

Approved

2-16-87 Ivan Sand  
Date

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at  
Chairperson

1:30 ~~XX~~ p.m. on March 5, 1987 in room 521-S of the Capitol.

All members were present except:  
Representative Rezac, Excused  
Representative Larkin, Excused

Committee staff present:  
Mike Heim, Legislative Research Dept.  
Bill Edds, Revisor of Statutes' Office  
Sharon Green, Committee Secretary

Conferees appearing before the committee:

Richard Cobb, Board of McPherson County Commissioners  
Bev Bradley, Kansas Association of Counties  
Elizabeth Taylor, Alcohol and Drug Program Directors  
Gerry Ray, Johnson County Board of Commissioners  
Winnie Kingman, Shawnee County Treasurer  
Duane Johnson, State Library  
Bruce Bumbalough, Northwest Kansas Library System  
Richard Rademacher, Wichita Public Library  
Dan Masoni, Emporia Library  
Margaret Gates, Manhattan Library  
Melanie Miller, Hays Library  
Walter Racker, Salina Friends of the Library  
Betty Cattrell, Haysville Library  
Mildred Loeffler, Manhattan Library  
Barbara Dew, Ottawa Library  
Clifford Holland, Chair, Library Advisory Commission  
James Marvin, Topeka Public Library  
Representative Jack Beauchamp

Chairman Sand called the meeting to order.

Richard Cobb testified in support of HB 2510, stating that it is appropriate that the elected county commissioners should, by a majority vote of the Board, control the budgeting function for county programs. He stated that the bill would specify the formulas used to distribute moneys from the local alcoholic liquor fund. (Attachment 1)

Bev Bradley testified in support of HB 2510, stating that a majority vote is appropriate to set budgets.

Elizabeth Taylor testified on HB 2510, stating that she was neither for or against the bill, but wanted to offer an amendment. The amendment would give 2/3 of the deposit of the general fund to a special alcohol and drug programs fund in the city treasury, and would eliminate the 1/3 to a special parks and recreation fund. (Attachment 2)

A discussion was held among the committee members. Chairman Sand closed the hearing on HB 2510.

Mike Heim gave the committee an overview of HB 2512, stating that the bill prohibits the reduction of the salary of a county elected official by the board of county commissioners during the official's term of office.

Bev Bradley testified in opposition of HB 2512, stating that it is the duty of the board of commissioners to set the budget. She also stated that a lack of money could justify a reduction in salary, and that this should be left to the wisdom and responsibility of home rule.

Richard Cobb testified in opposition of HB 2512, stating that county government need the flexibility to respond to the unique needs and concerns articulated by their constituents, and that home rule needs to be protected. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,  
room 521-S Statehouse, at 1:30 ~~a.m.~~/p.m. on March 5, 1987.

Gerry Ray testified in opposition to HB 2512, stating that when Johnson County went from 3 commissioners to 5 commissioners, they reduced the salaries by dividing the total salary by 5. She also stated that the power of home rule needs to be protected.

Winnie Kingman testified in opposition to HB 2512, stating that if the duties of an elected county official were lessened, the salary of that official should also be lessened.

Chairman Sand closed the hearing on HB 2512.

Duane Johnson testified in opposition to HB 2537, stating that the fundamental principal fo the public library's role in a democratic society is to allow the public free access to information. He also stated that a fee for basic library services will keep some citizens from using the library. (Attachment 4)

Bruce Bumbalough testified in opposition to HB 2537, stating that there are tough times in western Kansas and that a fee for library cards would be an unnecessary burden.

Richard Rademacher testified in opposition to HB 2537, stating that a minimum charge for library cards would hurt people in need of free access to expand their education. He stated that a fee would hurt children and the elderly.

Dan Masoni testified in opposition to HB 2537, stating that a user fee would denegrate the climate for economic development by restricting the free flow of ideas and lowering the quality of life in Emporia. (Attachment 5)

Margaret Gates testified in opposition to HB 2537, stating that a user fee is an unnecessary burden to taxpayers.

Melanie Miller testified in opposition to HB 2537, stating that the greatest percentage of loans from the Hays Public Library came from children, whose teachers informed her that the public library provides the only recreation that the families of these children can afford. (Attachment 6)

Walter Racher testified in opposition to HB 2537, stating that individuals need to increase their ability for education, and that free access needs to remain for the public libraries. (Attachment 7)

Betty Cattrell testified in opposition to HB 2537, stating that a fee for library cards could lead to censorship by economics.

