

Filed
NOV 05 2018
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
LEVI WEAVER,) Case No. 18-0039-I
Candidate)
)
and)
)
COMMITTEE TO ELECT LEVI WEAVER,)
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, Levi Weaver and Committee to Elect Levi Weaver, 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 § 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.¹

2. Respondent Weaver was a successful incumbent candidate for Mayor of the City of Greenwood in the April 3, 2018 election.

3. Respondent Weaver registered his candidate committee, Committee to Elect Levi Weaver, by filing a Statement of Committee Organization on March 13, 2017 with the Missouri Ethics Commission for the April 4, 2017 election.

4. Respondent Weaver was listed as treasurer on the Statement of Committee Organization.

¹ Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2017).

5. Respondent Committee to Elect Levi Weaver amended the Statement of Committee Organization on April 16, 2018 and again on April 19, 2018 to update the office sought to April 3, 2018.

6. The Statement of Committee Organization listed Mazuma Credit Union at 260 NW Oldham Pkwy, Lee's Summit, MO 64081 with account number ending in *1470 as the official fund depository.

7. Pursuant to Sections 105.959 and 105.961, RSMo, the Commission's staff investigated the reports and statements filed with the Commission and reported the investigation findings to the Commission.

8. 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.

COUNT I

Failure to declare candidacy on Statement of Committee Organization before accepting contributions and making expenditures

9. Respondent Weaver was successful in the April 2017 election for Mayor of the City of Greenwood.

10. Respondent Weaver was a successful incumbent candidate in the April 2018 election for Mayor of the City of Greenwood.

11. Respondents accepted two contributions totaling \$525.00 in February 2018 for his mayoral candidacy in the April 3, 2018 election

Date	Contribution Name	Amount
02/22/18	Better Way Missouri	\$500.00
02/22/18	SP Plus	\$25.00
Total		\$525.00

12. Respondents made two expenditures totaling \$695.00 in March 2018 for Respondent Weaver’s mayoral candidacy in the April 3, 2018 election.

Date	Expenditure Name	Amount
03/14/18	Displayability	\$495.00
03/22/18	Levi Weaver	\$200.00
Total		\$695.00

13. After the April 2017 election, Respondents did not amend the Statement of Committee Organization to reflect Respondent Weaver’s mayoral candidacy run for the April 3, 2018 election until April 16, 2018.

14. Respondents failed to timely amend the Statement of Committee Organization to reflect an updated office sought before accepting contributions and making expenditures for the April 3, 2018 election.

COUNT II

Failure to deposit all contributions and make all expenditures through the official fund depository

15. Respondents reported receiving a \$2,053.16 loan on the 2018 8-Day Before Election Report, but the funds were not found in the official fund depository account.

16. Respondents reported paying back a \$1,000.00 loan on the 2018 April Quarterly Report, which did not appear in the official fund depository account.

17. Respondents reported making six expenditures totaling \$965.00 in 2018 and three expenditures totaling \$2,462.84 in 2017, which did not appear in the official fund depository account.

Date	Expenditure Name	Amount	Report
N/A	Fuel Cost	\$70.00	2018 April Quarterly Report

N/A	Printer Cartridges	\$50.00	2018 April Quarterly Report
N/A	Home Depot	\$90.00	2018 April Quarterly Report
N/A	Facebook	\$60.00	2018 April Quarterly Report
03/14/18	Displayability	\$495.00	2018 April Quarterly Report
03/22/18	Levi Weaver	\$200.00	2018 April Quarterly Report
03/11/17	Levi Weaver	\$295.00	8 Day Before General Municipal Election
03/11/17	Levi Weaver	\$1,098.00	8 Day Before General Municipal Election
03/22/17	Levi Weaver	\$1,069.84	8 Day Before General Municipal Election
Total		\$3,427.84	

COUNT III

Unauthorized use of committee funds

18. Upon information and belief, on March 20, 2018, Respondents utilized the official fund depository account to make a payment of \$105.00 to “GoFndMe-Back Surgery.” This was not reported on a campaign disclosure report.

19. There were no committee records provided to substantiate that this was for committee purposes.

COUNT IV

Cash contributions and expenditures in excess of limits

20. Upon information and belief, on March 16, 2017, Respondents accepted a cash deposit of \$300.00 by depositing this amount into the official fund depository account. This was not reported on a campaign disclosure report and exceeded the allowable \$100.00 limit for a cash contribution.

