

Approved Ivan Sand Date 2/26/85

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE IVAN SAND at  
Chairperson

1:30 ~~xxx~~ a.m./p.m. on FEBRUARY 21, 1985 in room 521-S of the Capitol.

All members were present except: Representative George Dean, excused

Committee staff present: Mike Heim, Legislative Research Department  
Mary Hack, Revisor of Statutes Office  
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee:

Mr. Fred Allen, Kansas Assn. of Counties -- New Legislation & HB 2160  
Rep. David Miller -- HB 2258  
Ms. Jane Goeckler, Silver Lake Library -- HB 2258  
Ms. Pauline Gilroy, Eudora Library -- HB 2258  
Mr. Dan Masoni, Emporia Library -- HB 2258  
Mr. Duane Johnson, Kansas State Librarian -- HB 2258  
Ms. Gerry Ray, Johnson County Board of Commissioners -- HB 2160  
Mr. Tom Knappenberger, Chairman Johnson County Extension Board -- HB 2160  
Mr. Kim Dewey, Sedgwick County Board of Commissioners -- HB 2160  
Dr. Bob Newsome, Director, Northeast Area Extension Office -- HB 2160  
Rep. Kenneth D. Francisco -- New Legislation  
Mr. Mike Heim -- New Legislation for Rep. Mary Jane Johnson  
Rep. Phil Kline -- New Legislation

Chairman Ivan Sand called for introduction of new legislation.

Mr. Fred Allen, representing Kansas Association of Counties, appeared and requested legislation to amend K.S.A. 79-2004a and K.S.A 79-2004 so that any and all interest or amounts received in lieu of statutory interest shall go to the counties. Mr. Allen said this would clarify where interest money on certain lawsuits would go. (See Attachment I.)

Rep. Gayle Mollenkamp made a motion to introduce the legislation as a Committee bill. Rep. Elizabeth Baker seconded the motion. The motion carried.

Chairman Sand called for hearings on the following bills:

HB 2258, concerning townships; relating to the limitation of tax levies.

An overview was provided by Staff. (See Attachment II.)

Rep. David Miller, a co-sponsor of the bill appeared and gave background and intent. (See Attachment III.)

It was noted that the Library Board would need to go to the Township Board to request an increase.

Ms. Jane Goeckler, Librarian, Silver Lake Library, testified in support of the bill. (See Attachment IV.)

Ms. Pauline Gilroy, Librarian, Eudora Public Library, testified in support of the bill. Ms. Gilroy stressed that additional funds are needed to retain a competent librarian.

Mr. Dan Masoni, Chairman, Kansas Library Association Legislative Committee, and representing Eudora Public Library testified in support of the bill. (See Attachment V.)

Mr. Duane Johnson, Kansas State Librarian, concurred with the prior testimony given and suggested a change be made in Lines 123-124 of the bill to change "statute book" to the "Kansas Register." (See Attachment VI.)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,  
 room 521-S, Statehouse, at 1:30 ~~xxx~~ a.m./p.m. on FEBRUARY 21, 1985

Rep. Samuel Sifers made a motion to amend the bill as suggested by Mr. Johnson. Rep. Clinton Acheson seconded the motion. The motion carried.

The hearing on HB 2258 was closed.

HB 2160, concerning county extension councils; relating to the filing of the budget and other documents.

Mr. Mike Heim, Staff, gave an overview of the bill. (See Attachment VII.)

Ms. Gerry Ray, representing Johnson County Board of Commissioners testified in support of the bill. (See Attachment VIII.)

Mr. Tom Knappenberger, Chairman, Johnson County Extension Board, testified in support of the change of date to July 15.

Mr. Fred Allen, representing Kansas Assn. of Counties, referred to Item 10 of the County Platform and said a change of date to July 15 would solve part of their problem.

Mr. Kim Dewey, representing Sedgwick County Board of County Commissioners, testified that Board would support changing the date.

Mr. Bob Newsome, Director, Northeast Area Extension Office, testified that the original bill shows wisdom; that the date of June 13 is acceptable to most counties; that since salary adjustments are made as of July 1, problems would be caused by a July 15 date; that June 30 would give Boards more time and would be acceptable. (See Attachment IX.)

Rep. Robert D. Miller made a motion to amend the bill by changing the date to June 30. Rep. Mary Jane Johnson seconded the motion. The motion carried.

The hearing on HB 2160 was closed.

Chairman Sand called for introduction of additional new legislation.

Rep. Kenneth D. Francisco requested that legislation be introduced as was done last Session regarding municipalities which require employees to reside within the city boundaries. The proposed legislation would grandfather in existing employees.

Rep. Kenneth D. Francisco made a motion that the proposed legislation be introduced as a Committee bill. Rep. Clyde Graeber seconded the motion. The motion carried.

Mr. Mike Heim, Staff, explained a bill request proposed by Representative Mary Jane Johnson which would amend K.S.A. 1984 Supp. 72-1623a, regarding libraries of certain boards of education and authorizing increases in tax levies.

Rep. Robert D. Miller made a motion to introduce the proposed legislation as a Committee bill. Rep. Clyde Graeber seconded the motion. The motion carried.

Rep. Phil Kline requested legislation concerning fire districts; relating to tax levies, in particular Fire District #2, for which the mill levy would be changed from 8½ mills to 11½ mills.

Rep. Robert D. Miller made a motion to introduce the proposed legislation as a Committee bill. Rep. Samuel Sifers seconded the motion. The motion carried.

Chairman Ivan Sand called the Committee's attention to HB 2117.

