



## MISSOURI ETHICS COMMISSION

PO Box 1370

Jefferson City, MO 65102

[www.mec.mo.gov](http://www.mec.mo.gov)

(573) 751-2020 / (800) 392-8660

James Klahr  
Executive Director

December 21, 2017

Ernie Trakas  
Friends of Ernie Trakas  
3900 Butler Hill Road  
St. Louis MO 63129

Re: File No. 17-0069-I

Dear Mr. Trakas:

The Missouri Ethics Commission considered the complaint filed against you and Friends of Ernie Trakas at its December 21, 2017 meeting. You are a St. Louis County Councilman and was elected in November 2016.

The complaint alleged you and Friends of Ernie Trakas violated the Missouri Campaign Finance Law (Ch. 130, RSMo) in: 1) not properly reporting the correct amount of receipts and expenditures for the election cycle that had previously been reported; 2) failing to accurately report loans to the committee on the committee's 2017 January Quarterly Report; and 3) failing to properly display a paid for by disclaimer on a campaign sign supporting you.

Staff reviewed this complaint and determined the following:

### Reporting of Previous Receipts and Expenditures for Election Cycle

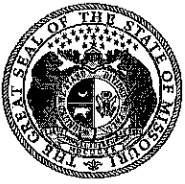
Staff reviewed the committee's campaign finance reports filed with the Commission. In the committee's 30 Day After Primary Election Report, filed on September 1, 2016, the committee included the total receipts and expenditures for the election previously reported. When the committee submitted its October Quarterly Report on October 12, 2016 (covering committee activity from August 28, 2016 through September 30, 2016), it reported as "\$0" the total receipts and expenditures previously reported for the election.

The term "election" is defined in Section 130.011(15), RSMo, and includes the following: "A primary election and the succeeding general election shall be considered separate elections." The committee correctly reported "\$0" for the total receipts and expenditures previously reported for the election because the October Quarterly Report was the first report covering committee activity in the new general election cycle.

### Improper Reporting of Committee Loan

The complaint also alleges that Friends of Ernie Trakas failed to accurately report loans to the committee on the committee's January 2017 Quarterly Report. The committee reported that two loans, totaling \$361, were scheduled for repayment though the committee had not previously reported any outstanding loans.

Upon receiving notice of this issue during the complaint process, the committee promptly corrected this report and included a statement explaining that the amounts previously reported as scheduled repayment of loans were actually a repayment for expenses incurred on behalf of the committee.



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Paid for By Disclosure

Staff reviewed a sign saying "We Stand With Ernie County Councilman 6<sup>th</sup> District." The sign did not include a paid for by disclosure. However, neither you nor Friends of Ernie Trakas had any role in creating, distributing or publishing the signs. Under Section 130.031.8, RSMo, responsibility for the paid for by requirements only applies to those individuals who publish, circulate or distribute printed material relative to any candidate for public office or ballot measure.

From the facts presented, the Commission finds no reasonable grounds exist to support a violation of Chapter 130, RSMo, and is dismissing the complaint.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Klahr".

James Klahr  
Executive Director