



**MISSOURI ETHICS COMMISSION**

PO Box 1370

Jefferson City, MO 65102

[www.mec.mo.gov](http://www.mec.mo.gov)

(573) 751-2020 / (800) 392-8660

James Klahr

Executive Director

October 11, 2016

Cara Spencer  
3407 S Jefferson  
St. Louis MO 63118

Re: File No. 16-0067-I

Dear Ms. Spencer:

The Missouri Ethics Commission considered the complaint filed against you at its October 7, 2016 meeting. The complaint alleges that you, a St. Louis City Alderwoman, failed to disclose a personal financial interest regarding two bills which you have sponsored. The complaint alleges that you are required to make this financial disclosure because these bills relate to issues your employer supports.

Staff review of this complaint determined that you were elected to the St. Louis City Council in April 2015. In May 2016, you started working as the Executive Director of the Consumer's Council of Missouri (CCM). According to its website, CCM is an organization that educates consumers and advocates on issues including utility rates, health care access, personal finance and other issues as they arise. In June 2016, you introduced Aldermanic Board Bills 69 & 70. Board Bill 69, co-sponsored by 3 other board members, was titled the "City of St. Louis Short-Term Lending Code" and provided for certain regulations on short-term loan establishments. Board Bill 70, co-sponsored by 3 other board members, proposed a ballot measure to be put before voters to determine whether a permit fee would be assessed to a short-term loan establishment wishing to operate in St. Louis City. On June 28, 2016, the Public Safety Committee voted to issue a "do pass" recommendation to the full Board of Aldermen on both bills.<sup>1</sup>

Section 105.461, RSMo, provides:

1. The governor, lieutenant governor, any member of the general assembly, or any member of the governing body of a political subdivision who has a substantial personal or private interest in any measure, bill, order or ordinance proposed or pending before the general assembly or such governing body, shall, before such official passes on the measure, bill, order or ordinance, file a written report of the nature of the interest with the chief clerk of the house of representatives or the secretary of the senate or clerk of such governing body and such statement shall be recorded in the appropriate journal or other record of

<sup>1</sup> The last actions on Board Bill 69 and Board Bill 70 occurred on June 30, 2016 when the Board of Aldermen placed them on the Informal Calendar.



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proceedings of the governing body. The governor shall make the governor's written report along with the governor's approval or disapproval of any bill or act of the general assembly describing the nature of the interest and such report shall be recorded in the journal of the house of representatives or of the senate.

2. The governor, lieutenant governor, any member of the general assembly, or any member of the governing body of a political subdivision shall be deemed to have complied with the requirements of this section if such official has filed, at any time before the official passes on such measure, bill, order or ordinance, a financial interest statement pursuant to sections 105.483 to 105.492 which discloses the basis for the official's substantial personal or private interest or interests that the official may have therein. Any such person may amend the person's financial interest statement to disclose any subsequently acquired substantial interest at any time before the person passes on any measure, bill, order or ordinance, and shall be relieved of the provisions of subsection 1 of this section.

Section 105.450(12), RSMo, defines the term "substantial personal or private interest in any measure, bill, order or ordinance" as:

Any interest in a measure, bill, order or ordinance which results from a substantial interest in a business entity.

Section 105.450(11), RSMo, defines "substantial interest" as:

Ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual, the individual's spouse or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars, or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 105.450(2), RSMo, defines "business entity" as:

A corporation, association, firm, partnership, proprietorship, or business entity of any kind or character.

In this instance, there is no evidence that your employment, pay, or any other benefit you may currently derive from your employer would be impacted by the passage of either Board Bill 69 or 70. Therefore, you have no duty to file an interest statement with the City Clerk as alleged in the complaint.<sup>2</sup>

<sup>2</sup> As a required filer of an annual Personal Financial Disclosure with the Commission, Alderwoman Spencer will be have to report her employment with CCM when she next files her Disclosure form. For annual filers, the next disclosure must be filed no later than May 1, 2017 to reflect that filer's financial interest from January 1, 2016 to December 31, 2016.



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From the facts presented, the Commission finds no reasonable grounds exist to support a violation of Chapter 105, RSMo, and is dismissing the complaint.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Klahr".

James Klahr

Executive Director