

Kenai Peninsula Borough
Assembly

MEMORANDUM

TO: Wayne Ogle, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Dale Bagley, Assembly Member *DLB*

DATE: June 19, 2018

RE: Amendment to Ordinance 2018-20, Amending KPB 5.18.200 to Amend the Seasonal Exemption from Sales Taxes of NonPrepared Food Items to Apply from October 1 to March 31 of Each Year (Bagley)

Following discussions and comments during the last assembly meeting, and recognizing that this exemption was approved by the voters through the initiative process, I propose that it be amended to make it subject to voter approval. (Please note the bold underlined language is new and the bold strikeout language in brackets is to be deleted.)

- Amend the title as follows:

AMENDING KPB 5.18.200 TO AMEND THE SEASONAL EXEMPTION FROM SALES TAXES OF NONPREPARED FOOD ITEMS TO APPLY FROM OCTOBER 1 TO MARCH 31 OF EACH YEAR SUBJECT TO VOTER APPROVAL

- Amend the sixth whereas clause, as follows:

WHEREAS, changing the exemption period to coincide with typical quarterly filing periods will help the sellers administer the exemption; **and**

- Add a new seventh whereas clause immediately following the sixth whereas clause as follows:

WHEREAS, as the voters first approved this exemption by initiative it is appropriate to seek voter approval to amend it; and;

- Amend Section 2, as follows:

SECTION 2. ~~That this ordinance shall take effect September 1, 2018, a ballot proposition shall be placed before borough voters at the regular election on October 2, 2018 to read as follows:~~

Shall Ordinance 2018-20, amending KPB 5.18.200 to amend the seasonal exemption from sales taxes of nonprepared food items to apply for six months,

from October 1 to March 31 of each year instead of for nine months, from September 1 until May 31, be approved?

Yes A "yes" vote means you approve of amending the seasonal sales tax exemption of nonprepared food items to apply for six months, from October 1 to March 31 of each year, instead of for nine months, from September 1 until May 31 of each year.

No A "no" vote means you oppose amending the seasonal exemption of nonprepared food items from sales taxes to apply for six months, from October 1 to March 31 of each year, instead of for nine months, from September 1 until May 31 of each year.

➤ Add a new Section 3 that reads as follows:

SECTION 3. That Sections 2 and 3 of this ordinance shall take effect immediately upon its enactment. Section 1 of this ordinance shall take effect April 1, 2019 only if the proposition contained in Section 1 of this ordinance is approved by a majority of voters voting on the question in the regular election on October 2, 2018.

Your support of these amendments would be appreciated.