee receives in money, checks and other negotiable instruments shall be deposited in a committee's official depository account. Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate. ...

5. There is probable cause that Respondents have violated §130.041.1(3)(a) , RSMo by failing to report timely and accurately contributions totaling \$304.00, and by reporting \$375.00 in contributions which were not deposited as reported in the official fund depository, and that Respondents did so knowingly.

Expenditures Made

6. §130.041. 1(4)(d), RSMo provides:

Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(4) Expenditures for the period, including:

...

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure.

7. There is probable cause to believe that Respondents violated §130.041.1(4)(d), RSMo by failing to report timely and accurately \$1,393.89 in expenditures, including the name and address of each to whom the expenditure was made or incurred from the official fund depository, by reporting \$3,415.10 in expenditures which did not appear as reported in the official fund depository, and that Respondents did so knowingly.

### Termination of Committee

8. §130.011(9), RSMo defines a candidate committee and requires termination of a candidate committee of an unsuccessful candidate as follows:

a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election...

9. §130.021.8, RSMo provides as follows:

Upon termination of a committee, a termination statement indicating dissolution shall be filed not later than ten days after the date of dissolution with the appropriate officer or officers with whom the committee's statement of organization was filed. The termination statement shall include: the distribution made of any remaining surplus funds and the disposition of any deficits; and the name, mailing address and telephone number of the individual responsible for preserving the committee's records and accounts as required in section 130.036.

10. §130.046.7, RSMo provides:

In the case of a committee which disbands and is required to file a termination statement pursuant to the provisions of section 130.021 with the appropriate officer not later than the tenth day after the committee was dissolved, the candidate, committee treasurer or deputy treasurer shall attach to the termination statement a complete disclosure report for the period closing on the date of dissolution. A committee shall not utilize the provisions of subsection 8 of section 130.021 or the provisions of this subsection to circumvent or otherwise avoid the reporting requirements of subsection 6 or 7 of this section.

11. There is probable cause to believe that Respondents violated §130.011(9), RSMo, §130.021.8, RSMo, §130.037, RSMo and §130.046.7, RSMo by failing to file statements identifying satisfaction of committee debt or terminating Respondent Committee, and that Respondents did so knowingly.

**ORDER**

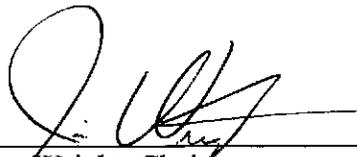
The Commission finds probable cause that Respondents Eric Reeve and Eric Reeve for Senator knowingly violated, and finds that Eric Reeve and Eric Reeve for Senator have knowingly violated §130.046.1, RSMo, §130.041.1(3)(a) , RSMo, §130.041.1(4)(d), RSMo, §130.011(9), RSMo, §130.021.8, RSMo, §130.037, RSMo and §130.046.7, RSMo.

It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Eric Reeve and Eric Reeve for Senator in the amount of \$9,000.00 pursuant to § 105.961.4(6) RSMo. However, if either Respondent pays \$900.00 of that fee and amends or files all necessary reports 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.

If Respondents Eric Reeve or Eric Reeve for Senator 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 balance of this fee.

If, however, either Respondent Eric Reeve or Eric Reeve for Senator is found to have violated the campaign finance laws pursuant to Chapter 130, RSMo 2000, during this two year stay, Respondents Eric Reeve and Eric Reeve for Senator will be required to pay the balance of the fee as originally imposed by the Commission. The amount of the balance will be due immediately upon final adjudication finding probable cause of such a violation.

Date: 6/30/10

  
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Jim Wright, Chairman  
MISSOURI ETHICS COMMISSION