Mildred Loeffler testified in opposition to HB 2537, stating that continued education is a subscription to free libraries.

Barbara Dew testified in opposition to HB 2537, stating that it would be a hassle to collect fees.

Clifford Holland testified in opposition to HB 2537, stating that access to information at the libraries should be kept free to the public.

James Marvin testified in opposition to HB 2537, stating that the library card is a hallmark of the opportunity for independent learning. (Attachment 8)

Representative Beauchamp testified on behalf of his bill, HB 2537.

Chairman Sand closed the hearing on HB 2537.

A sub-committee report on HB 2152 was presented by Representative Patrick. He proposed an amendment in line 35 by striking "shall require documentation of competition; line 37, by changing \$500 to \$5,000; and, by striking the new language in lines 38, 38 and 40.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,  
room 521-S, Statehouse, at 1:30 ~~am~~/p.m. on March 5, 1987.

Motion was made by Representative Patrick and seconded by Representative Dean to amend HB 2152 as proposed by the sub-committee. The motion carried.

Motion was made by Representative Patrick and seconded by Representative Mollenkamp to favorably pass HB 2152 as amended. The motion carried.

The sub-committee on HB 2358 reported that they were not able to recommend any changes.

Motion was made by Representative Sawyer and seconded by Representative Francisco to favorably pass HB 2510. The motion carried.

Motion was made by Representative Francisco and seconded by Representative Dean to favorably pass HB 2511. The motion carried.

Representative Patrick is recorded as voting "no" on the motion to favorably pass HB 2511.

Motion was made by Representative Mollenkamp and seconded by Representative Johnson to kill HB 2512.

A substitute motion was made by Representative Dean and seconded by Representative Miller to table HB 2512. The substitute motion carried.

Motion was made by Representative Graeber and seconded by Representative Acheson to kill HB 2537.

A substitute motion was made by Representative Patrick and seconded by Representative Dean to table HB 2537. The motion failed.

The motion made by Representative Graeber to kill HB 2537 carried.

The minutes of March 4 were approved as presented.

Meeting adjourned.



## *McPHERSON COUNTY*

TESTIMONY ON HOUSE BILL NO. 2510  
BEFORE THE HOUSE LOCAL GOVERNMENT COMMITTEE

BY

RICHARD R. COBB, MCPHERSON COUNTY TREASURER  
ON BEHALF OF  
THE BOARD OF MCPHERSON COUNTY COMMISSIONERS  
March 5, 1987

House Bill No. 2510 addresses the use and distribution of moneys from the local alcoholic liquor fund. K.S.A. 1986 Supp. 79-41a04 specifies the formulas used to distribute these funds to the state's cities and counties, as well as the parameters under which these cities and counties may spend the funds.

Currently, the statute requires the Board of County Commissioners to adopt the budget recommendations of its locally appointed alcohol and drug advisory committee, unless the Board by unanimous vote of all commissioners, adopts a different plan. House Bill No. 2510 changes just that portion of the statute, from a requirement of a unanimous vote of the Board, to a majority vote of all commissioners.

Under the statute's current provisions, the budget priorities of a majority of the Board of County Commissioners could be superceded during a review of their advisory board's recommendations for the use of these local funds. Specifically, in McPherson County if only one commissioner agrees with an advisory board's recommendation for the expenditure of these funds, the locally appointed advisory board's original recommendation will prevail over the wishes of the majority of the elected county commissioners.

The provisions in this bill will result in a more appropriate level of input by the appointed advisory board. It is appropriate that the **elected county commissioners** should, by a majority vote of the Board, control the budgeting function for county programs. The proposed amendment will result in a more uniform application of this standard for decision-making, within the parameters established by statute for the expenditure of these funds.

The Board of McPherson County Commissioners would respectfully request the Committee's positive consideration of House Bill No. 2510.

