

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed
OCT 07 2015
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	Case No. 15-0016-I
TOM HANNEGAN,)	
)	
AND)	
)	
HANNEGAN FOR STATE)	
REPRESENTATIVE)	
)	
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 Hannegan and Hannegan for State Representative violated Sections 130.021.5, 130.041, and 130.031, 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 \$2,800 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$370 of that fee within forty-five (45) days after the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.

3. Regardless of the stay in paragraph 2 above, if Respondents commit any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, 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 be due immediately upon final adjudication finding that Respondents committed such a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 7th day of October, 2015

By:



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

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MISSOURI ETHICS COMMISSION,)	
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Petitioner,)	
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v.)	Case No. 15-0016-I
)	
TOM HANNEGAN,)	
Candidate)	
)	
and)	
)	
HANNEGAN FOR STATE)	
REPRESENTATIVE,)	
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, Hannegan and Hannegan for State Representative, 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 allegations 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 Hannegan is a candidate for the Missouri House of Representatives in the August 2016 Primary Election.
3. Respondent Hannegan for State Representative is the candidate committee formed by Respondent Hannegan to support his candidacy in that election.
4. Pursuant to Sections 105.957 and 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

Failure to timely file statement of committee organization

6. Respondent Hannegan filed a statement of committee organization with the Missouri Ethics Commission on April 2, 2015, which was more than twenty (20) days after he became a candidate and met the definition of "candidate committee" by virtue of the definitions in Section 130.011, RSMo.

7. Prior to April 2, Respondent Hannegan did not file a sworn statement of exemption with the Missouri Ethics Commission under Section 130.016, RSMo.

8. More than twenty (20) days prior to April 2, 2015, Respondent Hannegan decided to place a full-page ad supporting his candidacy for the Missouri House of Representatives in his publication, Street Scape Magazine and retained a designer to design a campaign advertisement supporting his candidacy.

9. The full-time ad ran in the March-April 2015 edition of Respondent Hannegan's publication, Street Scape Magazine. A true and accurate copy of that ad is attached hereto and incorporated by reference as Exhibit A.

10. On April 2, 2015, Respondents stated that a full-page ad in Street Scape Magazine would cost \$1,700.

11. The full-page ad in Street Scape Magazine was an in-kind contribution received by Respondent Hannegan in excess of \$325 from a single contributor.

12. Respondent Hannegan also included an announcement of his candidacy in that issue of Street Scape Magazine. A true and accurate copy of that announcement is attached hereto and incorporated by reference as Exhibit B.

COUNT II

Timely, accurate, and complete reporting of contributions and expenditures

13. Respondent Hannegan incurred expenditures in excess of \$500 and received in-kind contribution from TPH Media, LLC, doing business as Street Scape Magazine, in excess of \$325, for the full-page ad discussed above.

14. Respondent Hannegan is the owner and operator of TPH Media, LLC.

15. Specifically, as stated above in paragraph 10, on April 2, 2015, Respondent Hannegan stated that a full-page ad in Street Scape Magazine would cost \$1,700.

16. Respondent Hannegan stated that “there were factors that I did not take into [account] regarding costs...” and that Respondent Hannegan “had not taken into account frequency and discount [sic] in my magazine pricing for advertising,” estimating that the cost of a full-page ad in Street Scape Magazine would cost \$200. Later that day, Respondent Hannegan stated further that the \$1,700 figure was for “traditional advertising,” and did not include discounts for “political advertising as well as factors on frequency in placing the ads in multiple issues.”

17. Respondent Hannegan’s statements set forth in paragraph 16 are not consistent with the actual prices invoiced to and paid by other candidates in 2014 and 2015, who paid rates of approximately \$500 for only a one-fourth page ad, even when purchasing ad space in multiple issues.

18. The actual value of Respondents' full-page ad was \$1,700, and not \$200.

19. Despite this, Respondents reported on the April 2015 quarterly disclosure report an in-kind contribution of \$200 from Street Scape Magazine, a \$150 in-kind contribution from himself, and an incurred expenditure of \$125 to Giant Leap Productions, for total expenditures and in-kind contributions received of only \$475.

20. Respondents reported the amount of the in-kind contribution from Street Scape Magazine as \$200 for the sole purpose of making it appear that Respondents did not exceed \$500 in contributions received and expenditures made in order to avoid a finding that Respondents failed to timely file a statement of committee organization with the Missouri Ethics Commission.

COUNT III

"Paid for by" disclosure

21. Respondents published, circulated, and distributed a full-page ad in the March-April 2015 edition of Street Scape Magazine that related to Respondent Hannegan's candidacy for State Representative in the August 2016 primary election, but did not include a "paid for by" disclosure on the ad.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to timely file statement of committee organization

22. "The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and 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.”
§ 130.021.5, RSMo.

23. Candidates for the Missouri House of Representatives are exempt from filing a statement of committee organization only if the “candidates files a sworn exemption statement with the appropriate officer that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than five hundred dollars or receive contributions from any single contributor, other than the candidate, that aggregate more than three hundred twenty-five dollars, and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with the candidate's knowledge and consent in support of the candidacy will not exceed five hundred dollars” § 130.016.1, RSMo.

24. The Missouri Ethics Commission and the election authority for the candidate’s place of residence are the appropriate officers with whom candidates for the Missouri House of Representatives are to file a statement of committee organization or a sworn statement of exemption. §130.026(2), RSMo.

25. A candidate committee, as defined for the purposes of Chapter 130, RSMo, is “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.” § 130.011(9), RSMo.

26. A committee, as defined for purposes of Chapter 130, RSMo, is “a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates” §130.011(7), RSMo.

