

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed
JAN 09 2015
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	
MARK PARKINSON,)	Case No. 14E162
)	
and)	
)	
CITIZENS FOR MARK PARKINSON,)	
)	
Respondents.)	

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents Mark Parkinson and Citizens for Parkinson violated Sections 130.041.1(3), 130.041.1(4), 130.041.1(2), 130.041.1(5), and 130.046.3, RSMo.

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

1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,700, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$270 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

3. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed such a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 9th day of January,
2015

By:



Charles E. Weedman, Jr., Chair
Missouri Ethics Commission

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 Petitioner,)
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MARK PARKINSON,) Case No. 14E162
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and)
)
CITIZENS FOR MARK PARKINSON,)
Candidate Committee)
)
 Respondents.)

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING
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, Parkinson and Citizens for Mark Parkinson, 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 be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to 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 Hearing 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 PROPOSED FINDINGS OF FACT

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Parkinson was a successful candidate for the Missouri House of Representatives in the November 2012 general election. He was previously elected to the House of Representatives in 2008 and 2010.

3. Respondent Citizens for Mark Parkinson is the candidate committee formed by Respondent Parkinson to support his candidacy in the 2012 election.

4. Pursuant to Section 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

5. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

COUNT I

Timely and accurately reporting contributions

6. Respondents failed to timely and accurately report the following contributions totaling \$1,000 that were over \$100 each:

Contributor	Check Date	Amount
Ann Wagner for Congress	10/8/12	\$500.00
Ameristar	10/3/12	\$250.00
Ameristar	10/4/12	\$250.00
	TOTAL	\$1,000.00

7. Respondents also failed to timely and accurately report a contribution of \$50.

8. During the investigation, on June 24, 2014, Respondents amended the campaign finance reports on file with the Missouri Ethics Commission to report the above contributions.

COUNT II

Timely and accurately reporting expenditures

9. Respondents failed to timely and accurately report an expenditure of \$1,740.40 to Survey St. Louis made on November 1, 2012, for mail processing and handling.

10. Respondents failed to timely and accurately report five (5) monthly maintenance fees of \$14 each (a total of \$70) made to Bank of America.

11. During the investigation, on June 24, 2014, Respondents amended the campaign finance reports on file with the Missouri Ethics Commission to report the above expenditures.

COUNT III

Money on hand

12. Respondents reported \$12,495.59 in money on hand at the close of the "8 Day Before" report for the November 2012 general election, but for the next report, Respondents

reported \$11,445.59 in money on hand at the beginning of the "30 Day After" report for the November 2012 general election.

13. During the investigation, on June 24, 2014, Respondents amended the campaign finance reports on file with the Missouri Ethics Commission to include accurate money on hand, cumulative from one report to the next.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Timely and accurately reporting contributions

14. Respondents were required to file campaign finance disclosure reports that set forth receipts for the period, including the:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

...

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

§ 130.041.1(3), RSMo.

15. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to timely and accurately report \$1,050 in contributions received.

COUNT II

Timely and accurately reporting expenditures

16. Respondents were required to file campaign finance disclosure reports that set forth expenditures for the period, including the:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

...

(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. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total

dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

§ 130.041.1(4), RSMo.

17. There is probable cause to believe that Respondents violated Section 130.041.1(4), RSMo, by failing to timely and accurately report \$1,810.40 in expenditures made.

COUNT III

Money on hand

18. Respondents were required to file campaign finance disclosure reports setting forth the committee's "amount of money, including cash on hand at the beginning" of every reporting period, § 130.041.1(2), RSMo, and the committee's "amount of cash on hand as of the closing date of the reporting period covered," § 130.041.1(5), RSMo.

19. Committee reports must be cumulative from one report to the next. §130.046.3, RSMo.

20. There is probable cause to believe that Respondents violated Sections 130.041.1(2), 130.041.1(5), and 130.046.3, RSMo, by failing to accurately report the amount of money on hand, cumulative from the "8 Day Before" report to the "30 Day After" report for the November 2012 general election.

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 shall 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 Respondents in the amount of \$2,700, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$270 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

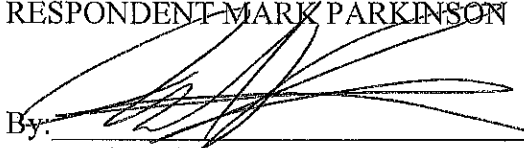
c. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will due immediately upon final adjudication finding that any Respondent has committed 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.

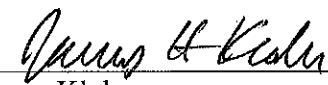
4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

SO AGREED:


~~RESPONDENT MARK PARKINSON~~


By: 
Mark Parkinson Date

PETITIONER MISSOURI ETHICS
COMMISSION

By:  4/8/15
James Klahr Date
Executive Director

RESPONDENT CITIZENS TO ELECT
MARK PARKINSON

By: 
Mark Parkinson Date

By:  Jan 8, 2014
Curtis R. Stokes Date
Attorney for Petitioner