

each and every one of these rights and freely enters 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 agrees 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 Reisch was a successful candidate for District 44 State Representative in the August, 2016 primary election.

3. Respondent Citizens for Cheri Toalson Reisch is the candidate committee formed by Respondent Reisch to support her candidacy in that election.

4. Respondents placed an ad in the 2016 Boone County Fair program book but did not include a "paid for by" disclosure on the ad.

5. Respondents Citizens for Reisch reported two hundred dollars (\$200) in expenditures on an 8 Day Before August Primary Election report.

6. 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.

7. Based on the investigation report, 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.

8. Respondents published, circulated, and/or distributed an ad, a true and accurate copy of which is attached hereto as Exhibit A, by placing the ad in a publication distributed throughout Boone County, Missouri.

9. Respondents Citizens for Cheri Toalson Reisch paid for the printed matter referred to in Exhibit A.

10. The printed matter referred to in Exhibit A relates to a candidate in the August 2016 election.

11. The ad referred to in Exhibit A should have contained the clear and conspicuous statement: "Paid for by Citizens to Elect Cheri Toalson Resich, Thomas Mendenhall, Treasurer," but it did not.

JOINT PROPOSED CONCLUSIONS OF LAW

12. "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." § 130.031.8, RSMo.

13. "[P]rinted 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; but 'printed

matter' is defined to exclude ... any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle; any items of personal use given away or sold, such as campaign buttons, pins, pens, pencils, book matches, campaign jewelry, or clothing, which is paid for by a candidate or committee which supports a candidate or supports or opposes a ballot measure and which is obvious in its identification with a specific candidate or committee and is reported as required by this chapter; and any news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee or any other person." § 130.031.8, RSMo.

14. "In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.21 and the name and title of the committee treasurer who was serving when the printed matter was paid for." § 130.031.8(2), RSMo.

15. There is probable cause to believe that Respondents violated Sections 130.031.8, RSMo, by placing an ad in the 2016 Boone County Fair book without including a proper "paid for by" disclosure.

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 1.

a. Respondent 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 Respondent Cheri Toalson Reisch And Citizens For Cheri Toalson Reisch in the amount of \$100.00, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable and sent to the Missouri Ethics Commission at the time of execution of this Joint Stipulation.

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.

5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondents from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondents understand that late filing fees accrue automatically under Section 105.963, RSMo.

RESPONDENT CHERI TOALSON
REISCH

PETITIONER MISSOURI ETHICS
COMMISSION

By: Cheri J. Reisch 10/11/16
Cheri Toalson Reisch Date

By: James Klahr 10/24/16
James Klahr Date
Executive Director

RESPONDENT CITIZENS ^{FOR} ~~TO ELECT~~
CHERI TOALSON REISCH

By: Elizabeth L. Ziegler 10/14/16
Elizabeth L. Ziegler Date
Attorney for Petitioner

By: Cheri J. Reisch 10/11/16
Cheri Toalson Reisch Date



Cheri Toalson-Reisch
State Representative District 44

ELECT
Janet Thompson
EXCITING • EXAMINING • EXCELLENCE

TRADITION AND PROGRESS,
HAND IN HAND

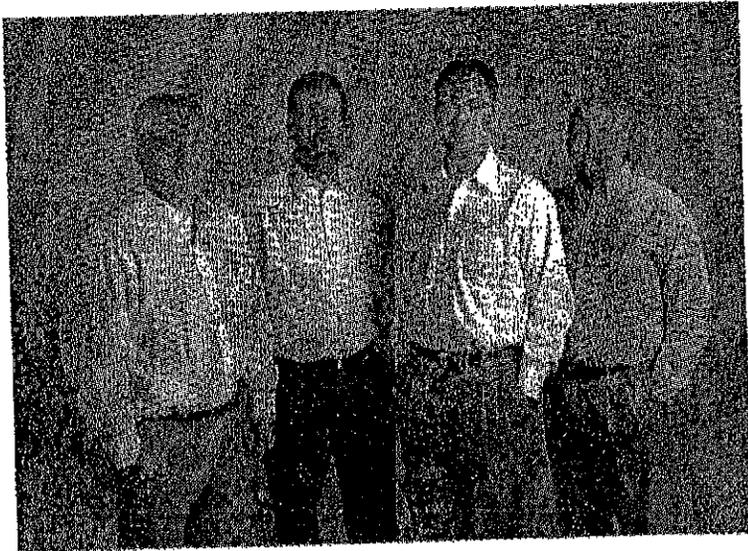


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BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
OCT 14 2016
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
) Case No. 16-0092-I
)
v.)
)
CHERI TOALSON REISCH,)
)
AND)
)
CITIZENS FOR CHERI TOALSON)
REISCH,)
)
Respondents.)

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents Cheri Toalson Reisch and Citizens to Elect Cheri Toalson Reisch violated Section 130.031.8, RSMo.

The Commission directs that the Joint Stipulation be adopted.

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 \$100, pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

SO ORDERED this 14th day of October, 2016

By:

Nancy Hagan

Nancy Hagan, Chair
Missouri Ethics Commission