Rep. Elizabeth Baker provided Committee members with a copy of a proposed amendment to HB 2117 and explained the proposal. (See Attachment X.)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,  
room 521-S, Statehouse, at 1:30 ~~am~~/p.m. on FEBRUARY 21, 1985.

It was the consensus of the Committee that the costs should be paid by whomever initiates the annexation. Several other changes to the amendment were discussed.

Chairman Sand directed Staff to prepare a balloon bill and bring it back to the Committee meeting on 2/26/85 to show proposed Committee amendments.

The minutes were approved as presented for the meeting of February 19, 1985.

The meeting was adjourned.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE 2-21-85

NAME	ADDRESS	REPRESENTING
Jerry Ray	Olathe	Jo Co Commission
Sam Emery	Olathe	Jo Co. Extension
Shirley Trappenberg	Olathe	
Ken M. Lewis	Olathe	Jo. Co. Extension
Bob Newsome	Manhattan	K.S.U.
Fred Allen	Topeka	K.A.P.
David Hanson	Topeka	Ka Library Assoc.
Ron Puckman	Close-up Ks - Meade	Ks
AVIANE JOHNSON	Topeka	STATE LIBRARY
Dan Mason	Emporia	Kansas Library Assoc.
Mary Stewart	Rt. 1 Americus	Americus Top Library
W 1040 BRECKEISEN	EBR Eudora	Eudora Top Library
Nancy L. Breckisen	Eudora	Eudora Top library
W. G. Bray	Eudora	Eudora Top Library
Walt Mason	Topeka	Shawnee Heights Jr. High School
Ruin Natalie	Topeka	Shawnee Heights "
Amy Kenney	Topeka	"
Pauline Sulray	Eudora Ks.	Eudora Library
Lane M. Goeckler	Silver Lake	
Rich McKee	Topeka	Ks Lusk Assoc.

*Steven R. Wiechman*

ATTORNEY AT LAW  
1101 WEST 10TH STREET  
TOPEKA, KANSAS 66604

(913) 233-8862

(ATTACHMENT I)

2/21/85

January 26, 1985

Representative Ivan Sands  
Chairman Local Government Committee  
State Capitol Building  
Topeka, Kansas

RE: Amendment to K.S.A. 79-2004  
and 79-2004a.

Dear Representative Sand:

At your direction and the at the request of Fred Allen, I have prepared a balloon reflecting an amendment to K.S.A. 79-2004a and 79-2004, to address the continuing problem with the interest on taxes. As a result of the railroad settlement, certain agreed amounts were paid as a satisfaction of the disagreement. However, the railroads paid the money in as protested taxes and the interest earned was not really interest on delinquent taxes because it was paid in under protest. The parties to the suit agreed to assess the interest at the T-bill rate which is less then the statutory rate on taxes. I was advised by Carol Bonebrake, Attorney for Department of Revenue, that the agreement being silent on the interest issue was not an oversight. It was deliberately omitted because of the divergent views.

Unfortunately, there is a gap or loophole in the law that is supporting the basis of the school district claim and original action in the Supreme Court.

I discussed the statute with Don Hayward of the Revisors Office, and he feels that the legislative intent is clear that the interest should be paid to the counties. Bonebrake suggested language to reflect that "any and all" interest go to counties. This may satisfy the problem. However, I felt a little further clarification may be helpful.

Letter January 26, 1985

Page 2

Fred and I felt that this is really a local government issue and not one associated with taxation. Hopefully, the bill, if favorably considered for introduction by you and your committee, would be referred back to you for consideration. I will be happy to assist you in any fashion. A copy of this letter is being sent to Fred. I did not intend to present a copy of this language to Don Hayward, since I got the feeling that he preferred to receive direction from you.

Thank you for your kind consideration.

Very truly yours,



Steven R. Wiechman  
Attorney for the  
Kansas Association of Counties

SRW:dim

Encl: as

cc: Fred Allen, Executive Secretary, K.A.C.  
Gayle Landoll, President, K.A.C.

**79-2004a.** Time for payment of personal property taxes; interest, when. Any person, firm, unincorporated association, company or corporation charged with personal property taxes on the tax books in the hands of the county treasurer may at its option pay the full amount thereof on or before December 20 of each year, or ½ thereof on or before December 20 and the remaining ½ thereof on or before June 20 next ensuing, except that all unpaid personal property taxes of the preceding year must first be paid, except that if the full amount of the personal property taxes listed upon any tax statement shall be \$10 or less the entire amount of such taxes shall be due and payable on or before December 20.

In the event any one so charged with personal property taxes shall fail to pay the first half thereof on or before December 20, then the full amount thereof shall become immediately due and payable.

In case the first half of the taxes remain unpaid after December 20, the entire and full amount of personal property taxes charged shall draw interest at the rate per annum prescribed by K.S.A. 79-2968(b) from December 20 to date of payment. All personal property taxes of the preceding year and interest thereon which shall remain due and unpaid on June 21 shall draw interest at the rate per annum prescribed by K.S.A. 79-2968(b) from June 20 until paid. Taxes levied in any year prior to 1980 and any interest accrued thereon under the provisions of former law which remain due and unpaid on December 20, 1980, shall draw interest at the rate per annum prescribed by K.S.A. 79-2968(b) from and after December 20, 1980.

**79-2004.** Time for payment of real estate taxes; interest, when; distribution of interest to city, when. (a) Any person charged with real estate taxes on the tax books in the hands of the county treasurer may pay, at such person's option, the full amount thereof on or before December 20 of each year, or ½ thereof on or before December 20 and the remaining ½ on or before June 20 next ensuing. If the full amount of the real estate taxes listed upon any tax statement is \$10 or less the entire amount of such tax shall be due and payable on or before December 20.