21. There were no committee records provided to substantiate whether or not this was from a single contributor or multiple contributors.

22. Respondents made four ATM cash withdrawals totaling \$641.00. Each expenditure exceeded the allowable \$50.00 limit for cash expenditures.

Date	Expenditure	Amount
04/02/17	ATM	\$100.00
03/08/18	ATM	\$375.00
03/20/18	ATM	\$103.50
03/22/18	ATM	\$62.50
Total		\$641.00

COUNT V

Failure to timely and accurately file campaign finance disclosure reports with cumulative information from the date of the last report

23. Respondents inaccurately reported beginning money on hand on one report in 2017 and one report in 2018.

24. Respondents inaccurately reported ending money on hand on two reports in 2017 and one report in 2018.

Report Name	From	To	Reported		Actual	
			MOH at Beginning of Period	MOH at End of Period	MOH at Beginning of Period	MOH at End of Period
2017						
8 Day Before General Election Report	2/23/17	3/23/17	\$0.00	\$2,180.32	\$0.00	\$1,619.43
30 Day After General Election Report	4/1/17	4/29/17	\$2,180.32	\$721.43	\$732.32	\$6.74
2018						
April Quarterly Report	3/23/18	3/31/18	\$0.00	\$821.16	\$410.00	\$12.53

25. Respondents failed to timely file two reports in 2017 and three reports in 2018.

Report Name	Year	Due Date	Date Submitted
April Quarterly Report	2017	4/17/17	5/14/17

July Quarterly Report	2017	7/17/17	7/31/17
January Quarterly Report	2018	1/16/18	1/25/18
40 Day Before Report	2018	2/22/18	4/6/18
8 Day Before Report	2018	3/26/18	4/12/18

26. Respondents inaccurately filed one Limited Activity Statement in 2017 and two Limited Activity Statements in 2018 that should have been filed as a full disclosure report as the monetary threshold was exceeded.

Reports That Should Have Been Filed As Full Reports	Year	Due Date	From	To
April Quarterly Report	2017	4/17/17	3/16/17	3/31/17
8 Day Before Election Report	2018	3/26/18	3/15/18	3/22/18
30 Day After Election Report	2018	5/3/18	4/3/18	4/23/18

27. Respondents failed to file a 24 Hour Notice of Late Contribution for a \$500.00 contribution received on April 1, 2017.

28. Respondents failed to accurately report the proper reporting periods on four reports in 2017 and five reports in 2018.

Report Name	Year	Due Date	Reported Period Dates		Actual Period Dates	
			From	To	From	To
April Quarterly Report	2017	4/17/17	3/16/17	3/31/17	3/24/17	3/30/17
30 Day After Election Report	2017	5/4/17	3/27/17	4/29/17	4/1/17	4/29/17
July Quarterly Report	2017	7/17/17	5/30/17	6/30/17	4/30/17	6/30/17
October Quarterly Report	2017	10/16/17	4/8/17	9/30/17	7/1/17	9/30/17
January Quarterly Report	2018	1/16/18	9/1/17	12/31/17	10/1/17	12/31/17
40 Day Before Election Report	2018	2/22/18	1/1/18	2/17/18	4/30/17	2/17/18
8 Day Before Election Report	2018	3/26/18	3/15/18	3/22/18	2/18/18	3/22/18
April Quarterly Report	2018	4/16/18	2/1/18	3/1/18	3/23/18	3/31/18
30 Day After Election Report	2018	5/3/18	4/3/18	4/23/18	4/1/18	4/28/18

COUNT VI

Failure to timely and accurately report contributions received

29. Respondents failed to report a \$300.00 itemized contribution in 2017 and three non-itemized contributions totaling \$153.00 in 2018.

