MISSOURI ETHICS COMMISSION
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James Klahr
Executive Director

April 25, 2016

Vote No On The E-Tax Campaign Committee
Debbie Schneider
1034 South Brentwood Blvd Suite 1700
St. Louis MO 63117

Re: File No. 16-0022-I

Dear Ms. Schneider:

The Missouri Ethics Commission considered the complaint filed against you and Vote No On the E-Tax Campaign Committee at its April 21, 2016 meeting. The Commission reviewed the allegation that Vote No On the E-Tax Campaign Committee formed as a campaign committee to oppose any and all earnings tax issues for a statewide ballot measure when there are no such statewide ballot measures, only local earnings tax measures.

The complaint further alleged that, under Section 130.021.1, RSMo:

> Every committee shall have a treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and reside in the district or county in which the committee sits. A committee may also have a deputy treasurer who, except as provided in subsection 10 of this section, shall be a resident of this state and reside in the district or county in which the committee sits.

On the April 5, 2016 ballot, both the City of Kansas City and the City of St. Louis put ballot measures before voters in each jurisdiction asking voters to determine whether to reauthorize an earnings tax currently in place in both cities. Prior to the election, on February 18, 2016, Vote No On the E-Tax Committee, filed a Statement of Committee Organization ("Statement") with the Commission. The Statement identified the committee as a campaign committee and identified the "Ballot Measure Supported or Opposed" on the Statement as "Statewide campaign against any and all earnings tax issues." The Statement included an addendum listing all Missouri counties and the City of St. Louis as well as the sample ballot language for the City of St. Louis and City of Kansas City ballot measures. The Statement listed a treasurer name and address and a deputy treasurer name and address. The address listed for the treasurer was located in St. Louis County and the address listed for the deputy treasurer was located in Cole County.

In reviewing this complaint, the Commission determined that the measures appearing before voters in the City of St. Louis and Kansas City were ballot measures that, collectively, had statewide geographic scope. In a previous Commission opinion, Opinion No. 2008.10.CF.009, the Commission opined in part that "for committees with a statewide geographic scope, the district in which the committee sits is the entire state of Missouri." Among the committees the

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Commission deemed to have a statewide geographic scope were : ". . candidate committees for candidates for statewide office, "state" political party committees as defined in Section 115.603, RSMo, campaign committees formed for statewide ballot measures, and continuing committees." (Opinion No. 2008.10.CF.009).

Here, the ballot measures appearing on the April 5, 2016 ballot only appeared in Kansas City and St. Louis. Nevertheless, the ballot measure was one of statewide geographic scope in that the impact of the earnings tax measure affects not only those living in the City of St. Louis and the City of Kansas City, but those who work in those jurisdictions. In this instance, the fact that the April 5, 2016 ballot measure appeared before the voters in two large metropolitan jurisdictions and had an impact on Missouri residents beyond those two jurisdictions made this ballot measure one of statewide geographic scope.

The Commission finds no reasonable grounds exist to support a violation of the campaign finance laws pursuant to Chapter 130, RSMo, and is dismissing the complaint.

Sincerely,

James Klahr
Executive Director