In case the first half of the real estate taxes remain unpaid after December 20, the first half of the tax shall draw interest at the rate per annum prescribed by subsection (b) of K.S.A. 79-2968, and amendments thereto, and may be paid at any time prior to June 20 following by paying ½ of tax together with interest at above rate from December 20 to date of payment. And all real estate taxes of the preceding year and accrued interest thereon which remains due and unpaid on June 21 shall draw interest at the rate per annum prescribed by subsection (b) of K.S.A. 79-2968, and amendments thereto, from June 20 until paid, or real estate sold for taxes by foreclosure as provided by law. Taxes levied in any year prior to 1980 and any interest accrued thereon under the provisions of former law which remain due and unpaid on December 20, 1980, shall draw interest at the rate per annum prescribed by subsection (b) of K.S.A. 79-2968, and amendments thereto, from and after December 20, 1980. Except as provided by subsection (b).

Any and all interest or amounts received in lieu of statutory interest which is paid to the county,

~~All interest herein provided~~ for shall be credited to the county general fund and retained by the county, and whenever any such interest is paid, the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

all interest herein provided shall be credited to the county general fund, and whenever any such interest is paid the county treasurer shall enter the amount of interest so paid on the tax rolls in the proper column and account for such sum.

(b) The board of county commissioners may enter into an agreement with the governing body of any city located in the county for the distribution of part or all of the interest paid on special assessments levied by the city which remain unpaid.

February 15, 1985

(ATTACHMENT II)

2/21/85

MEMORANDUM

TO: House Local Government Chairman  
FROM: Kansas Legislative Research Department  
RE: H.B. 2258

H.B. 2258 amends a statute setting township individual purpose and aggregate tax levy limitations. The bill permits an increase from 1 to 2 1/2 mills for library purposes subject to a 5 percent protest petition-election procedure.

MH/jar



DAVID G. MILLER  
 REPRESENTATIVE, FORTY-THIRD DISTRICT  
 DOUGLAS AND JOHNSON COUNTIES  
 1312 FIR  
 EUDORA, KANSAS 66025



TOPEKA  
 —  
 HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 VICE CHAIRMAN COMMERCIAL AND FINANCIAL  
 INSTITUTIONS  
 MEMBER LEGISLATIVE, JUDICIAL AND  
 CONGRESSIONAL APPOINTMENT  
 WAYS AND MEANS

(ATTACHMENT III)

2/21/85

Thank you Mr. Chairman for the opportunity to appear today on House Bill 2258. This measure came to my attention because the local librarian in Eudora, Kansas, who is with us today, indicated that she and the local officials's in Eudora desired to increase their support for our local library. The people in Eudora are very proud of their library and want to support it. However, KSA 79-1962 stands in the way, and for that reason, I have agreed with six of my colleagues to sponsor legislation to permit the local township to increase their mill levies from the current limit of from 1 to not more than 2½ mills to support a township library.

As you will notice, on Page 4 of the bill, there is a specific provision that permits a public protest to this tax, if it is increased by the township board. The language in this statute is comparable to other places in our statutes whereby we permit just 5% of the affected patrons to protest and force a public vote on the mill levy increase. I don't expect that to happen in Eudora, but I would be reluctant to support this legislation if we didn't permit the people some direct mechanism for protesting any increase in the property tax.

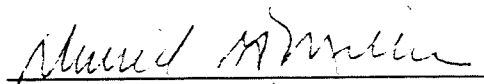
As you may know, our library system is somewhat of a mixed bag in the state. Some library's are permitted to levy up to 6 mills while, for some reason or other, township libraries have been limited to one mill.

Continued on Page 2 -

Page 2 -

I don't think it is unreasonable to permit the township libraries to go up to 2½ mills. I recognize that there are township libraries in the state that do not need the authority; however, others do, and I think that we should give the local units of government the flexibility they need to respond to local interest. For that reason, Mr. Chairman, I have co-sponsored this legislation and I am hopeful that the committee will give it favorable consideration.

Thank you.

A handwritten signature in cursive script, reading "David G. Miller", is written over a horizontal line.

David G. Miller  
State Representative  
43rd District

/cw

To: Local Government Committee, House of Representatives

From: Silver Lake Library, Silver Lake, Kansas

(ATTACHMENT IV)

Date: February 21, 1985

City libraries may levy upwards from 2.0 mills, depending on population, and may also go under Home Rule. Township libraries are limited, since 1933, to 1.0 mill and no Home Rule. It becomes increasingly difficult to remain afloat under those restrictions.

The Silver Lake Library has officially been under a tax structure just under ten years. In that time, book costs have more than doubled, and costs of postage, utilities, rent, telephone and library supplies are going up almost monthly.

Our Library spends a yearly average of 36% of total income for salaries, and 17% for books. Other costs are fixed and cannot be "juggled" in the budget, so each year those two items are the ones to "give".

I am most concerned for our future. I have worked for years, and will continue to work, for a very minimum salary; but, when I retire, I am afraid a qualified person will not be found willing to so sacrifice his or her time. Currently, counting donated time, I am earning approximately \$3.08 per hour; other staff members make even less. And, what of books? Each year the number purchased must be cut. It isn't much of a library without books or staff!

Township libraries need, and somehow must have, additional monies to serve our patrons. We are simply asking that we be allowed the same income that city libraries receive.