Date	Contribution Name	Amount
03/16/17	Cash Deposit	\$300.00
02/22/18	SP Plus	\$25.00
02/27/18	Paige Goodson & Jason Cooksey	\$85.00
03/16/18	Diane P or Frederick F Orsita	\$43.00
	Total	\$453.00

30. Respondents failed to accurately report a \$500.00 contribution received on March 16, 2017.

COUNT VII

Failure to timely and accurately report expenditures made

31. Respondents failed to report six itemized expenditures, totaling \$1,105.07.

Expenditure Name	Amount	Date	Report Not Showing Expenditure
ATM	\$375.00	03/08/18	8 Day Before Election General Report
The Home Depot-ATM	\$136.02	03/12/18	8 Day Before Election General Report
GoFndMe Back Surgery-ATM	\$105.00	03/20/18	8 Day Before Election General Report
ATM	\$103.50	03/20/18	8 Day Before Election General Report
Comcast-ATM	\$223.93	03/23/18	2018 April Quarterly Report
Spring Wireless-ATM	\$161.62	03/25/18	2018 April Quarterly Report
Total	\$1,105.07		

32. Respondents failed to report forty-one non-itemized expenditures totaling \$983.10.

Expenditure Name	Amount	Date	Report Not Showing Expenditure
Summit Grill & Bar-ATM	\$80.00	04/01/17	30 Day After General Election 2017
The Home Depot-ATM	\$9.25	04/03/17	30 Day After General Election 2017
Caseys-ATM	\$8.81	04/05/17	30 Day After General Election 2017
Caseys-ATM	\$9.78	04/05/17	30 Day After General Election 2017
Travel Clean Car Wash-ATM	\$20.00	04/06/17	30 Day After General Election 2017
Caseys-ATM	\$10.19	04/07/17	30 Day After General Election 2017
QT-ATM	\$10.14	04/07/17	30 Day After General Election 2017
Jazzy Entertainment-ATM	\$18.31	04/08/17	30 Day After General Election 2017
Caseys-ATM	\$9.78	04/08/17	30 Day After General Election 2017
Tool Shed-ATM	\$4.00	04/08/17	30 Day After General Election 2017
Bricks Pub-ATM	\$43.00	04/08/17	30 Day After General Election 2017
Taste of Brazil Market-ATM	\$20.42	04/09/17	30 Day After General Election 2017
Independence Event Center-ATM	\$10.00	02/24/18	8 Day Before General Election 2018
Phillips 66-ATM	\$6.14	02/25/18	8 Day Before General Election 2018
Price Chopper-ATM	\$12.51	02/27/18	8 Day Before General Election 2018
Tacos El Mercadito-ATM	\$18.50	03/01/18	8 Day Before General Election 2018
KFC-ATM	\$24.26	03/01/18	8 Day Before General Election 2018
Phillips 66-ATM	\$5.81	03/02/18	8 Day Before General Election 2018
The Home Depot-ATM	\$41.36	03/13/18	8 Day Before General Election 2018
SW Market-ATM	\$22.99	03/14/18	8 Day Before General Election 2018
Walgreens-ATM	\$41.90	03/14/18	8 Day Before General Election 2018

The Home Depot-ATM	\$6.23	03/14/18	8 Day Before General Election 2018
Caseys-ATM	\$13.60	03/17/18	8 Day Before General Election 2018
Caseys-ATM	\$74.00	03/17/18	8 Day Before General Election 2018
7-Eleven-ATM	\$20.00	03/18/18	8 Day Before General Election 2018
Caseys-ATM	\$9.54	03/19/18	8 Day Before General Election 2018
NNT Convenience-ATM	\$22.85	03/19/18	8 Day Before General Election 2018
Third Street Social-ATM	\$35.00	03/20/18	8 Day Before General Election 2018
Phillips 66-ATM	\$40.01	03/21/18	8 Day Before General Election 2018
Chick-Fil-A-ATM	\$8.27	03/22/18	8 Day Before General Election 2018
Paypal SocialMinds-ATM	\$25.38	03/22/18	8 Day Before General Election 2018
Third Street Social-ATM	\$54.00	03/23/18	2018 April Quarterly Report
Chipotle-ATM	\$23.94	03/24/18	2018 April Quarterly Report
Phillips 66-ATM	\$83.00	03/25/18	2018 April Quarterly Report
Wendys-ATM	\$9.54	03/25/18	2018 April Quarterly Report
Chai Sai-ATM	\$44.00	03/25/18	2018 April Quarterly Report
Cracker Barrel-ATM	\$21.65	03/25/18	2018 April Quarterly Report
Discount Smokes-ATM	\$10.20	03/26/18	2018 April Quarterly Report
Go Chicken Go-ATM	\$25.62	03/26/18	2018 April Quarterly Report
Caseys-ATM	\$27.31	03/26/18	2018 April Quarterly Report
Caseys-ATM	\$1.81	03/27/18	2018 April Quarterly Report
Total	\$983.10		

33. Respondents failed to accurately report fifty-one expenditures totaling \$1,767.40.
34. Respondents failed to timely file one-hundred expenditures totaling \$5,331.57.