*Attachment 1*  
*3-5-87*

### McPHERSON COUNTY COMMISSIONERS

McPherson County  
Courthouse

John C. Magnuson, Chairman  
District 1

John W. Casebeer  
District 2

Tony Wedel  
District 3

P.O. Box 676  
Phone No. 316-241-8149

## HOUSE BILL No. 2510

By Committee on Local Government

2-25

0017 AN ACT relating to counties; concerning expenditures of  
0018 moneys credited to the special alcohol and drug programs  
0019 fund; amending K.S.A. 1986 Supp. 79-41a04 and repealing the  
0020 existing section.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 1986 Supp. 79-41a04 is hereby amended to  
0023 read as follows: 79-41a04. (a) There is hereby created, in the state  
0024 treasury, the local alcoholic liquor fund. Moneys credited to such  
0025 fund pursuant to this act or any other law shall be expended only  
0026 for the purpose and in the manner provided by this act.

0027 (b) All moneys credited to the local alcoholic liquor fund  
0028 shall be allocated to the several cities and counties of the state as  
0029 follows:

0030 (1) Each city that has a population of more than 10,000 shall  
0031 receive 70% of the amount which is collected pursuant to this act  
0032 from clubs located in such city and which is paid into the state  
0033 treasury during the period for which the allocation is made.

0034 (2) Each city that has a population of 10,000 or less shall  
0035 receive  $46\frac{2}{3}\%$  of the amount which is collected pursuant to this  
0036 act from clubs located in such city and which is paid into the  
0037 state treasury during the period for which the allocation is made.

0038 (3) Each county shall receive: (A) Seventy percent of the  
0039 amount which is collected pursuant to this act from clubs located  
0040 in such county and outside the corporate limits of any city and  
0041 which is paid into the state treasury during the period for which  
0042 the allocation is made; and (B) twenty-three and one-third per-  
0043 cent of the amount which is collected pursuant to this act from  
0044 clubs located in the county and within a city that has a popula-  
0045 tion of 10,000 or less and which is paid into the state treasury

Attachment 2  
3-5-87

0046 during the period for which the allocation is made.

0047 (c) The state treasurer shall make distributions from the local  
0048 alcoholic liquor fund in accordance with the allocation formula  
0049 prescribed by subsection (b) on March 15, June 15, September  
0050 15 and December 15 of each year. The director of accounts and  
0051 reports shall draw warrants on the state treasurer in favor of the  
0052 several county treasurers and city treasurers on the dates and in  
0053 the amounts determined under this section. Such distributions  
0054 shall be paid directly by mail to the several county treasurers and  
0055 city treasurers.

0056 (d) Each city treasurer of a city that has a population of more  
0057 than 10,000, upon receipt of any moneys distributed under this  
0058 section, shall deposit the full amount in the city treasury and  
0059 shall credit  $\frac{1}{3}$  of the deposit to the general fund of the city,  ~~$\frac{1}{3}$  to a~~  
0060 ~~special parks and recreation fund in the city treasury~~ and  $\frac{1}{3}$  to a 2/3  
0061 special alcohol and drug programs fund in the city treasury. Each  
0062 city treasurer of a city that has a population of 10,000 or less,  
0063 upon receipt of any moneys distributed under this section, shall  
0064 deposit the full amount in the city treasury ~~and shall credit  $\frac{1}{2}$  of~~  
0065 ~~the deposit to the general fund of the city and  $\frac{1}{2}$  to a special~~  
0066 ~~parks and recreation fund in the city treasury. Moneys in such~~  
0067 ~~special funds shall be under the direction and control of the~~  
0068 ~~governing body of the city. Moneys in the special parks and~~  
0069 ~~recreation fund shall be expended only for the purchase, es-~~  
0070 ~~tablishment, maintenance or expansion of park and recreational~~  
0071 ~~services, programs and facilities. Moneys in the special alcohol~~  
0072 and drug programs fund shall be expended only for the purchase,  
0073 establishment, maintenance or expansion of services or programs  
0074 whose principal purpose is alcoholism and drug abuse preven-  
0075 tion and education, alcohol and drug detoxification, intervention  
0076 in alcohol and drug abuse or treatment of persons who are  
0077 alcoholics or drug abusers or are in danger of becoming alcohol-  
0078 ics or drug abusers.