Submitted by: Jane M. Goeckler  
Librarian  
Silver Lake Library



# Kansas Library Association

(ATTACHMENT V)

2/21/85

February 21, 1985

Representative Ivan Sand, Chairman  
House of Representatives  
Local Government Committee  
Capitol Building  
Topeka, KS 66612

Dear Representative Sand:

The Kansas Library Association favors passage of House Bill 2258 for the following reasons:

1. The current one mill levy limit was placed on Township Boards prior to 1951. The limit falls far short of supplying the financial needs of most township libraries in Kansas.
2. Township libraries that are not in need of levies exceeding one mill will not be affected by the proposal.
3. Township libraries form a very important part of the overall library service enjoyed by Kansans. Strength and depth of local collections as well as well-paid, trained personnel are essential to the cultural and educational growth of our citizens.

Sincerely,

Daniel Masoni, Chairman  
KLA Legislative Committee

DM/jc

1985

TOWNSHIP LIBRARIES IN KANSAS

	Population	Mill Levy	Tax Income	Regional System
1. Americus Township Library Betty Jean Zumbrum, Librarian 710 Main, P.O.Box 98 66835 316-443-5503 <u>Rep. Burt DeBaun</u> , Lyon County	1,591	.92 T 1.0 Cnty	5,200 8,966	NCKLS
2. Argonia Dixon Township Library P.O. Box 95 67004 316-435-6632 <u>Rep. J. C. Long</u> , Sumner County	783	1.0 T	3,240	SCKLS
3. Bushton Farmer Township Community Library Barbara Orth, Librarian 67427 316-562-3352 <u>Rep. LeRoy Fry</u> , Rice County	544	.45T	3,300	SCKLS
4. Canton Canton Carnegie Township Library Sue Kohlman, Librarian P.O. Box 336 67428 316-628-4491 <u>Rep. Dale Sprague</u> , McPherson County	1,187	1.12T	6,531	SCKLS
5. Claflin Independent Township Library Martina M. Luebbers, Librarian 217 Main 67525 316-587-3488 <u>Rep. Frank Buehler</u> , Barton County	914	.680T	5,632	CKLS
6. Colwich Colwich City-Union Township Library Glenda Ebert, Librarian 330 W. Colwich, Box 8 67030 316-796-1521 <u>Rep. Rick Bowden</u> , Sedgwick County	1,629	2.0City .247T	5,774 4,000	SCKLS
7. Cottonwood Falls Burnley Memorial Library Delores Baumgardner, Librarian 66845 316-273-6692 <u>Rep. Duane Goosen</u> , Chase County	1,125	(No record)		NCKLS
8. Eudora Public Library Pauline Gilroy, Librarian 114 E. 9th, Box 507 66025 913-542-2496 <u>Rep. David Miller</u> , Douglas County	3,821	1.0T	8,632	NEKLS

	Population	Mill Levy	Tax Income	Regional System
9. LaCrosse Barnard Library Elva Paustian, Librarian 521 Elm 67548 913-222-2826 <u>Rep. Robert D. Miller</u> , Rush County	1,759	1.0T	8,550	CKLS
10. Lewis Meadowlark Public Library Connie Terry, Librarian Box 331 67552 316-324-5681 <u>Rep. Susan Roenbaugh</u> , Edwards County	688	.57T	3,300	SWKLS
11. Lyndon Carnegie Library Sara L. Walker-Hitt, Librarian P.O.Box 563, 126 E. 6th 66451 913-828-4520 <u>Rep. Burt DeBaun</u> , Osage County	1,536	1.00T	3,537	NEKLS
12. Marquette Community Library Mary Jane Mayfield, Librarian 121 N. Washington 67464 913-546-2561 <u>Rep. LeRoy Fry</u> , McPherson County	877	1.43T	4,695	SCKLS
13. Montezuma Township Library Ruby Bindley, Librarian Box 187 67867 316-846-2891 <u>Rep. Melvin Neufeld</u> , Gray County	1,287	.54T	4,000	SWKLS
14. Mount Hope Library Pauline Moore, Librarian Box 35 67108 316-667-2211 <u>Rep. Rick Bowden</u> , Sedgwick County	1,115	1.476City .914T	3,184 2,984	SCKLS
15. Peabody Township Library Ruth Burkholder, Librarian 214 Walnut 66866 316-983-2494 <u>Rep. Duane Goossen</u> , Marion County	1,705	1.00T	3,979	NCKLS
16. Rossville Community Library Helena E. Reding, Librarian 407 Main Street 66533 913-584-6454 <u>Rep. Ginger Barr</u> , Shawnee County	1,596	1.00T	8,000	NEKLS
17. St. Paul Graves Memorial Public Library Helen A. Coomes, Librarian Box 354 66771 <u>Rep. Ed Bideau</u> , Neosho County	989	1.00T	3,287	SEKLS

	Population	Mill Levy	Tax Income	Regional System
18. Satanta Dudley Township Public Library Lois Whisler, Librarian Box 189, Sequoyah Street 67870 316-649-2213 Rep. <u>Eugene Shore</u> , Haskell County	1,541	.39T	24,000	SWKLS
19. Silver Lake Library Jane M. Goeckler, Librarian P.O. Box 248, 201 Railroad 66539 913-582-5141 Rep. <u>Ginger Barr</u> , Shawnee County	1,828	1.00T	5,784	NEKLS
20. South Haven Township Library Patti Fox, Librarian Box 227 67140 316-892-5891 Rep. <u>Robert H. Miller</u> , Sumner County	733	.68T	2,080	SCKLS
21. Sublette Haskell Township Library Sharon Steckel, Librarian Box 537 67877 316-675-2771 Rep. <u>Melvin Neufeld</u> , Marshall County	1,721	.15T	39,513	SWKLS
22. Valley Falls Delaware Township Library Kay Lassiter, Librarian 509 Broadway, P.O. Box 130 66088 913-945-3990 Rep. <u>Robin Leach</u> , Jefferson County	1,981	1.00T	6,523	NEKLS
23. Viola Township Library Micheal Long, Librarian P.O. Box 547 67149 316-584-6679 Rep. <u>Rick Bowden</u> - Sedgwick County	439	.367T	600	SCKLS
24. Wilsey Elm Creek Township Library Varda F. Phillips, Librarian 66873 913-497-2896 Rep. <u>Elaine Hassler</u> , Morris County	359	.381T	1,150	NCKLS

