

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE rescinding Ordinance 4132, dated August 10, 2009, which submitted to the qualified voters of Jackson County a question authorizing the continuation of a county-wide anti-drug sales tax, and submitting to the qualified voters of Jackson County at a special election to be held on Tuesday, November 3, 2009, a revised 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 for the purpose of the arrest, prosecution, incarceration, treatment and prevention of drug related offenses and violent crimes, and the judicial processing of adult and juvenile violators of such offenses.

ORDINANCE #4134, August 24, 2009

INTRODUCED BY Scott Burnett, Theresa Garza Ruiz, Henry C. Rizzo, Fred Arbanas, James D. Tindall, Denny Waits, Dan Tarwater, Greg Grounds, and Bob Spence, County Legislators

WHEREAS, pursuant to Ordinance 4132, dated August 10, 2009, the legislature did authorize the certification of a ballot question to be presented to the qualified voters of Jackson County at a special election to be held November 3, 2009, relating to the continuation of the county-wide anti-drug sales tax (COMBAT); and,

WHEREAS, the legislature now desires to rescind Ordinance 4132, dated August 10, 2009, and authorize the certification of a revised ballot question to be presented to the qualified voters at a special election to be held November 3, 2009, relating to the continuation of the county-wide anti-drug sales tax (COMBAT); and,

WHEREAS, pursuant to Ordinance 3370, dated May 12, 2003, the voters of Jackson County did, on August 5, 2003, authorize the continuation 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, 2011; 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 2000, there is hereby called a special election to be held in Jackson County, Missouri, on November 3, 2009, 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 for the purpose of the arrest, prosecution,

incarceration, treatment and prevention of drug related offenses and violent crimes, and the judicial processing of adult and juvenile violators of such offenses.

Section 2. All aspects of the tax shall continue to be administered in accordance with chapter 93, Jackson County Code, 1984, except that a portion of the tax's proceeds may be used to pay the costs incurred by the appropriate election authorities in conducting the election provided for in this ordinance.

Section 3. 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 3, 2009
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 for the purpose of the arrest, prosecution, incarceration, treatment and prevention (including D.A.R.E. programs) of drug related offenses and violent crimes, and the judicial processing of adult and juvenile violators of such offenses? The proceeds of this tax shall be deposited in a special Jackson County Anti-Drug Sales Tax Trust Fund, separate from the general fund or any other county 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 4. 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, 2011, and shall automatically terminate seven years after that date, March 31, 2018.

Section 5. The Clerk of the Legislature is hereby authorized and directed to notify the Jackson County and Kansas City Boards of Election Commissioners of the adoption of this Ordinance no later than 5:00 p.m. on August 25, 2009, and to include in said notification all of the terms and provisions required by §115.125, RSMo 2000.

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

APPROVED AS TO FORM:

Pamela Jellin
Assistant County Counselor

Mary Jo Spino
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4134 introduced on August 24, 2009, was duly passed on August 24, 2009 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas	<u>9</u>	Nays	<u>0</u>
Abstaining	<u>0</u>	Absent	<u>0</u>

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

8.25.09
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4134.

8-25-09
Date

Michael D. Sanders
Michael D. Sanders, County Executive