

St. Louis City Ordinance 63504

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 66

INTRODUCED BY ALDERMAN FRED WESSELS, JR. , MARTIE J. ABOUSSIE ,
JOSEPH D. RODDY , PAUL M. BECKERLE , FRED HEITERT , STEPHEN
GREGALI

An ordinance pertaining to the prohibition of financial contributions to persons holding the office of Mayor, Comptroller, President of the Board of Aldermen or member of the Board of Aldermen of St. Louis or candidates for said offices by gaming interests within the City of St. Louis; prohibiting gaming interests licensed by the State of Missouri or approved by the City of St. Louis to conduct gaming operations within the City of St. Louis from making financial contributions to said officeholders or candidates for said offices; prohibiting those seeking to obtain licensing by the State of Missouri or approval by the City of St. Louis to conduct gaming operations within the City of St. Louis from making financial contributions to said officeholders or candidates for said offices; applying the aforesaid prohibitions to the immediate family of persons prohibited from making financial contributions to said officeholders or candidates for said offices; prohibiting said officeholders or candidates for said offices from accepting the aforesaid prohibited financial contributions; containing definitions; exempting from the aforesaid prohibitions financial contributions made by or received from a shareholder of a publicly traded company who owns less than five percent (5%) of the outstanding shares of the company; and containing penalty, severability, and emergency clauses.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Financial Contributions from Gaming Interests Prohibited.

1. It shall be unlawful for any company, business entity or person licensed by the State of Missouri or approved by the City of St. Louis to conduct gaming operations within the City of St. Louis or any person who is a director, officer, principal, partner or shareholder of a company or other business so licensed or approved by the City of St. Louis to conduct gaming operations within the City of St. Louis, or who has any financial interest in a company or other business entity so licensed or approved by the City of St. Louis to conduct gaming operations within the City of St. Louis, to make any financial contribution, in kind or otherwise, to any person holding the office of Mayor, Comptroller,

President of the Board of Aldermen, or member of the Board of Aldermen, or to any candidate for the office of Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen. For purposes of this Ordinance, approval by the City of St. Louis to conduct gaming operations within the City of St. Louis shall include, but is not limited to: (a) authorization to conduct gaming operations at a docking or mooring location along the City-owned wharf pursuant to a lease, contract, agreement or permit; or (b) the issuance or grant of a license, permit, zoning change, zoning variance or any other approval by an agency, department or official of the City of St. Louis that is necessary to conduct gaming operations at a docking or mooring location along private property in the City of St. Louis.

2. The prohibitions set forth in paragraph 1 of Section One of this Ordinance shall also apply to any company, business entity or person not presently licensed by the State of Missouri or approved by the City of St. Louis to conduct gaming operations within the City of St. Louis, but which has submitted a licensing application to the State of Missouri or a proposal, bid, application or request to the Port Authority Commission, the Comptroller, or the Board of Aldermen, or to any agency or department of the City of St. Louis for any authorization or approval to conduct gaming operations within the City of St. Louis.

3. The prohibitions set forth in paragraphs 1 and 2 of Section One of this Ordinance shall also apply to the immediate family of any person prohibited from making financial contributions to any person holding the office of Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen, or to any candidate for the office of the Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen.

4. It shall be unlawful for any person holding the office of Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen, or for any candidate for the office of the Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen, to knowingly accept any financial contribution from any person herein prohibited from making such contributions.

SECTION TWO. Definitions.

For purposes of this Ordinance, the following definitions shall apply:

1. The term "financial contribution" shall mean any money or other thing of value that is given to the Mayor, Comptroller, President of the Board of

Aldermen, or member of the Board of Aldermen, or to any candidate for the office of Mayor, Comptroller, President of the Board of Aldermen, or member of the Board of Aldermen, regardless of whether such money or thing of value is given directly to the officeholder or candidate, to the campaign committee for said officeholder or candidate, or to any other person or committee for the benefit of such officeholder or candidate.

2. The term "candidate" shall include any person who has made public announcement of his or her intention of seeking office, any person who has formed a campaign committee for the purpose of seeking office, or any person who has filed for office.

3. The term "gaming" shall mean gambling games that are involved in the licensing to operate excursion gambling boats or to conduct gambling games on excursion gambling boats, pursuant to the provisions of Sections 313.800 to 313.850, R.S.Mo..

4. The term "immediate family" shall mean a spouse, father, mother, brother, sister, son or daughter.

SECTION THREE. Exemption.

The prohibitions of this section shall not apply to financial contributions either made by or received from shareholders of a publicly traded company provided that the shareholder owns less than five percent (5%) of the outstanding shares of said company.

SECTION FOUR. Penalty. Any person who shall be convicted of any violation of the provisions of this Ordinance shall be punished by a fine of not more than Five Hundred Dollars (\$500.00).

SECTION FIVE. Severability Clause. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining sections of this Ordinance are valid unless the court finds the valid sections of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the void section that it cannot be presumed that the Aldermen would have enacted the valid sections without the void ones, or unless the Court finds that the valid sections, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION SIX. Emergency Clause. This being an ordinance necessary for the preservation of the public peace, health and safety, it is hereby declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis, and therefore, this Ordinance shall become effective immediately upon its passage and approval by the Mayor or its approval over his veto.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/05/95	05/05/95	LEG	05/31/95	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
06/02/95			06/09/95	07/07/95
ORDINANCE	VETOED		VETO OVR	
63504				