# KANSAS STATE LIBRARY

State Capitol, Third Floor  
Topeka, KS 66612-1593

913-296-3296 800-432-3919

Established August 25, 1855



(ATTACHMENT VI)

2/21/85

TO: Representatives David Miller, Elizabeth Baker, Ginger Barr, Nancy Brown, Burt DeBaun, LeRoy Fry, Robin Leach and Robert D. Miller

RE: Township library levy authority, H.B. 2258  
Supplemental information - survey of authorized library levies.

FROM: Duane F. Johnson, State Librarian *DFJ*

Various library levies authorized in statute:

1. 6 mills - Topeka, Salina, Hutchinson (KSA 12-1215)
2. 3 mills - Cities of the second class (KSA 79-1952)
3. 2 mills - Cities of the first and third classes (KSA 79-1951 & 79-1953)
4. 2 mills and 1 1/2 mills - Counties (KSA 79-1947)
5. 1 1/2 mills - Regional library districts (KSA 12-1247)
6. 1 mill - Townships (KSA 79-1962)
7. 3/4 mill - Regional library systems of cooperating libraries (KSA 75-2551)

Fifty-three cities have used home rule authority to remove the statutory limit on the local tax levy. The increased levies range from a low of 3 mills, to 6 mills, and to an unlimited or unspecified, maximum. (See attached information sheets.)

The survey and related information show that it has been difficult for cities to operate the local library within the statutory limitations of two or more mills.

It is impossible for many townships to effectively operate their library on a single mill.

DFJ/bas

Enc.

Attachment 6



## KANSAS LIBRARIES WHICH OPERATE UNDER "HOME RULE"

"Home rule" allows cities of the first, second and third class, and counties to pass a local ordinance or resolution which allows the governing body to exceed the levy limitations as set forth in the *Kansas Statutes Annotated*. The following libraries are currently operating under home rule (April 1983).

<u>LIBRARY</u>	<u>CITY/CLASS</u>	<u>CHARTER ORDINANCE #</u>	<u>DATE OF ORDINANCE</u>	<u>LEVY LIMIT</u>
Abilene	C/2	6	23 May 1977	Unspecified
Atchison	C/1	24	3 Aug 1981	3.00
Augusta	C/2	3	1 Apr 1968	Unspecified
Axtell	C/3	7	24 Nov 1981	4.00
Belle Plaine	C/3	5	17 Jan 1975	Unspecified
Belleville	C/2	2	19 Dec 1968	Unspecified
Burlingame	C/3	6	1 Feb 1982	3.50
Clifton	C/3	1	2 Mar 1970	2.00
Coffeyville	C/1	10	26 Dec 1974	3.00
Corning	C/3	1	17 Jul 1980	4.00
Council Grove	C/2	6	1961	5.00
Derby	C/2	5	2 Jun 1970	3.00
Dodge City	C/1	13	3 Jan 1977	4.00
Douglass	C/3	4	30 Jul 1981	Unspecified
Downs	C/3	9	3 May 1982	3.00
Ellis	C/2	16	8 Apr 1980	4.00
Emporia	C/1	3	2 Feb 1966	3.00
Enterprise	C/3	6	4 Feb 1982	Unspecified
Eureka	C/2	7	8 Sep 1980	4.00
Florence	C/2	1	19 May 1969	6.00
		4	1 Jul 1971	
Great Bend	C/2	21	16 Feb 1981	4.00
Halstead	C/3	2	10 Mar 1981	3.00
Hanover	C/3	1	7 Aug 1974	4.00
Hays	C/2	Election	7 Apr 1981	4.00
Hesston	C/3		20 Jan 1982	4.00
Hoxie	C/3	8	Sep 1981	5.00
Humboldt	C/2	8	1977	Unspecified
Kingman	C/2	5	13 Dec 1979	4.00
Larned	C/2	9	9 Jun 1981	4.50
Lawrence	C/1	17	3 Nov 1981	4.00
			(plus .50 for S.S. & KPERS)	
Leavenworth	C/1	21	15 Apr 1980	4.00
Liberal	C/1	10	6 May 1979	Unspecified
Madison	C/3	3	16 Jul 1979	Unspecified
Manhattan	C/1	10	3 Feb 1976	4.00
		14	16 Mar 1982	5.00
Meade	C/3	10	17 May 1982	3.00
Medicine Lodge	C/3	9	4 May 1967	4.00
Mulvane	C/3	7	14 Jun 1982	5.00
Newton	C/1	16	5 Nov 1975	4.00
Norton	C/2	4	2 Mar 1982	Unspecified
Oakley	C/3	5	2 Jul 1980	4.00
Oberlin	C/3		Jul 1980	4.00
Ottawa	C/2	6	17 Jan 1979	6.00

