



MEC  
OPINION NO.

2002.11.107

COPY

STATE OF MISSOURI  
MISSOURI ETHICS COMMISSION  
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November 25, 2002

At the November 21, 2002 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your question:

*Do the words "an employer shall, upon written request by ten or more employees, provide its employees with the option of contributing to a continuing committee as defined in section 130.011 through payroll deductions, if the employer has a system of payroll deductions" require the State of Missouri to establish a deduction system if requested?*

The Commission stated that the words employer and employee are not defined in Chapter 130, RSMo. In light of the case decided by the Missouri Supreme Court, Carpenter v. King, 679 SW2d 866 (Mo Banc 1984), when the state is required to be subjected to a specific action, the law must clearly include the state. The state is not an employer under section 130.028, RSMo and is not required to establish an employer deduction program for voluntary contributions to continuing committee.

Sincerely,

R. F. Connor  
Executive Director

RFC:bd

#### NOTICE

Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.