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## This Week's League News

# LEAGUE NEWS



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### 1 | **Legislative Updates**

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The Legislature is now on break until May 1. League staff will continue to monitor issues and prepare for the veto session in May. Here's an update on current issues:

**Amusement Park Ride Legislation:** On April 3, the full House approved H Sub For SB 70 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb70/](http://www.kslegislature.org/li/b2017_18/measures/sb70/)), which now contains the language that amends the amusement ride act. On April 5, the Senate nonconcurred with the changes the House made to the bill and members from both houses met in a conference committee on April 6. On April 7, the full Senate concurred with the House version of this bill. The bill is now on its way to the Governor for signing. As we reported before, if your city has amusement rides as defined by this bill, you need to look at how this bill will impact your operations. Eric Smith (<mailto:esmith@lkm.org>) is the League contact on this bill.

**Compensating Use Sales Tax:** On Tuesday, April 4 the House voted 104 - 21 to send HB 2235 ([http://www.kslegislature.org/li/b2017\\_18/measures/hb2235/](http://www.kslegislature.org/li/b2017_18/measures/hb2235/)), regarding remote sales tax to the Senate. The bill is similar to legislation passed in Colorado requiring out-of-state retailers to report sales, where sales or use tax is not collected to Department of Revenue and the buyer. The Senate Assessment and Taxation Committee passed out an amended version of SB 211

([http://www.kslegislature.org/li/b2017\\_18/measures/sb111/](http://www.kslegislature.org/li/b2017_18/measures/sb111/)). This bill only requires reporting to buyers, not Department of Revenue. Cindy Green (mailto:cgreen@lkm.org) is the contact on this bill.

**KPERS:** The Senate Financial Institutions and Insurance met with the House Pensions in Conference Committee. It appears that working after retirement and other KPERS issues will be dealt with in Veto Session after the House has had more time to study the Senate's proposal. Amanda Stanley (mailto:astanley@lkm.org) is the League contact on this issue.

**KOMA/KORA:** On April 6 the House Federal and State Affairs Committee held a hearing on SB 86 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb86/](http://www.kslegislature.org/li/b2017_18/measures/sb86/)). The bill amends the Kansas Open Records Act (KORA) by setting the amount an agency can charge for a standard document page at \$0.25 and all other records would be limited to the actual cost of the agency to provide the record. As written the bill would also require the release of some criminal investigation records in certain circumstances and provides that KORA would only apply to Kansas citizens. Eric Smith (mailto:esmith@lkm.org) is the League contact on this bill.

Other KOMA/KORA bills from the Judiciary Committee have been bundled into one large Open Government conference committee report in HB 2301 ([http://www.kslegislature.org/li/b2017\\_18/measures/hb2301/](http://www.kslegislature.org/li/b2017_18/measures/hb2301/)). This bill contains the contents of HB 2301, HB 2128, SB 70, and HB 2197. This report has been agreed to by conferees, and should be taken up by each chamber when they return May 1.

**Sale of Beer by CMB Retailers.** On Thursday, April 6, the House, passed H Sub for SB 13 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb13/](http://www.kslegislature.org/li/b2017_18/measures/sb13/)) on an 80-45 vote and sent the legislation to the Senate. Today, on a 27-11 vote, the Senate concurred to the House amendments to H Sub SB 13 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb13/](http://www.kslegislature.org/li/b2017_18/measures/sb13/)). H Sub of SB 13 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb13/](http://www.kslegislature.org/li/b2017_18/measures/sb13/)) makes a major change in the liquor sales philosophy in the state. H Sub SB 13 ([http://www.kslegislature.org/li/b2017\\_18/measures/sb13/](http://www.kslegislature.org/li/b2017_18/measures/sb13/)) would allow traditional CMB retailers (grocery stores, C-stores, gas stations and the like) to sell both CMB and beer with an alcohol content of not more than 6% ("strong" or "liquor store" beer). In exchange, liquor stores would be permitted to sell CMB products and other goods and services (party-type supplies), provided that the other goods and services could not exceed 20% of the liquor store's total gross sales. This represents a large departure from the traditional Kansas separation of the sales of CMB and strong beer. These changes would not take effect until April 1, 2019.

Local governments would still be responsible for the licensure of CMB retailers, even though the retailers would be permitted to sell both types of product. Prior legislative attempts to permit the dual sales have included provisions to protect cities and counties from the potential loss of sales tax revenue because CMB is subject to local sales tax while strong beer is subject to the state's alcohol enforcement tax but not sales tax. This hold harmless provision was omitted from H Sub SB 13. The League has been in conversations with the major stakeholders in the legislation. They have committed to working with us to get a trailer bill (follow-up legislation) to correct this omission. Because we are late in the session, the trailer bill may not run until the 2018 session.

However, with the delayed effective date of H Sub SB 13, this is not a problem. The bill now goes to the Governor for his action. We will continue to follow the legislation and keep you posted. Larry R. Baer (<mailto:lbaer@lkm.org>) is the League contact on this bill.

## 2 | Leadership Summit Update

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Have you registered for the Leadership Summit & Mayor’s Conference in Dodge City on April 21 and 22? This is going to be a great conference full of inspiring ideas on leadership and the skills necessary to effectively lead an organization. We’ve provided full descriptions of the sessions online (<http://www.lkm.org/page/LeadershipSummit>) including a newly finalized session on healthcare challenges for local governments. Sign up online (<http://www.lkm.org/page/LeadershipSummit>) today!

## 3 | MTI - Municipal Training Institute

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The League’s MTI program is a continuing education program designed for and is open to both elected and appointed city officials. Each month, MTI courses are offered in an interactive format in various locations across the state to further your understanding of municipal issues. MTI participants can receive Certified Municipal Clerk (CMC) or Master Municipal Clerk (MMC) certification credit. **In May, the focus of the MTI will be on emergency management and the best practices cities can employ when faced with a crisis or emergency.** Sign up for the MTI program today (<http://www.lkm.org/page/MTI>) and mark your schedule for May 5 and 12 for the MTI classes in Lyons and Pratt respectively.

## 4 | 2018 Estimated Alcohol Tax distribution now online

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**2018 Estimated Alcohol Tax distribution now online:** The 2018 estimated alcohol tax distribution for cities and counties has been added to the League website (<http://www.lkm.org/page/BudgetTips>).

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