## KANSAS LIBRARIES WHICH OPERATE UNDER "HOME RULE" / April 1983

<u>LIBRARY</u>	<u>CITY/CLASS</u>	<u>CHARTER ORDINANCE #</u>	<u>DATE OF ORDINANCE</u>	<u>LEVY LIMIT</u>
Overbrook	C/3	4	12 May 1982	3.00
Parsons	C/1	12	8 May 1968	3.00
Pittsburg	C/1		2 Jun 1981	3.00
Quinter	C/3	2	1 Jun 1982	Unspecified
Russell	C/2	9	15 Apr 1980	5.00
Sedgwick	C/3	16	1 Feb 1982	4.00
Wamego	C/2	9	25 Feb 1982	4.00
Washington	C/3	4	2 Feb 1976	3.00
Wellington	C/2	11	20 Jun 1982	5.00
Whitewater	C/3	5	11 May 1981	3.00
Wichita	C/1	12	1 Mar 1966	Unspecified

KANSAS LIBRARIES WHICH HAVE A FORMAL  
 "FRIENDS OF THE LIBRARY" GROUP  
 (April 1983)

Almena  
 Arkansas City  
 Ashland  
 Atwood  
 Augusta  
 Beloit  
 Bird City  
 Blue Mound  
 Bronson  
 Caldwell  
 Cedar Vale  
 Cimarron  
 Clay Center  
 Colby  
 Concordia  
 Downs  
 Dwight  
 El Dorado  
 Ellis

Emporia  
 Fredonia  
 Garden City  
 Gaylord  
 Glen Elder  
 Goodland  
 Great Bend  
 Hardtner  
 Hays  
 Haysville  
 Hiawatha  
 Hoxie  
 Junction City  
 Kansas City  
 Lawrence  
 Lenora  
 Liberal  
 Louisburg  
 Lyndon

Moline  
 Newton  
 Norton  
 Ottawa  
 Phillipsburg  
 Pittsburg  
 Quinter  
 Randall  
 Sharon Springs  
 Shawnee Mission  
 Spearville  
 Tonganoxie  
 Topeka  
 Troy  
 Wamego  
 Wichita  
 Winfield

February 15, 1985

(ATTACHMENT VII)

2/21/85

MEMORANDUM

TO: House Local Government Chairman  
FROM: Kansas Legislative Research Department  
RE: H.B. 2160

H.B. 2160 amends a statute relating to the time when the county extension council budgets and other information have to be filed with the county. The bill changes the date from June 13 to July 15 of each year.

MH/pk

Attachment 7

JOHNSON COUNTY KANSAS

*Office of the Board of County Commissioners* (ATTACHMENT VIII) 2/21/85

JOHNSON COUNTY COURTHOUSE  
OLATHE, KANSAS 66061  
782-5000

HOUSE LOCAL GOVERNMENT COMMITTEE  
HEARING ON HOUSE BILL NO. 2160  
THURSDAY, FEBRUARY 21, 1985  
TESTIMONY OF GERRY RAY, LEGISLATIVE LIAISON  
JOHNSON COUNTY BOARD OF COMMISSIONERS

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE. MY NAME IS GERRY RAY, LEGISLATIVE LIAISON FOR THE JOHNSON COUNTY BOARD OF COMMISSIONERS. I APPEAR AS A PROPONENT OF HOUSE BILL 2160 WHICH PERTAINS TO THE STATUTORY REQUIREMENT FOR APPROVAL OF THE BUDGET OF COUNTY EXTENSION COUNCILS.

THIS BILL WAS REQUESTED BY THE JOHNSON COUNTY COMMISSIONERS BECAUSE THE DATE PRESCRIBED IN THE EXISTING STATUTE FOR APPROVAL OF THE EXTENSION COUNCIL BUDGET HAS BEEN A PROBLEM IN OUR COUNTY FOR CLOSE TO FOUR YEARS.

FOR MANY YEARS PRIOR TO 1981 K.S.A. 2-610 WAS INTERPRETED BY OUR COUNTY COUNSELOR TO ALLOW THE FILING OF THE EXTENSION COUNCIL BUDGET WITH THE COMMISSIONERS ON OR BEFORE JUNE 13, WITH FINAL APPROVAL TAKING PLACE AT A LATER DATE COMPATIBLE WITH THE GENERAL BUDGET LAW. IN 1981 A QUESTION AROSE IN NEOSHO COUNTY AND AN ATTORNEY GENERAL'S OPINION WAS REQUESTED BY THEIR COUNTY ATTORNEY. IN THAT OPINION IT WAS DETERMINED THAT EXTENSION COUNCIL BUDGETS ARE NOT GOVERNED BY THE GENERAL BUDGET LAW AND MUST BE PREPARED, APPROVED AND CERTIFIED TO THE COUNTY CLERK ON OR BEFORE JUNE 13 AS PROVIDED IN K.S.A. 2-610.

OPERATING UNDER THE GENERAL BUDGET LAW THE COUNTY BUDGET PROCESS IS IN THE PRELIMINARY STAGES ON JUNE 13. THE INITIAL REQUESTS FROM THE DEPARTMENTS AND AGENCIES ARE NOT ALL SUBMITTED, THUS MAKING AN OVERVIEW OF THE TOTAL COUNTY BUDGETARY REQUIREMENTS FOR THE UPCOMING YEAR IMPOSSIBLE. CONSEQUENTLY THE COMMISSIONERS ARE FORCED TO MAKE PREMATURE DECISIONS ON JUST ONE AREA OF EXPENDITURE WITH ADEQUATE DATA. FOR THE COUNTY THIS IS AN INCONVENIENCE, FOR THE LOCAL EXTENSION COUNCIL IT CAN BE QUITE A DISADVANTAGE, BECAUSE THE COMMISSIONERS TEND TO TAKE A VERY CONSERVATIVE APPROACH AS TO WHAT DOLLAR FIGURE THEY ARE WILLING TO COMMIT UNDER THESE CIRCUMSTANCES.