COUNT VIII

Failure to maintain committee records in accordance with accepted normal bookkeeping procedures

35. Respondents did not maintain records in accordance with accepted normal bookkeeping procedures, including failure to maintain and provide records necessary to prepare and substantiate some of the contributions that Respondents received and expenditures that Respondents made and Respondents did not provide requested records.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to declare candidacy on Statement of Committee Organization before accepting contributions and making expenditures

36. “‘Candidate committee’, 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

37. Pursuant to Section 130.021.5(9), RSMo, 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 and the statement of organization shall contain the name and office sought of each candidate supported or opposed by the committee.

38. If there is any change to the office sought or account number, “an amended statement of organization shall be filed within twenty days after the change occurs, but no later

than the date of the filing of the next report required to be filed by that committee.” § 130.021.7, RSMo.

39. A “contribution [is] a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes.” § 130.011(12), RSMo.

40. An “expenditure [is] a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee.” § 130.011(16), RSMo.

41. There is probable cause to believe that Respondents violated Sections 130.021.5(9) and 130.021.7, RSMo, by failing to timely amend the Statement of Committee Organization to

reflect that he was a candidate for future office before accepting contributions and making expenditures for the April 3, 2018 election, and that Respondents did so knowingly.

COUNT II

Failure to deposit all contributions and make all expenditures through the official fund depository

42. “Every committee shall have a single official fund depository within this state which shall be a federally or state-chartered bank, a federally or state-chartered savings and loan association, or a federally or state-chartered credit union in which the committee shall open and thereafter maintain at least one official depository account in its own name.” § 130.021.4(1), RSMo.

43. “Contributions shall not be accepted and expenditures shall not be made by a committee except by or through an official depository account and the committee treasurer, deputy treasurer or candidate.” § 130.021.4(1), RSMo.

44. There is probable cause to believe that Respondents violated Section 130.021.4(1), RSMo, by failing to deposit all contributions and make all expenditures through the official depository account, and that Respondents did so knowingly.

COUNT III

Unauthorized use of committee funds

45. Contributions received by any committee shall not be converted to any personal use. § 130.034, RSMo.

46. Contributions may be used for any ordinary expenses incurred relating to a campaign. § 130.034.2, RSMo.

47. There is probable cause to believe that Respondents violated Section 130.034, RSMo, by making an expenditure totaling \$105.00, which was not authorized for committee use, and that Respondents did so knowingly.

COUNT IV

Cash contributions and expenditures in excess of limits

48. For purposes of Chapter 130, RSMo, cash means “currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor.” § 130.011(4), RSMo.

49. “No contribution of cash in an amount of more than one hundred dollars shall be ... accepted from any single contributor for any election by a ... committee.” § 130.031.1, RSMo.

50. “Except for expenditures from a petty cash fund which is established and maintained by withdrawals of funds from the committee's depository account and with records maintained pursuant to the record-keeping requirements of § 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate.” §130.031.2, RSMo.

51. There is probable cause to believe that Respondents violated Sections 130.031.1 and 130.031.2, RSMo, by accepting a single cash contribution of \$300.00 and by making four cash expenditures totaling \$641.00, which exceeded the allowable limits for cash contributions and expenditures, and that Respondents did so knowingly.

COUNT V

Failure to timely and accurately file campaign finance disclosure reports with cumulative information from the date of the last report

52. The disclosure reports must contain the total amount of money on hand at the beginning and end of the reporting period, and the total amount of outstanding indebtedness as of the closing date of the reporting period. § 130.041.1, RSMo.

