

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2014-149)
)
)
 James R. Spires,)
 Respondent.)
)
)
 Alberta Wasden,)
 Complainant.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

RECEIVED
 2014 NOV 19 AM 11:26
 STATE ETHICS COMMISSION
 RECEIVED
 2014 NOV 10 AM 9:54
 STATE ETHICS COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Complainant, Alberta Wasden, on May 15, 2014. The complaint against the Respondent, James R. Spires, was considered by the Commission on September 17, 2014, and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following statements of fact, conclusions of law, admission, and disposition in this matter.

STATEMENTS OF FACT

1. The Respondent, James R. Spires, was a candidate for Mayor of Swansea in a November 3, 2013 election and he was required to file campaign disclosure forms (CD) upon receiving and spending campaign contributions with full disclosure of all expenditures.
2. According to his CD filed on March 7, 2014 Respondent did not report any expenditures for campaign signage.
3. Velvetex, Inc. furnished copies of two invoices, dated September 25, 2013 and October 10, 2013 which indicated a total of \$688.50 for campaign signs purchased by Respondent.

4. On May 29, 2014 Respondent advised a Commission investigator that his failure to report expenditures in his CD was an oversight and not intentional. He stated he would amend his pre-election CD to reflect his expenditures for campaign signs. On the same date the Respondent did comply by filing an amended CD.

5. A review of Respondent's amended CD revealed that on September 25, 2013 he contributed \$607.50 to his campaign by paying for signs produced by Velvetex; therefore, Respondent's initial report was due no later than October 5, 2013.

6. On April 7, 2014 Respondent paid a \$100.00 late filing penalty for the late pre-election CD.

CONCLUSIONS OF LAW

Based upon the Statement of Facts, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, James R. Spires, was a candidate, as defined by S.C. Code Ann. § 8-13-1300(4)(Supp. 2013).

2. The State Ethics Commission has personal and subject matter jurisdiction.

3. Section 8-13-1308(A) provides that a candidate must file an initial campaign disclosure form with ten days of spending or collecting \$500.00.

4. Section 8-13-1308(D) provides that a candidate must file a pre-election campaign disclosure form fifteen days before the election.

5. Section 8-13-1308(F) provides that candidates must itemize all campaign expenditures.

DISCUSSION

Respondent contributed his own money to the campaign and didn't think he needed to disclose his own money. Respondent didn't accept contributions from others.



ADMISSIONS

The Respondent, James R. Spires, admits that he violated Sections 8-13-1308(A), 8-13-1308(D) and 8-13-1308(F).

DISPOSITION

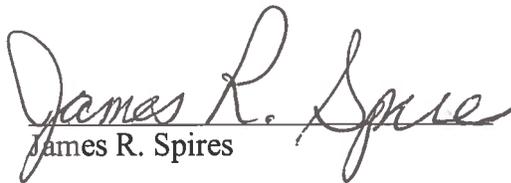
The State Ethics Commission hereby finds Respondent James R. Spires in violation of Sections 8-13-1308(A), 8-13-1308(D) and 8-13-1308(F) of the Ethics Reform Act and hereby adopts the Statements of Fact, Conclusions of Law, Admissions, and Disposition as agreed upon by the Respondent.

THEREFORE, the State Ethics Commission hereby issues this written warning to James R. Spires for violation of Sections 8-13-1308(A), 8-13-1308(D) and 8-13-1308(F) of the Ethics Reform Act,

AND, orders Respondent to pay a late filing penalty of \$100.00 and an administrative fee of \$250.00 within 30 days of receipt of the signed order,

AND IT IS SO ORDERED THIS 11th DAY OF November 2014.

STATE ETHICS COMMISSION


James R. Spires


~~JAMES H. BURNS, CHAIR~~
~~Shari Lydon~~
James Warren