0079 (e) Each county treasurer, upon receipt of any moneys dis-  
0080 tributed under this section, shall deposit the full amount in the  
0081 county treasury and shall credit to a special alcohol and drug  
0082 programs fund in the county treasury  $23\frac{1}{3}\%$  of the amount which

0083 is collected pursuant to this act from clubs located in the county  
0084 and within a city that has a population of 10,000 or less and  
0085 which is paid into the state treasury during the period for which  
0086 the allocation is made; of the remainder, the treasurer shall  
0087 credit  $\frac{1}{3}$  to the general fund of the county,  ~~$\frac{1}{3}$  to a special parks  
0088 and recreation fund in the county treasury~~ and  ~~$\frac{1}{3}$~~  to the special 2/3  
0089 alcohol and drug programs fund. Moneys in such special funds  
0090 shall be under the direction and control of the board of county  
0091 commissioners. ~~Moneys in the special parks and recreation fund  
0092 shall be expended only for the purchase, establishment, mainte-  
0093 nance or expansion of park and recreational services, programs  
0094 and facilities.~~ Moneys in the special alcohol and drug programs  
0095 fund shall be expended only for the purchase, establishment,  
0096 maintenance or expansion of services or programs whose princi-  
0097 pal purpose is alcoholism and drug abuse prevention and edu-  
0098 cation, alcohol and drug detoxification, intervention in alcohol  
0099 and drug abuse or treatment of persons who are alcoholics or  
0100 drug abusers or are in danger of becoming alcoholics or drug  
0101 abusers. In any county in which there has been organized an  
0102 alcohol and drug advisory committee, the board of county com-  
0103 missioners shall request and obtain, prior to making any ex-  
0104 penditures from the special alcohol and drug programs fund, the  
0105 recommendations of the advisory committee concerning such  
0106 expenditures. The board of county commissioners shall adopt  
0107 the recommendations of the advisory committee concerning  
0108 such expenditures unless the board, by ~~unanimous~~ a majority  
0109 vote of all commissioners, adopts a different plan for such ex-  
0110 penditures.

0111 (f) Each year, the county treasurer shall estimate the amount  
0112 of money the county and each city in the county will receive  
0113 from the local alcoholic liquor fund and from distributions pur-  
0114 suant to K.S.A. 79-41a05 and amendments thereto. The state  
0115 treasurer shall advise each county treasurer, prior to June 1 of  
0116 each year of the amount in the local alcoholic liquor fund that the  
0117 state treasurer estimates, using the most recent available infor-  
0118 mation, will be allocated to such county in the following year.  
0119 The county treasurer shall, before June 15 of each year, notify

0120 the treasurer of each city of the estimated amount in dollars of  
0121 the distribution to be made from the local alcoholic liquor fund  
0122 and pursuant to K.S.A. 79-41a05 and amendments thereto.  
0123 Sec. 2. K.S.A. 1986 Supp. 79-41a04 is hereby repealed.  
0124 Sec. 3. This act shall take effect and be in force from and  
0125 after its publication in the statute book.





## **McPHERSON COUNTY**

**TESTIMONY ON HOUSE BILL NO. 2512  
BEFORE THE HOUSE LOCAL GOVERNMENT COMMITTEE**

**BY**

**RICHARD R. COBB, MCPHERSON COUNTY TREASURER  
ON BEHALF OF  
THE BOARD OF MCPHERSON COUNTY COMMISSIONERS  
March 5, 1987**

The significance of the implications of House Bill No. 2512 has prompted the following statement of concern by McPherson County. We believe that the strong home rule powers enjoyed by Kansas Counties should be protected by the legislature. County governments need the flexibility to respond to the unique needs and concerns articulated by their constituents. The changes suggested by House Bill No. 2512 severely impacts the power of individual counties, as exercised by the Board of County Commissioners, to manage their own affairs. What may be appropriate for Thomas County, may not be valuable to McPherson County.

Secondly, the prospect of not being able to diminish the salaries of elected department heads, due to performance concerns or changes in job responsibilities, does not appear to be timely. County government must continue its efforts to increase effectiveness and efficiency. The lack of flexibility insured by the provisions of this bill does not bode well for these efforts. Additionally, we currently evaluate the performance of all 130 county employees on a yearly basis. It is appropriate that the salaries paid to elected department heads should also be tied to their performance.

We urge the Committee to reject House Bill No. 2512 as an inappropriate removal of decision-making powers from the local governing body. If we are to achieve effective local government, the solution lies with the officials elected by the people to administer and govern the county. It is important that the legislature support county government's efforts to run their own shop.

