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Testimony on House Bill 2719

House Taxation Committee March 14, 2016

By David G. Monical, Chairman, Board of Trustees, Topeka & Shawnee County Public Library

Chairman Kleeb, Vice-Chair Suellentrop and Members of the Committee:

I am David Monical, Chairman, Topeka and Shawnee County Board of Trustees and am testifying in opposition to House Bill 2719.

The bill concerns the approval of tax levies and bonds by elected officials of local governments. The Topeka and Shawnee County Public Library (TSCPL) is impacted by the bill in Sections 2, 5 and 6 and my testimony addresses those sections.

In 1992, voters in the City of Topeka and Shawnee County approved the creation of a separate, municipal corporation for the governance of a city and county library district. This district was established by Kansas law with a clearly defined 10-member, appointed Board of Trustees with set terms, duties and powers, including preparing, publishing and approving an annual budget. This budget is later translated into a tax levy by the Shawnee County Clerk. The governing body also is statutorily authorized to approve the issuance of bonds for set purposes, subject to the majority approval by qualified electors of the library district.

The members of the Board of Trustees serve as volunteers, yet spend many hours of their time committed to the governance of the Library. They meet monthly, hold special meetings for budget preparation, audit review and other issues, and participate in many other community discussions. The Board and TSCPL are very transparent, with all meetings open to the public. The budget documents are shared throughout the process and the Board conducts a public hearing, an annual independent audit and issues an annual report to the community. All of this information is posted on the Library's website and is available in printed format upon request.

This voter-approved governance model has proven highly successful for the community. The Library greets an average of 3,000 visitors per day, with nearly 100,000 library card holders and over 2.3 million library items checked out annually. It serves as a community hub for many organizations, including legislative spouses from across Kansas, and a place of civic engagement, including hosting town hall meetings by legislators and other public officials. The Library's innovative services, collections

and programs are nationally recognized. It is a source of pride for the community and support is overwhelmingly positive. A community survey was distributed to a cross-section of county residents in January 2014. One question asked of recipients was to rate whether the Library is a great value for their tax dollars; 81% strongly agreed or agreed. This has all been accomplished by careful, involved and prudent management and strong community support through its Friends and Foundation organizations. Good stewardship of resources has resulted in a mill levy variance of only .828 mills in the past eleven years and only .009 mills in the past five years.

House Bill 2719 would disrupt this successful model by requiring approval of the proposed budget (tax levy) and any bond issues by the City of Topeka and Shawnee County governing bodies. TSCPL currently provides copies of the budget to these governing bodies at least 10 days in advance of filing. There have been no concerns expressed. Further, these local governmental units appoint library district residents to the Board of Trustees through a thorough review and approval by majority vote.

To expect the governing bodies of the City of Topeka and Shawnee County to assume the approval responsibility of proposed tax levies and bond issues, when they otherwise are not involved in the operations, review of information, and decision making throughout the year, seems illogical and inefficient. Further, because TSCPL is its own governmental unit, it bears all costs of operations within its own budget, without support services paid and provided by another government and is not comparable with most other libraries in Kansas. Reviewing a mill levy proposal once a year without knowledge of the operations and decisions made during the year would be a daunting task and could result in loss of service to the community. Further, there is no direction regarding what would occur if either the city or county or both did not approve the tax levy. Would the Library close its doors at the start of the new year, discontinue services, lay off employees and shutter the building? Would this be for one year or forever? Budgets must be filed by August 25th so levies can be set for the new year. The timing to include other governmental entities in the budget cycle, yet still adhere to the statutory deadlines, will be very difficult to manage.

Accountability and transparency by government to its constituency are fundamental principles and ones TSCPL demonstrates by its actions and communications. I encourage the members of the Committee to: (1) respect the library district voters' decision to create TSCPL as a separate governmental entity and their continued support of this decision; and (2) consider the possible negative impact on TSCPL's successful, statutorily created governance and funding model under the proposed amendments in House Bill 2719.

I would be happy to stand for questions from the Committee. Thank you for the opportunity to provide testimony on the implications of House Bill 2719.