

ORDINANCE #65417
Board Bill No. 200

An ordinance submitting to the qualified voters of the City of St. Louis a proposed amendment to the Charter of the City of St. Louis repealing Paragraph (h) of Section One of Article XVIII of the Charter of the City of St. Louis relating to the definition of the term "Excepted Position" as it applies to the civil service system and enacting in lieu thereof is a new Paragraph (h) for Section One; providing for an election to be held thereon; and for the manner of voting thereat and containing an emergency clause.

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

Section One. The following amendment to the Charter of the City of St. Louis is hereby proposed and submitted to the voters of the city and to be voted upon at an election to be held as hereinafter provided.

The said amendment is in words and figures as follows:

Paragraph (h) of Section One of Article XVIII of the Charter of the City of St. Louis relating to the definition of the term "Excepted Position" as it applies to the civil service system, is hereby repealed and enacted in lieu thereof is a new paragraph (h) for Section One which shall be and read as follows:

Section 1 Definitions.

(h) "Excepted position" means any position in the classified service not subject to the provisions of this article requiring competitive tests of fitness for appointment and such other provisions as, by their terms, apply specifically to competitive positions alone. All such positions, however, shall be subject to all the other provisions of this article insofar as consistent with law and with this exception. The following described positions, and no others, shall be deemed to be excepted positions:

- (1) all positions filled by election of the people;
- (2) all positions of heads of departments and of independent agencies and commissions, that are filled by appointment by the mayor;
- (3) all positions in the Mayor's Office, except that no employee will lose their job or status due to this change
- (4) all positions of paid members of boards;
- (5) all positions of city court judge;
- (6) all officers and employees of the board of aldermen;
- (7) one position of Chief Staff Officer and one position of Public Information on the Comptroller's Staff, except that no employee will lose their job or status due to this change.

Section Two. The foregoing proposed amendment to the Charter of the City of St. Louis shall be submitted to the qualified voters of the City at the next State or City primary or general election at which this proposal can be lawfully submitted, and if said proposed amendment shall receive in its favor the votes of three-fifths of the qualified voters voting at such election for or against said proposed amendment such amendment shall be adopted and become a part of the Charter of the City of St. Louis from the date of said election. Qualified voters of the City of St. Louis may at the election aforesaid vote a ballot substantially in the following form:

OFFICIAL BALLOT

Instructions to Voters:

To vote in favor of the proposition submitted upon this ballot, place an "X" in the square opposite the word "YES" and to vote against any proposition submitted upon this ballot, place an "X" in the square opposite the word "NO".

The amendment shall appear on the ballot substantially, as follows:

Section 1 Definitions.

- (h) "Excepted position" means any position in the classified service not subject to the provisions of this article requiring competitive tests of fitness for appointment and such other provisions as, by their terms, apply specifically to competitive positions alone. All such positions, however, shall be subject to all the other provisions of this article insofar as consistent with law and with this exception. The following described positions, and no others, shall be deemed to be excepted positions:
- (1) all positions filled by election of the people;
 - (2) all positions of heads of departments and of independent agencies and commissions, that are filled by appointment by the mayor;
 - (3) all positions in the Mayor's Office, except that no employee will lose their job or status due to this change
 - (4) all positions of paid members of boards;
 - (5) all positions of city court judge;
 - (6) all officers and employees of the board of aldermen;
 - (7) one position of Chief Staff Officer and one position of Public Information on the Comptroller's Staff, except that no employee will lose their job or status due to this change.

The Board of Election Commissioners shall provide the ballots or voting machines or both and conduct the election and shall ascertain and certify the result thereof according to the law.

If voting machines are used, the aforesaid "OFFICIAL BALLOT" shall be placed or posted on the said voting machines wherever said machines are used under the direction of the Board of Election Commissioners for the City of St. Louis and according to law.

Section Three. Upon the approval of this ordinance, it shall be published in the City Journal, the official publication of the City of St. Louis, Missouri. Proof of the publication of this ordinance shall be made by affidavit of the City Register, and such affidavit shall be filed in the office of the City Register and a copy of such publication shall be attached thereto.

Section Four. Upon the approval of this charter amendment, it shall be certified and deposited as required by Article VI, Section 33 of the Constitution of Missouri and shall be filed in the office of the City Register.

Section Five. This being a bill calling for an election for submission to the people of an amendment to the Charter of the City of St. Louis, it is hereby declared to be an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

Approved: February 13, 2002