*Attachment 3  
3-5-87*

### **MCPHERSON COUNTY COMMISSIONERS**

McPherson County  
Courthouse

John C. Magnuson, Chairman  
District 1

John W. Casebeer  
District 2

Tony Wedel  
District 3

P.O. Box 676  
Phone No. 316-241-8149

5 March 1987

**House Local Government Committee**  
**Representative Ivan Sand, Chair**  
**Representative Robert D. Miller, Vice-chair**

Hearing on House Bill 2537, authorization of fees to be charged  
for library cards.

Conferees:

Duane Johnson, State Library  
Clifford Holland, Chair, Library Advisory Commission  
Margaret Gates, Manhattan  
Mildred Loeffler, Manhattan  
James Marvin, Topeka  
Richard Rademacher, Wichita  
Betty Cattrell, Haysville  
Dan Masoni, Emporia  
Melanie Miller, Hays

*Attachment 4*  
*3-5-87*

5 March 1987

**House Local Government Committee**  
**Representative Ivan Sand, Chair**  
**Representative Richard D. Miller, Vice-chair**

Hearing on House Bill 2537, authorization of fees to be charged for library cards.

Remarks from Duane Johnson, State Librarian

1. The authorization for a library board to charge for a library card, which with this legislative action could be construed as an encouragement for such a charge, is a violation of a fundamental principal of the public library's role in a democratic society which is to allow the public free access to information.

A fee for basic library services will keep some citizens from using the library. Those who would be denied are frequently those who most need the library's services for education, information related to work training and other forms of self improvement.

Free access to the local library helps keep an informed and educated electorate, a service which is essential to the operation of a democratic society.

2. The American Library Association and the Kansas Library Association have declared policy identifying the importance of free access to information through libraries.
3. Kansas law and regulation identifies the principal of free access and directs the availability of this access to inhabitants of each municipality in which a library is maintained.
4. Federal law endorses the principal of free access to libraries by identifying in the Library Services and Construction Act that a criterion for eligibility for a library's use of federal support is that the library, "serve free of charge all residents of a community, district or region."

5 March 1987

**House Local Government Committee**  
**Representative Ivan Sand, Chair**  
**Representative Robert D. Miller, Vice-chair**

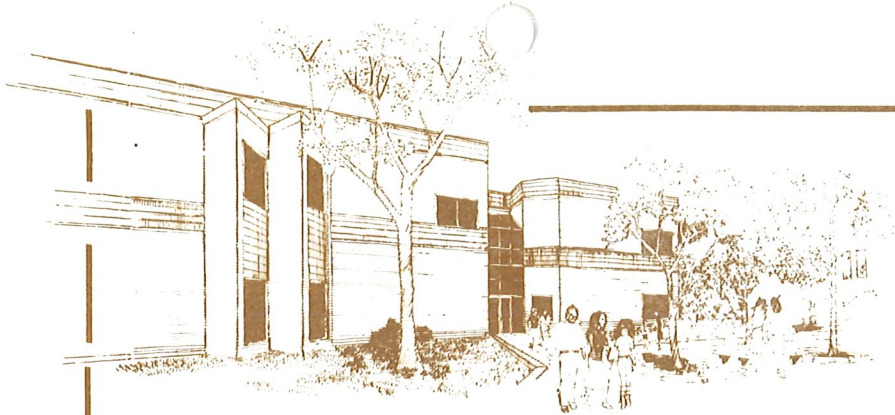
Hearing on H.B. 2537, authorization of fees to be charged for library cards.

AMERICAN LIBRARY ASSOCIATION POLICY STATEMENT OPPOSES USER FEES FOR LIBRARY CARDS.

"ALA Policy 50.4. FREE ACCESS TO INFORMATION

The American Library Association asserts that the charging of fees and levies for information services, including those services utilizing the latest information technology, is discriminatory to publicly supported institutions providing library and information services.

The American Library Association shall seek to make it possible for library and information service agencies which receive their major support from public funds to provide service to all people without additional fees and to utilize the latest technological developments to insure the best possible access to information, and ALA will actively promote its position on equal access to information."



March 5, 1987

Representative Ivan Sand, Chairman  
House Local Government Committee  
State Capitol  
Topeka, KS 66612

Dear Representative Sand,

I would like to thank you for the opportunity to confer on House Bill 2537. The Emporia Public Library Board has asked that I convey its opposition to the bill.

