

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE submitting to the qualified voters of Jackson County at a special election to be held on Tuesday, November 7, 1995, a question authorizing Jackson County to continue its county-wide anti-drug sales tax (COMBAT) at the rate of one-quarter of one percent for a period of seven years solely for the purpose of the arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses.

ORDINANCE # 2448, September 5, 1995

INTRODUCED BY Lisa White Hardwick, Fred Arbanas, John Patrick Burnett, James D. Tindall, Dennis Waits, Victor E. Callahan, Dan Tarwater, Dixie M. Flynn, and John C. Graham, County Legislators

WHEREAS, pursuant to Ordinance 1771, dated September 11, 1989, the voters of Jackson County did, on November 7, 1989, authorize the imposition of a county-wide sales tax at the rate of one-quarter of one-percent, to be used solely to combat the serious problem of illegal drug use which was then and is still plaguing our community; and,

WHEREAS, since collections of this community-based anti-drug tax (COMBAT) began in 1990, the County has demonstrated a record of success in establishing anti-drug initiatives in the areas of law enforcement, crime prevention, treatment, and deferred prosecution, among many others; and,

WHEREAS, unless continued by the voters, COMBAT will expire on March 31, 1997; and,

WHEREAS, continuation of COMBAT at this time would allow for better and more efficient planning and allocation of anti-drug resources; and,

WHEREAS, the Legislature believes that COMBAT's record of success is such that the question of its continuation is worthy of submission to the voters of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. Pursuant to the provisions of § 67.547, RSMo 1994, there is hereby called a special election to be held in Jackson County, Missouri, on November 7, 1995, for the purpose of submitting to the qualified voters of Jackson County, Missouri, a question for the continuation of the countywide anti-drug sales tax (COMBAT) at the rate of one-quarter of one percent for a period of seven years solely for the purpose of arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses.

Section 2. The proceeds and interest therefrom of this tax shall continue to be deposited in the special Jackson County Anti-Drug Sales Tax Trust Fund which was

created through §9302 of the Jackson County Code. Any funds collected and interest earned from COMBAT must be segregated and not commingled with the general fund or any other special funds of the County.

Section 3. Each year not less than 50% of the proceeds of this tax shall be appropriated for the arrest, prosecution, and incarceration of those accused of drug-related offenses.

Section 4. Prior to the renewal of this tax, a COMBAT Commission shall be established and organized as follows:

a.) The County Executive shall appoint, as members of the Commission, seven residents of Jackson County from among those recommended by the members of the County Legislature or from among those citizens known by the County Executive to be interested in serving on the Commission. Members should represent a geographic and ethnic cross-section of the County and have experience in business, drug treatment, crime prevention, or law enforcement issues. One member shall serve an initial term of one year, two members shall serve initial terms of two years, two members shall serve initial terms of three years, and two members shall serve initial terms of four years. Successor members shall serve terms of four years, or for the unexpired terms of their predecessors.

b.) The Prosecuting Attorney, the Chief of the Kansas City, Missouri Police Department, and the Chairman of the Jackson County Drug Task Force, or their designees, shall serve as ex officio members of the Commission without vote.

c.) No voting member of the Commission shall be employed by, a director of, or otherwise similarly associated with any entity or organization which applies for or receives COMBAT funding in any manner.

d.) The Commission shall present annually a proposed budget for those COMBAT proceeds which are allocated for community crime prevention and drug treatment initiatives, Drug Abuse Resistance Education (D.A.R.E.) and related programs, and may contract for the expenditure of COMBAT funds for these purposes, subject to the approval of the County Legislature.

e.) The Commission shall periodically review and report to the Legislature on the progress and efficacy of community crime prevention and drug treatment initiatives. All contracts for these purposes are subject to performance audit and review by the Legislative Auditor. Not more than once per year and upon the request of the Commission, the County shall contract for an audit of COMBAT proceeds allocated under this section by independent certified public accountants.

Section 5. The County shall annually provide for a performance evaluation of all programs funded by COMBAT, to be conducted by an independent firm or agency.

Section 6. The Prosecuting Attorney shall annually present a proposed budget for those COMBAT proceeds which are allocated for law enforcement, prosecution and deferred prosecution, and matching funds for grants.

Section 7. Any COMBAT proceeds creating jobs and employment shall have a twenty percent goal for minority hiring and employment.

Section 8. The qualified voters at said election shall vote by ballot and the ballots to be used at said election shall contain the following language:

**JACKSON COUNTY, MISSOURI
QUESTION # 1
SPECIAL ELECTION
NOVEMBER 7, 1995
OFFICIAL BALLOT**

Shall the County of Jackson continue its countywide anti-drug sales tax (COMBAT) at the rate of one-quarter of one percent for a period of seven years solely for the purpose of the arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, including D.A.R.E. programs, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses? The proceeds of this tax shall continue to be deposited in a special Jackson County Anti-Drug Sales Tax Trust Fund, separate from the general fund and any other special funds.

YES

NO

If you are in favor of the question, place an "x" in the box opposite "Yes". If you are opposed to the question, place an "x" in the box opposite "No".

Section 9. If a majority of the qualified voters voting at said election shall vote in favor

of the approval of this ordinance, the tax provisions hereof, if renewed by the County Legislature, shall be binding and shall become effective April 1, 1997, and shall automatically terminate seven years after that date, March 31, 2004. The remaining provision hereof shall become effective immediately upon the adoption of an ordinance renewing the tax.

Section 10. The Clerk of the Legislature is hereby authorized and directed to notify the Jackson County Board of Election Commissioners of the adoption of this Ordinance no later than 5:00 p.m. on September 12, 1995, and to include in said notification all of the terms and provisions required by §115.125, RSMo 1994.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Jay D. Haden

Jandra L. Schermerhorn
County Counselor

I hereby certify that the attached Ordinance, Ordinance # 2448 introduced on September 5, 1995 was duly passed on September 11, 1995 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7 Nays 0
Abstaining 0 Absent 2

This Ordinance is hereby transmitted to the County Executive for her signature.

9.12.95
Date

Mary Jo Brogato
Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2448.

9-12-95
Date

Katheryn J. Shields
Katheryn J. Shields, County Executive