

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend House Bill No. 163, Page 1, Section Title, Line 2,

2 by striking the word "primary"; and

3 Further amend said bill, page 2, section 78.090, line 23 by
4 inserting immediately after said line the following:

5 "190.335. 1. In lieu of the tax levy authorized under
6 section 190.305 for emergency telephone services, the county
7 commission of any county may impose a county sales tax for the
8 provision of central dispatching of fire protection, including
9 law enforcement agencies, emergency ambulance service or any
10 other emergency services, including emergency telephone services,
11 which shall be collectively referred to herein as "emergency
12 services", and which may also include the purchase and
13 maintenance of communications and emergency equipment, including
14 the operational costs associated therein, in accordance with the
15 provisions of this section.

16 2. Such county commission may, by a majority vote of its
17 members, submit to the voters of the county, at a public
18 election, a proposal to authorize the county commission to impose
19 a tax under the provisions of this section. If the residents of
20 the county present a petition signed by a number of residents
21 equal to ten percent of those in the county who voted in the most

1 recent gubernatorial election, then the commission shall submit
2 such a proposal to the voters of the county.

3 3. The ballot of submission shall be in substantially the
4 following form:

5 Shall the county of
6 (insert name of county) impose a county sales tax of
7 (insert rate of percent) percent for the purpose of providing
8 central dispatching of fire protection, emergency ambulance
9 service, including emergency telephone services, and other
10 emergency services?

11 YES NO

12 If a majority of the votes cast on the proposal by the qualified
13 voters voting thereon are in favor of the proposal, then the
14 ordinance shall be in effect as provided herein. If a majority
15 of the votes cast by the qualified voters voting are opposed to
16 the proposal, then the county commission shall have no power to
17 impose the tax authorized by this section unless and until the
18 county commission shall again have submitted another proposal to
19 authorize the county commission to impose the tax under the
20 provisions of this section, and such proposal is approved by a
21 majority of the qualified voters voting thereon.

22 4. The sales tax may be imposed at a rate not to exceed one
23 percent on the receipts from the sale at retail of all tangible
24 personal property or taxable services at retail within any county
25 adopting such tax, if such property and services are subject to
26 taxation by the state of Missouri under the provisions of
27 sections 144.010 to 144.525. The sales tax shall not be
28 collected prior to thirty-six months before operation of the
29 central dispatching of emergency services.

1 5. Except as modified in this section, all provisions of
2 sections 32.085 and 32.087 shall apply to the tax imposed under
3 this section.

4 6. Any tax imposed pursuant to section 190.305 shall
5 terminate at the end of the tax year in which the tax imposed
6 pursuant to this section for emergency services is certified by
7 the board to be fully operational. Any revenues collected from
8 the tax authorized under section 190.305 shall be credited for
9 the purposes for which they were intended.

10 7. At least once each calendar year, the board shall
11 establish a tax rate, not to exceed the amount authorized, that
12 together with any surplus revenues carried forward will produce
13 sufficient revenues to fund the expenditures authorized by this
14 act. Amounts collected in excess of that necessary within a
15 given year shall be carried forward to subsequent years. The
16 board shall make its determination of such tax rate each year no
17 later than September first and shall fix the new rate which shall
18 be collected as provided in this act. Immediately upon making
19 its determination and fixing the rate, the board shall publish in
20 its minutes the new rate, and it shall notify every retailer by
21 mail of the new rate.

22 8. Immediately upon the affirmative vote of voters of such
23 a county on the ballot proposal to establish a county sales tax
24 pursuant to the provisions of this section, the county commission
25 shall appoint the initial members of a board to administer the
26 funds and oversee the provision of emergency services in the
27 county. Beginning with the general election in 1994, all board
28 members shall be elected according to this section and other
29 applicable laws of this state. At the time of the appointment of

1 the initial members of the board, the commission shall relinquish
2 and no longer exercise the duties prescribed in this chapter with
3 regard to the provision of emergency services and such duties
4 shall be exercised by the board.

5 9. The initial board shall consist of seven members
6 appointed without regard to political affiliation, who shall be
7 selected from, and who shall represent, the fire protection
8 districts, ambulance districts, sheriff's department,
9 municipalities, any other emergency services and the general
10 public. This initial board shall serve until its successor board
11 is duly elected and installed in office. The commission shall
12 ensure geographic representation of the county by appointing no
13 more than four members from each district of the county
14 commission.

15 10. Beginning in 1994, three members shall be elected from
16 each district of the county commission and one member shall be
17 elected at large, such member to be the chairman of the board.
18 Of those first elected, four members from districts of the county
19 commission shall be elected for terms of two years and two
20 members from districts of the county commission and the member at
21 large shall be elected for terms of four years. In 1996, and
22 thereafter, all terms of office shall be four years.

23 Notwithstanding any other provision of law, if there is no
24 candidate for an open position on the board, then no election
25 shall be held for that position and it shall be considered
26 vacant, to be filled pursuant to the provisions of section
27 190.339, and, if there is only one candidate for each open
28 position, no election shall be held and the candidate or
29 candidates shall assume office at the same time and in the same

1 manner as if elected.

2 11. Notwithstanding the provisions of subsections 8 to 10
3 of this section to the contrary, in any county of the first
4 classification with more than two hundred forty thousand three
5 hundred but fewer than two hundred forty thousand four hundred
6 inhabitants, any emergency telephone service 911 board appointed
7 by the county under section 190.309 which is in existence on the
8 date the voters approve a sales tax under this section shall
9 continue to exist and shall have the powers set forth under
10 section 190.339.

11 12. (1) Notwithstanding the provisions of subsections 8 to
12 10 of this section to the contrary, in any county of the second
13 classification with more than fifty-four thousand two hundred but
14 fewer than fifty-four thousand three hundred inhabitants or any
15 county of the first classification with more than fifty thousand
16 but fewer than seventy thousand inhabitants that has approved a
17 sales tax under this section, the county commission shall appoint
18 the members of the board to administer the funds and oversee the
19 provision of emergency services in the county.

20 (2) The board shall consist of seven members appointed
21 without regard to political affiliation. Except as provided in
22 subdivision (4) of this subsection, each member shall be one of
23 the following:

24 (a) The head of any of the county's fire protection
25 districts, or a designee;

26 (b) The head of any of the county's ambulance districts, or
27 a designee;

28 (c) The county sheriff, or a designee;

29 (d) The head of any of the police departments in the

1 county, or a designee; and

2 (e) The head of any of the county's emergency management
3 organizations, or a designee.

4 (3) Upon the appointment of the board under this
5 subsection, the board shall have the power provided in section
6 190.339 and shall exercise all powers and duties exercised by the
7 county commission under this chapter, and the commission shall
8 relinquish all powers and duties relating to the provision of
9 emergency services under this chapter to the board.

10 (4) In any county of the first classification with more
11 than fifty thousand but fewer than seventy thousand inhabitants,
12 each of the entities listed in subdivision (2) of this subsection
13 shall be represented on the board by at least one member."; and

14 Further amend the title and enacting clause accordingly.
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