The Board feels that the imposition of user fees on taxpayers who already support the library's yearly operating budget as well as a 20-year bond which financed a new facility would betray its public trust. The Board further feels that the bill, if passed, would ultimately denigrate the climate for economic development by restricting the free flow of ideas and lowering the quality of life in Emporia.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel Masoni".

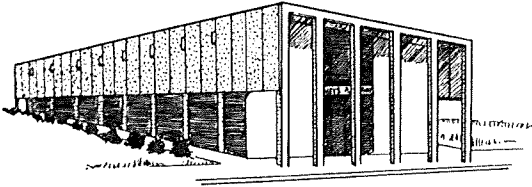
Daniel Masoni  
Director

DM/jc

110 east sixth avenue, emporia, ks 66801 • 316/342-6524

Emporia Public Library

Attachment 5  
3-5-87



# HAYS PUBLIC LIBRARY

1205 Main Street  
HAYS, KANSAS 67601-3693  
(913) 625-9014  
Melanie Miller, Library Director

TESTIMONY REGARDING HB 2537 BY MELANIE MILLER, LIBRARY DIRECTOR,  
HAYS PUBLIC LIBRARY, 3/5/87

PAYING TO BORROW A BOOK FROM YOUR HOME TOWN LIBRARY STRIKES DOWN AN AMERICAN TRADITION WHICH HAS EXISTED SINCE THE CREATION OF THIS COUNTRY. THE PUBLICLY-SUPPORTED LIBRARY EXISTS TO PROVIDE FREE AND EQUAL ACCESS TO BOOKS AND OTHER EDUCATIONAL RESOURCES. ANDREW CARNEGIE FUNDED LIBRARIES ACROSS THIS STATE AND ACROSS THIS NATION SO THAT AMERICANS WOULD NOT HAVE TO PAY FOR THE OPPORTUNITY TO READ.

AT THE HAYS PUBLIC LIBRARY LAST YEAR, OUR USAGE ROSE BY 22,385 LOANS. THE GREATEST PERCENTAGE OF THESE LOANS CAME FROM CHILDREN, WHOSE TEACHERS INFORM US THAT THE PUBLIC LIBRARY PROVIDES THE ONLY RECREATION THAT THE FAMILIES OF THESE CHILDREN CAN AFFORD. THESE FAMILIES HAVE ALREADY SUPPORTED THE LIBRARY WITH THEIR TAX DOLLARS.

IN HIS RECOMMENDATIONS CONCERNING KANSAS ECONOMIC DEVELOPMENT POLICY, ANTHONY REDWOOD EMPHASIZED THAT COMMITMENT TO, AND SUPPORT OF EDUCATION MUST BE RETAINED. DENYING CHILDREN THE OPPORTUNITY TO READ IS COUNTERPRODUCTIVE TO AN INFORMED AND PROGRESSIVE CITIZENRY. AS VALLERY-RADOT OBSERVED, "CHANCE FAVORS ONLY THE MIND THAT IS PREPARED."

THANK YOU FOR THE OPPORTUNITY TO MAKE THESE OBSERVATIONS TO THE HOUSE LOCAL GOVERNMENT COMMITTEE.

*Melanie Miller*

*Attachment 6*  
*3-5-87*

# Walter E. Racker IV

406 E. Cloud

Salina, Kansas 67401-6406

(913) 825-2017

March 5, 1987

Thank you for giving me the opportunity to share my views with you today. By way of introduction, I am Chair of our library's special Task Force on Long-Range Planning, and also Vice-President of Friends of the Salina Public Library, but I am speaking today as a fellow library patron and life-long bibliophile concerned about preserving our State's proud heritage of a free access of information to its citizenry.

I oppose House Bill number 2537 for three reasons - because it is fiscally unwise; it is socially wrong; and it is morally reprehensible. It is fiscally unwise because any immediate cash benefits accruing from the sale of patron cards would be offset by many long-term costs associated with the resultant decrease in library utilization.

It is fiscally unwise because studies have shown that communities with a well-read and well-educated public have lower costs from crime, public assistance, poverty and mental health disorders.

It is fiscally unwise, because the towns in Kansas must compete fiercely with communities all across America not only for families but also for new businesses and industries looking for favorable locations. It is a well-known fact that such decisions are often made on the basis of the quality of schools, parks, libraries and community theatres. An under-used and ill-funded library can be a major contributing factor in the loss of new jobs.