27. There is probable cause to believe that Respondents violated Section 130.021.5, RSMo, by filing a statement of committee organization with the Missouri Ethics Commission that was more than twenty (20) days after Respondent Hannegan became a candidate and more than twenty (20) days after Respondents met the definition of “candidate committee” by virtue of the definitions in Section 130.011, RSMo, and that Respondents did so knowingly.

COUNT II

Timely, accurate, and complete reporting of contributions and expenditures

28. Committees must file regular campaign finance disclosure reports, which “shall be signed and attested by the ... candidate in case of a candidate committee.” §130.041.3, RSMo.

29. “Any person who knowingly accepts or makes a contribution or makes an expenditure in violation of any provision of this chapter or who knowingly conceals a contribution or expenditure by filing a false or incomplete report ... shall be held liable to the state in civil penalties in an amount equal to any such contribution or expenditure.” § 130.072, RSMo.

30. “The candidate ... is ultimately responsible for all reporting requirements pursuant to this chapter.” § 130.058, RSMo.

31. Committees must file regular campaign finance reports disclosing the committee’s contributions for the reporting 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

(d) Total dollar value of all in-kind contributions received;

(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.

32. Committees must file regular campaign finance reports disclosing the committee's expenditures for the reporting 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

§ 130.041.1(4), RSMo.

33. There is probable cause to believe that Respondents violated Section 130.041, RSMo, by failing to completely and accurately report the amounts of in-kind contributions received and expenditures incurred, and that Respondents did so knowingly.

COUNT III

"Paid for by" disclosure

34. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words 'Paid for by' followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, 'printed matter' shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or

other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material” § 130.031.8, RSMo.

35. “In regard to any printed matter paid for by a corporation or other business entity, labor organization, or any other organization not defined to be a committee by subdivision (9) of section 130.011 and not organized especially for influencing one or more elections, it shall be sufficient identification to print the name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer.” § 130.031.8(3), RSMo.

36. There is probable cause to believe that Respondents violated Section 130.031, RSMo, by publishing, circulating, and distributing a magazine ad relating to Respondent Hannegan’s candidacy without including a “paid for by” disclosure on that ad, and that Respondents did so knowingly.

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 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 B.

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 \$2,800, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$370 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.b 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 be 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 TOM HANNEGAN

PETITIONER MISSOURI ETHICS
COMMISSION

By: Thomas P. Hannegan
Tom Hannegan 9-30-15 Date
Candidate

By: James Klahr 10/7/15
James Klahr Date
Executive Director

RESPONDENT HANNEGAN FOR STATE
REPRESENTATIVE

By: Curtis R. Stokes 10/7/15
Curtis R. Stokes Date
Attorney for Petitioner

By: Thomas P. Hannegan
Hannegan for State Rep Date
9-30-15



Leadership

St. Louis® alumni
Tom Hannegan is
endorsed by current
representative
Anne Zerr
for 65th District State
Representative in
2016. Place your
vote in the primary
on August 2, 2016
and the general
election on Tuesday
November 8, 2016!

HANNEGAN

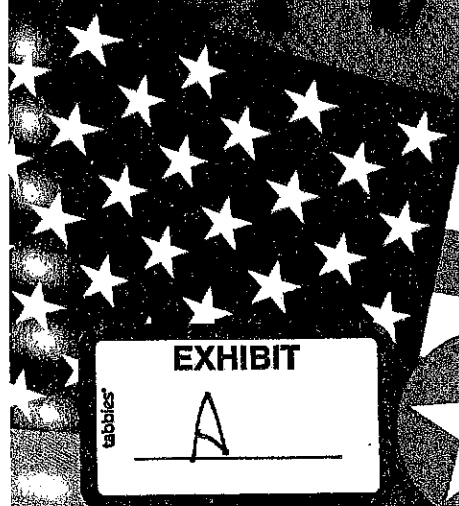
2016

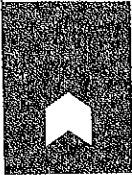
State Representative

EXHIBIT

A

tabbies





Publisher's Note



NEWS FROM THE PUBLISHER TOM HANNEGAN

Finally, spring is in the air! In this issue we are celebrating spring in so many ways! From fun, family things to do, easy recipes and great ideas to liven up your home and gardens to fashion and how to get ready for summer! We have some very exciting announcements!

Over the years, readers from near and far have expressed an interest in having StreetScape delivered to their doors. We are here to please, so now we are offering subscriptions! If you would like that, you are just a couple of easy steps away; go to StreetScapeMag.com.

Check out our new feature, "Styled!" - the fun, flipside of StreetScape! The theme for March/April is "Pop"! Flip this issue over for some light-hearted reading, fun happenings in our area, and great tips on everything "Pop"!

We are beyond excited and very proud to announce that our third-party, year-long audit is complete. We are officially certified by the CVC! If you'd like to learn more about the CVC and what our standing is, please visit: www.CVCAudit.com

We are already planning our two very anticipated fall events, StreetScape Fashion Week and Beyond the Best. If you would like information on how you can participate, please check out our ads on pages 51 and 31, respectively.

Last, but certainly not least, I am formally announcing my candidacy to run for State Representative for District 65. I am committed every day to support my community and would be honored to be your voice as your State Representative.

As always, I hope that you enjoy all that this issue has to offer; and I hope to see you out and about this spring!

Sincerely,

Thomas P. Hannegan

Thomas P. Hannegan



Romancing the Renaissance

EXHIBIT
B

2015
September

W 23
Th 24
Fri 25

Wednesday, 23
Thursday, 24
Friday, 25

FASHION WEEK
STREET
scape
MAGAZINE
2015

NIGEL'S FLOORING
Commercial & Residential
SOLAR & SECTION CLEANING

April's
the Coterie Room

tabbies
ONY BIRD CONNECTIONS EUSO