JOHNSON COUNTY'S ORIGINAL REQUEST WAS TO EXTEND THE APPROVAL DATE TO AUGUST 25 TO COINCIDE WITH SCHEDULE SET OUT IN THE STATUTES FOR COUNTIES. AFTER DISCUSSING THIS WITH OUR EXTENTION COUNCIL CHAIRMAN, TOM KNAPPENBERGER; DR. BOB NEWSOM OF KANSAS STATE UNIVERSITY AND CHAIRMAN SAND, IT WAS DECIDED THAT AN APPROVAL DATE OF JULY 15 WOULD BE THE MOST AGREEABLE AND WORKABLE FOR ALL PARTIES.

WE RECOGNIZE THAT COUNTIES WITH MORE COMPLEX BUDGET PROCEDURES ARE THE MOST LIKELY TO HAVE PROBLEMS WITH THE CURRENT LAW, HOWEVER AS ILLUSTRATED BY THE NEOSHO COUNTY REQUEST FOR AN ATTORNEY GENERAL'S OPINION ON THE SUBJECT, SMALLER COUNTIES ALSO EXPERIENCE DIFFICULTIES. THE BILL IS WRITTEN SO ANY COUNTY WISHING TO FINALIZE THEIR EXTENTION COUNCIL BUDGET EARLIER THAN JULY 15 ARE FREE TO DO SO, YET ALLOWING THE LATITUDE TO OTHER COUNTIES THAT WILL RESULT IN A MORE LOGICAL DECISION MAKING PROCESS.

OUR COMMISSIONERS ASK FOR YOUR SUPPORT IN BRINGING ABOUT COMPATIBILITY IN THIS SITUATION WITH A FAVORABLE REPORT ON HOUSE BILL 2160



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN  
ATTORNEY GENERAL

June 17, 1981

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
ANTITRUST: 296-5299

ATTORNEY GENERAL OPINION NO. 81- 132

Edwin H. Bideau III  
Neosho County Attorney  
123 West Main Street  
Chanute, Kansas 66720

Re: Agriculture--County Extension Councils, Boards  
and Agents--Extension Council Budget

Synopsis: The procedure for adoption of a budget for a county extension council is governed exclusively by the provisions of K.S.A. 1980 Supp. 2-610, and the provisions of the general budget law, K.S.A. 79-2925 et seq., are not applicable. Cited herein: K.S.A. 1980 Supp. 2-610, K.S.A. 79-2925.

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Dear Mr. Bideau:

On behalf of the Board of County Commissioners of Neosho County, you seek our opinion concerning the procedure to be used in adopting a budget for the Neosho County Extension Council.

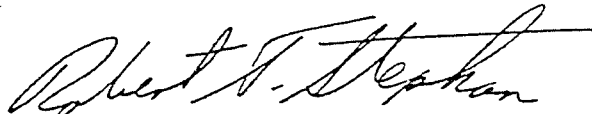
You explain the Council has taken the position that its budget should be prepared, approved and certified to the county clerk on or about June 13 of each year, pursuant to K.S.A. 1980 Supp. 2-610. The Commission, however, believes the budget of the Council should be adopted in accordance with the general budget law, K.S.A. 79-2925 et seq. You inquire as to which position is correct.

Edwin H. Bideau III  
Page Two  
June 17, 1981

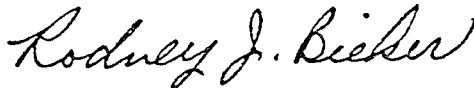
The question you raise was answered by the Kansas Supreme Court in State, ex rel., v. Belt, 175 Kan. 330 (1953). In that case, the attorney general argued that the entire matter of the adoption of a budget for a county extension council is governed by the provisions of K.S.A. [now, 1980 Supp.] 2-610. The county attorney argued that the adoption of such a budget is subject to the general budget law. The Kansas Supreme Court concluded that the attorney general was correct, and adopted the conclusion of the attorney general that the provisions of K.S.A. 2-610, and related sections, "provide a procedure of their own for the financing of county agricultural extension councils, and that a budget so prepared, pursuant thereto, is not subject to general provisions relating to the adoption of budgets." 175 Kan. at 334.

We recognize that the provisions of K.S.A. 2-610 have been amended on numerous occasions since the decision in Belt, supra. However, in our opinion, none of the amendments change the statement of law quoted above.

Very truly yours,



ROBERT T. STEPHAN  
Attorney General of Kansas



Rodney J. Bieker  
Assistant Attorney General

RTS:BJS:RJB:hle:jm

STATEMENT OF DR. BOB NEWSOME  
BEFORE THE COMMITTEE ON LOCAL GOVERNMENT

February 21, 1985

(ATTACHMENT IX)  
2/21/85

Mr. Chairman and members of the Committee on Local Government: I am Bob Newsome, Northeast Area Extension Director of the Cooperative Extension Service at Kansas State University. I appreciate this opportunity to appear before you and comment on House Bill No. 2160.

Before making comments on this specific proposed Bill, let me say, I have always been amazed by our early legislators' wisdom in writing the original legislation in creating the Kansas Cooperative Extension Service. It set-forth an organization to be governed, directed, and to carry out its basic educational mission under the guidance of the local people in each county. The results of that legislation has demonstrated that people have made progress in agriculture, their homes, their communities and with their children when given facts to act upon through an educational program. It has served our people well, permitted them to grow and prosper over the past three generations.

