

To: House Federal and State Affairs Committee
From: Eric B. Smith, Deputy General Counsel
Date: March 24, 2017
RE: Neutral Testimony on HB 2389

I want to thank Chairman Barker and the Committee members for allowing the League of Kansas Municipalities, on behalf of its member cities, to provide neutral testimony on HB 2389.

The League has taken a neutral position on HB 2389 because our members recognize the need to provide safe amusement rides for the public's enjoyment.

We have some concern as to what the financial impact will be for our members to find a "qualified inspector" as defined by this bill. In addition to the unknown cost there is a concern if there are enough qualified inspectors available in the state. In talking to some of our members there has been difficulty finding an inspector under the current regulations. One member was forced to shut down their carousel and mini train for a period of time due to their failure to find an inspector. The League recognizes the need for proper inspections to assure the safety of the public; however, at this time we have no information as to the costs that our members will incur for an annual inspection or if there are enough inspectors available. Our concern is that many municipally owned amusement rides would not be able to qualify for a permit to operate, not because the rides are not safe, but because they cannot hire an inspector.

Municipalities operate amusement rides to add to the quality of life and provide entertainment to their citizens. Unlike commercial amusement parks, municipalities do not operate amusement rides as a profit center and therefore, any additional cost associated with providing this entertainment will be detrimental to the continued operation.

There is a difference between a commercially operated amusement ride and one owned and operated by a local municipality. The League does not object to our members being subject to reasonable safety regulations; however, we ask that any regulations be attainable so they can continue to provide safe entertainment for their citizens. If asked, the League would participate in discussions with all interested parties to help reach this goal.