

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed
SEP 30 2010
*Missouri Ethics
Commission*

MISSOURI ETHICS COMMISSION)	
)	
Petitioner,)	
v.)	
)	
MICHAEL DODIG, Candidate)	No. 10R004(A)
)	
And)	
)	
DODIG FOR SCHOOL BOARD COMMITTEE)	
)	
RespondentS.)	

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 Michael Dodig and Dodig for School Board Committee violated §130.046, RSMo, as stated in the Joint Stipulation.

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

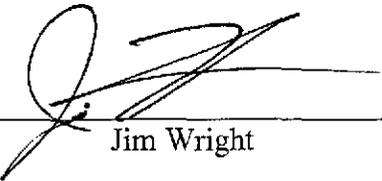
- a. Respondents Michael Dodig and Michael Dodig for School Board agree that they will comply with all relevant sections of Chapter 130, RSMo.
- b. It is the order of the Missouri Ethics Commission that a fee is imposed against the Respondents Michael Dodig and Dodig for School Board Committee in the amount of \$1,000.00 pursuant to §105.961.4(6) RSMo. However, if Respondents pay \$100.00 of that fee 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.

c. If Respondents Michael Dodig and Dodig for School Board 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.*

SO ORDERED this 30th day of September, 2010.

By: _____


Jim Wright

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION)	
)	
Petitioner,)	
)	
v.)	No. 10R004(A)
)	
MICHAEL DODIG, Candidate)	
)	
and)	
)	
DODIG FOR SCHOOL BOARD COMMITTEE,)	
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, Michael Dodig and Dodig for School Board Committee, 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 Dodig for School Board Committee (“Committee”) was registered as a candidate committee with the Jackson County Board of Elections which was in existence at all relevant times. Respondent Committee supported Michael Dodig as a candidate for Lee’s Summit School Board in the April 4, 2004 election.
3. Respondent Michael Dodig was a successful candidate.
4. Respondent, Michael Dodig as Candidate was ultimately responsible for filing campaign finance reports for Respondent Committee, pursuant to § 130.041.1 and §130.058 RSMo.



5. Pursuant to § 130.026, RSMo, the election authority for the district or political subdivision is the appropriate officer designated to receive campaign finance reports for Respondent committee.

6. On January 8, 2010, the Jackson County Board of Election Commissioners referred Respondents to Petitioner for non-compliance in filing campaign finance disclosure reports.

7. On April 27, 2010 the Respondent(s) filed the following disclosure reports and statements with the Jackson County Board of Elections:

Report	Time Period	Due Date	Report Type	Date Filed
April 2007 Quarterly	10/01/06-03/31/07	04/15/07	Lmtd. Activity	04/27/10
July 2007 Quarterly	04/01/07-06/30/07	07/15/07	Full Disclosure	04/27/10
Oct. 2007 Quarterly	07/01/07-09/30/07	10/15/07	Lmtd. Activity	04/27/10
Jan. 2008 Quarterly	10/01/07-12/31/07	01/15/08	Lmtd. Activity	04/27/10
April 2008 Quarterly	01/01/08-03/31/08	04/15/08	Lmtd. Activity	04/27/10
July 2008 Quarterly	04/01/08-06/30/08	07/15/08	Lmtd. Activity	04/27/10
Oct. 2008 Quarterly	07/01/08-09/30/08	10/15/08	Lmtd. Activity	04/27/10
April 2009 Quarterly	10/01/08-03/31/09	04/15/09	Lmtd. Activity	04/27/10
July 2009 Quarterly	04/01/09-06/30/09	07/15/09	Lmtd. Activity	04/27/10
Oct. 2009 Quarterly	07/01/09-09/30/09	10/15/09	Lmtd. Activity	04/27/10
Jan. 2010 Quarterly	10/01/09-12/31/09	01/15/10	Lmtd. Activity	04/27/10
April 2010 Quarterly	01/01/10-03/31/10	04/15/10	Lmtd. Activity	04/27/10

8. Respondents filed a termination statement on April 27, 2010.

9. Pursuant to § 105.961.1, RSMo, a special investigator has conducted an investigation and reported findings to the Commission.

JOINT CONCLUSIONS OF LAW

1. §130.046. 1(3), RSMo provides:

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

...

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

2. §130.046.5(2), RSMo provides:

(2) No disclosure report needs to be filed for any reporting period if during that reporting period the committee has neither received contributions aggregating more than five hundred dollars nor made expenditure aggregating more than five hundred dollars and has not received contributions aggregating more than three hundred dollars from any single contributor and if the committee's treasurer files a statement with the appropriate officer that the committee has not exceeded the identified thresholds in the reporting period. Any contributions received or expenditures made which are not reported because this statement is filed in lieu of a disclosure report shall be included in the next disclosure report filed by the committee...

3. There is probable cause that Respondents violated §130.046, RSMo, by failing to file timely twelve (12) campaign finance disclosure reports and statements as outlined in paragraph 7.

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 Michael Dodig and Dodig for School Board Committee in the amount of \$1,000.00 pursuant to §105.961.4(6) RSMo. However, if Respondents pay \$100.00 of that fee 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.

c. If Respondents Michael Dodig and Dodig for School Board 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.

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: Michael S. Dodig
Michael Dodig Date 9/22/10
Dodig for School Board Committee

PETITIONER

By: Julie A. Allen 9/30/10
Julie A. Allen Date

By: Elizabeth L. Ziegler 9/29/10
Elizabeth L. Ziegler Date
General Counsel
Missouri Ethics Commission
Missouri Bar No. 35493
3411-A Knipp Drive

P.O. Box 1370
Jefferson City, MO 65102
Telephone: (573) 751-2020

Attorney for Petitioner