It is socially wrong because it assumes that the costs of library use should be borne by the users, when in fact, good libraries and high levels of literacy benefit the community at large and should be paid for by the public, just as are schools, police and fire protection.

This bill is socially wrong because it can be a significant first step in the creation of a two-class society, those who can and those who cannot read. Literacy experts project that, given our current trends, only 3 in 10 Americans will be able to read at a normal, adult level by the year 2000. It has been said that by the end of the 1990's, our teenagers will be able to pilot a space shuttle, but will not be able to write a post card home describing the trip. Our literacy rates are lagging far behind the Japanese and many of our European friends. We must do all within our power to encourage more reading by our citizens, not less.

It is socially wrong, because we are moving in a direction in which information is becoming a commodity available only to the fortunate few with money. Our "Age of Information" gives us ready access to more than 3100 electronic data-bases for those with computers to access these banks. One study has shown that the average such search in a data-base costs \$12.00 and can often run to several hundred dollars. And some information specialists are even questioning the need for libraries at all, since it is obvious that everything one needs to know can be accessed by computer. We must ensure that in Kansas, knowledge is something freely sought and freely given.

Attachment 7  
3-5-87

Finally, I have a conviction that this bill is morally reprehensible because it countermands our sense of values and commonsense, long a hallmark of midwestern thought. Daniel Boorstin, Librarian of Congress, testified before the Congress last fall amidst attempts by the current administration to close up the library at night. He likened this to the burning of the great ancient library at Alexandria, by saying "Historians will not fail to note that a people who could spend \$300 billion on their defense... could not even keep their libraries open at night."

I submit to you that the voters of Kansas will not fail to note that a state legislature that can spend millions of dollars a year on the lottery and parimutuel betting can not keep its libraries open to all who need them.

I acknowledge that the solution to the problem of library funding is not an easy one, but our fine state has not shied away from difficult problems in the past. Alternatives lie in the expansion and development of Friends groups in those libraries without them now, increased memorial donations, and in some cases, increasing the mill levy to the amount for which they are legally chartered. But in a state whose motto has been "To the Stars Through Difficulty," Let us not tell future generations "To the Rear with Complacency."

Respectfully Submitted by:

  
Walter E. Racker IV

March 5, 1987



March 5, 1987  
Presentation by James C. Marvin  
Librarian, Topeka Public Library  
to House Committee on Local Government

I appear before you today to speak against House Bill No. 2537. It is a well intentioned but unwelcome amendment to a basic library statute.

My concern is that public libraries, frequently confronted with pressing financial needs, will be tempted to do the wrong thing for the right reason, in charging for library cards.

The origin and uniqueness of the public library in the United States involves the provisions of free access to residents of the taxing district and ordinarily receiving the bulk of funding from public taxation.

The key element here is access. Kansas would be withdrawing from the concept of free public libraries if this seemingly innocuous and deceptively helpful amendment passes. In a society where public libraries and education have developed side-by-side, the library card is a hallmark of the opportunity for independent learning and has been for well over a century.

Public libraries have had the ability, over the years, to make modest charges for certain convenience services or products, some examples being photocopying fees, and paper and pencil vending machines. The Topeka Public Library makes coin-operated computers available to its users. These modest charges pose no barrier to basic access to information.

Our regional systems of libraries are based on the concept of free access to card holders of any participating library. Charging for cards would cause untold disruption of this progressive plan to provide public library service to all Kansans.

*Attachment 8*  
*3-5-87*

The complex but highly successful interlibrary loan network flourishing now in our State would receive a huge setback if the private and public libraries and schools now participating were to be embroiled in the problem of deciding who pays, under what circumstances, and how to orchestrate such a monumental undertaking. Further, and as important, a breakdown could cause an unfortunate return to unnecessary duplication in purchasing, where sharing lesser used materials is discouraged or stopped.

The Kansas constitution, on financing public education, says "The legislature shall make suitable provision for finance of the educational interest of the state. No tuition shall be charged for attendance at any public school...except such fees or supplemental charges as may be authorized by law."

Our public libraries and schools have long been partners in the educational process. Closing the doors to larger numbers of users, particularly the less fortunate financially, children, older Americans, large families caught in tough cost spirals, will set us back years.

Let us pursue the reasonable financial needs of our public libraries in a direct and realistic manner, one which will assure basic and reliable funding for our very busy libraries, and one which will keep the doors open to all--in the best American tradition.