53. All committees must file regular campaign finance disclosure reports at the following times and for the following periods:

(1) Not later than the eighth day before an election for the period closing on the twelfth day before the election if the committee has made any contribution or expenditure either in support or opposition to any candidate or ballot measure;

(2) Not later than the thirtieth day after an election for a period closing on the twenty-fifth day after the election, if the committee has made any contribution or expenditure either in support of or opposition to any candidate or ballot measure; except that, a successful candidate who takes office prior to the twenty-fifth day after the election shall have complied with the report requirement of this subdivision if a disclosure report is filed by such candidate and any candidate committee under the candidate's control before such candidate takes office, and such report shall be for the period closing on the day before taking office; and

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

§130.046.1, RSMo.

54. Pursuant to Section 130.046.5(2), RSMo, 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.

55. Pursuant to Section 130.050.3, RSMo, the receipt of any late contribution or loan of more than two hundred fifty dollars by any committee shall be reported to the appropriate officer no later than twenty-four hours after receipt.

56. "The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for periods closing on the thirty-first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September." § 130.046.3, RSMo.

57. There is probable cause to believe that that Respondents violated Sections 130.041.1, 130.046.1. 130.046.5(2), 130.050.3, and 130.046.3, RSMo, by failing to timely file five reports, failing to accurately report beginning money on hand on two reports and ending money on hand on three reports, by inaccurately filing three Limited Activity Statements that should have been filed as a full disclosure reports, failing to file a 24 Hour Notice of Late Contribution, and

failing to accurately report the proper reporting periods on nine reports, and that Respondents did so knowingly.

COUNT VI

Failure to timely and accurately report contributions received

58. All committees are required to report receipts for each 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. 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;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an

attached statement or copy of the statement describing each fund-raising event as required in sub§ 6 of § 130.031;

(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.

59. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to report four contributions totaling \$453.00, inaccurately reporting a \$500.00 contribution, and that Respondents did so knowingly.

COUNT VII

Failure to timely and accurately report expenditures made

60. All committees are required to report expenditures for each reporting period, including:

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

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(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.

61. There is probable cause to believe that Respondents violated Section 130.041.1(4), RSMo, by failing to report forty-seven expenditures totaling \$2,088.17, inaccurately reporting fifty-one expenditures totaling \$1,767.40, and failing to timely file one-hundred expenditures totaling \$5,331.57, and that Respondents did so knowingly.

COUNT VIII

Failure to maintain committee records in accordance with accepted normal bookkeeping procedures

62. “The candidate, treasurer or deputy treasurer of a committee shall maintain accurate records and accounts on a current basis.” §130.036.1, RSMo.

63. “The records and accounts shall be maintained in accordance with accepted normal bookkeeping procedures and shall contain the bills, receipts, deposit records, cancelled checks and other detailed information necessary to prepare and substantiate any statement or report required to be filed pursuant to this chapter.” § 130.036.1, RSMo.

64. “All records and accounts of receipts and expenditures shall be preserved for at least three years after the date of the election to which the records pertain. Records and accounts

regarding supplemental disclosure reports or reports not required pursuant to an election shall be preserved for at least three years after the date of the report to which the records pertain. Such records shall be available for inspection by the campaign finance review board and its duly authorized representatives.” § 130.036.8, RSMo.

65. There is probable cause to believe that Respondents violated Section 130.036, RSMo, by failing to maintain Respondents’ committee finance records and accounts in accordance with accepted normal bookkeeping procedures, including bills, receipts, deposit records, cancelled checks and other detailed information necessary to prepare and substantiate any statement or report required under Chapter 130, RSMo, 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 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 \$9,587, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$1,629 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.

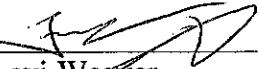
c. Regardless of the stay in paragraph 2.b above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then Respondents will be required to pay the remainder of the fee. The fee will due immediately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


By:  10-26-18
Levi Weaver Date

COMMITTEE TO ELECT LEVI WEAVER

By:  10-26-18
Levi Weaver Date

PETITIONER MISSOURI ETHICS
COMMISSION

By:  11/6/18
Elizabeth L. Ziegler Date
Executive Director

By:  11/5/18
Brian Hamilton Date
Attorney for Petitioner

3. If Respondents commit any further violation of the campaign finance laws pursuant to 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 Respondents committed such a violation.

SO ORDERED this 5th day of November, 2018

By:



Don Summers, Chair
Missouri Ethics Commission