In my opinion, the June 13th date has been acceptable in most counties. For example, the Doniphan County budget meeting is scheduled for the middle of April. Last week, I received a phone call requesting the budget meeting be held in March to avoid a conflict with farm field work for Extension Board members and County



Commissioners.

Extending the Approval Date for County Extension Council Budgets

Extending the date of approval for County Extension Council budgets to July 15 (or for that matter after the beginning of the state fiscal year) will increase paperwork at the county, area, and state offices and create problems in allocating to county agent salaries the funds approved by the Legislature for use on July 1.

Extension agents are joint employees of the County Extension Council and Kansas State University. The current procedure, with the Legislature appropriating funds for use on July 1, and the County Extension Council budget approved on or before June 13, provides us the opportunity to treat county agents like other KSU employees and award salary increases on July 1, with a contract that covers the state fiscal year and specifies their total salary and the county and state/federal portion.

If the County Extension Council budgets were not approved until July 15, the agents' total salary would not be known until this date. Therefore, a contract would have to be written covering a 12-month period, for example, August 1 through July 31. However, on July 1 of the following year, if the Legislature appropriated salary increases for the new fiscal year, a new contract would have to be written for the July 1 - July 31 period. In this contract, the total salary for the agent would

stay the same--only the county and state/federal portion would change. If this were not done, the Director would not be able to appropriately allocate the funds approved by the Legislature for use on July 1 for county agent salaries since state funds cannot be carried over into another fiscal year. With this procedure, agents would be treated as second class citizens and receive their annual salary increase later than other KSU employees.

Mr. Chairman, I will be pleased to answer any questions you may have.

2/21/85

## Proposed Amendment to HB 2117

On page 2, in line 81, by striking all after the word "by";  
by striking all of line 82;

On page 3, by striking all of lines 83 through 94 and inserting "the owners of not less than 75% of the property within the area proposed to be annexed is filed with the county clerk who shall certify that the petition contains the names of not less than 75% of the property owners in the area to be annexed. The petition shall: (1) Be addressed to the board of county commissioners in which the land sought to be annexed is located; (2) contain the names of property owners within the area sought to be annexed, including a general description of the boundaries of their property; (3) request that the board of county commissioners deny the petition for annexation.

Upon certification of the petition by the county clerk, the board of county commissioners shall fix a date and give notice of a public hearing to be held thereon. The date fixed for such public hearing shall be not less than 30 days following the date of the certification of the petition requesting denial of the annexation. Notice of the time and place of the hearing, together with a legal description of the land sought to be annexed and the names of the owners thereof, shall be published in the official county newspaper or any other newspaper of general circulation in the county, not less than one week and not more than two weeks preceding the date for such hearing. The hearing shall be held at the county courthouse in the county where the petition is filed.

Upon certification of such petition, notice of its receipt shall be sent by certified mail to the city proposing annexation, to the township in whose boundaries the territory proposed to be annexed lies and to the property owners in the area proposed to be annexed. Notice of the date of the hearing shall be mailed to the city at least five days prior to publication of the notice of the hearing.

The hearing shall be conducted in a judicious manner, presided over by the chairman of the board of county commissioners. The hearing may be adjourned from time to time. Time shall be set aside for the proponents of the proposed annexation to be heard and to present documentary evidence and briefs supporting the contention that the annexation should be allowed. Following the time set aside for proponents, time shall be set aside for the opponents of the proposed legislation to be heard and to present documentary evidence and briefs supporting the contention that the annexation should be denied. All those wishing to be heard and to present documentary evidence or briefs shall be allowed to do so.

As a guide in determining the advisability of the proposed annexation, the board of county commissioners shall consider the following factors among others:

- (1) Population and population density of the area proposed to be annexed;
- (2) area of platted land relative to unplatted and assessed value of platted land relative to assessed value of unplatted areas;
- (3) likelihood of significant growth in the area and in adjacent areas during the next five years;
- (4) the present cost and adequacy of governmental services and controls in the area;
- (5) the proposed cost, extent and necessity of governmental services to be provided by the city proposing annexation and the estimated length of time to extend 100% of such services;
- (6) present level of direct reliance of the area upon services provided by the city proposing annexation;
- (7) past growth of the area in terms of population and the extent of business, commercial and industrial development;
- (8) effect of the proposed annexation on adjacent areas, including other cities, improvement districts or industrial districts; and
- (9) topography, natural boundaries, drainage basins,

transportation links, or any other physical characteristics which may be an indication of the existence or absence of common interest of the city and the area proposed to be annexed.

The board of county commissioners shall have the authority to hire expert consultants to provide information and assistance and gather information as required; to issue subpoenas and compel the attendance and testimony of witnesses and the production of papers, books and documents; to cause a record to be made of the proceedings; and, to pay the expense of such from the county general fund. In the event of a decision allowing the proposed annexation, such expenses shall be reimbursed to the county by the city proposing the annexation. In the event of a decision denying the proposed annexation, such expense shall be reimbursed to the county by the real property owners in the area sought to be annexed.

The board of county commissioners shall render a judgment within seven days after the hearing has been adjourned sine die. If a majority of the board of county commissioners conclude that the annexation should be allowed, they shall grant the annexation by resolution and the city may proceed to annex the land by ordinance. Orders of the board of county commissioners denying petitions for annexation shall require a majority vote of the members of the board. When an order denying a petition for annexation is issued, it shall be by resolution, which shall be sent by certified mail to the city proposing the annexation. Such city may not submit a subsequent petition for annexation of any portion of the land sought to be annexed for a period of five years following the date of receipt of the resolution denying the petition for annexation."