

Approved April 9, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Senator Audrey Langworthy at
Chairperson

9:12 a.m./~~p.m.~~ on Friday, March 27, 1992 in room 531-N of the Capitol.

All members were present except: Senator Gaines

Committee staff present: Theresa Kiernan, Revisor of Statutes
Elizabeth Carlson, Committee Secretary

Conferees appearing before the committee:

HB 2849 - Topeka/Shawnee County Library

Senator Petty began the discussion by suggesting amendments to SB 2849. The first amendment is that Silver Lake and Rossville libraries would be reimbursed by the Topeka library to make up for lost money from NEKLS, and another amendment for the libraries in Tonganoxie, Basehor and Linwood.

Theresa Kiernan, Revisor of Statutes stated there needs to be a change of title of the bill since it will also include Leavenworth County.

Senator Steineger moved to amend the title of the bill from "Shawnee county" to "certain counties" and striking the words "library districts" and adding "a library district". Motion seconded by Senator Petty. Motion carried.

Senator Petty made a motion to include in the bill the new Section k, page 4 of the balloon, that the Topeka and Shawnee county public library shall pay annually to the Rossville public library and to the Silver Lake public library the sum of money equal to 50% of the annual appropriation of each library for annual operations and maintenance and that the Leavenworth library Board shall pay to the Tonganoxie city library 35% of the amount budgeted for the annual operation, to the Bashor community library district 25% of the amount budgeted for annual operation and to the Lindwood community library 30% of the money budgeted for the annual operation. (Attachment 1) Motion seconded by Senator Steineger. Motion carried.

Senator Steineger moved amendments on page 4 and page 11 of balloon of HB 2849. (Attachment 1) Motion seconded by Senator Petty. Motion carried.

Senator Petty moved to pass HB 2849 favorably as amended. Motion seconded by Senator Steineger. Motion carried.

The meeting adjourned at 9:20 a.m.

HOUSE BILL No. 2849

By Representatives Wagnon and Sebelius

2-4

certain counties

11 AN ACT concerning certain counties ~~Shawnee county~~; authorizing
12 the creation of library districts a library district [; amending
13 K.S.A. 1991 Supp. 19-101a and repealing the existing section.].
14

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

16 Section 1. When used in this act and unless otherwise specifically
17 provided therein:

- 18 (a) "County" means Shawnee county;
19 (b) "city" means the city of Topeka, Kansas;
20 (c) "library district" means all territory located within Shawnee
21 county except that territory located within Rossville township ~~or~~ and
22 Silver Lake township;
23 (d) "board" means the library board of trustees appointed pur-
24 suant to the provisions of this act;
25 (e) "library" means a library which serves the general public and
26 is supported in whole or in part with tax money and shall be called
27 the ~~Topeka/Shawnee county~~ Topeka and Shawnee county public
28 library;
29 (f) "governing body" means the governing body of a city or the
30 board of county commissioners of a county; and
31 (g) "maintenance and support" means the general and usual cost
32 and expense of operating a library.

33 Sec. 2. (a) ~~The proposition to establish a library district may~~
34 ~~be submitted to the electors of the county by resolution of the~~
35 ~~governing body, and shall be submitted upon presentation of~~
36 ~~a petition signed by 10% of the qualified electors of the county.~~
37 ~~Such proposition shall be submitted at the next primary or~~
38 ~~general election of the city or county following adoption of the~~
39 ~~resolution or presentation of the petition. The board of trustees~~
40 ~~of the Topeka public library may adopt a resolution proposing to~~
41 ~~create a library district. A copy of such resolution shall be filed~~
42 ~~with the county election officer who shall call and hold an election~~
43 ~~thereon. Such election shall be called and held in the manner~~

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A# I

1 county, to purchase or lease a site or sites and to lease or erect a
2 building or buildings for the use of the library;

3 (c) to acquire by purchase, gift or exchange, books, magazines,
4 papers, printed materials, slides, pictures, films, projection equip-
5 ment, phonograph records and other material and equipment
6 deemed necessary by the board for the maintenance and extension
7 of modern library service;

8 (d) to employ a librarian and such other employees as the board
9 deems necessary and to remove them and to fix their compensation;

10 (e) to establish and maintain a library or libraries and traveling
11 library service within the district or within any other municipality
12 with which service contract arrangements have been made;

13 (f) to contract with other libraries or with the governing body of
14 a municipality ~~not maintaining a public library~~ for the furnishing
15 of library service to the inhabitants of such municipality to the extent
16 and upon such terms as may be agreed upon, and to contract with
17 any school board to furnish library service to any school library or
18 to use the library facilities of the public school to supplement the
19 facilities of the public library;

20 (g) to receive, accept and administer any money appropriated or
21 granted to it by the state or the federal government or any agency
22 thereof for the purpose of aiding or providing library service;

23 (h) to receive and accept any gift or donation to the library and
24 administer the same in accordance with any provisions thereof. If
25 no provisions are specified, the board shall have the power to hold,
26 invest or reinvest the gift and any dividends, interest, rent or income
27 derived from the gift in the manner the board deems will best serve
28 the interests of the library;

29 (i) to make annual reports to the state librarian and the governing
30 body of the city and county on or before January 31 of each year
31 for the preceding calendar year, showing receipts and disbursements
32 from all funds under its control, and showing such statistical infor-
33 mation relating to library materials acquired and on hand, number
34 of library users, library services available, and other information of
35 general interest as the governing body requires; ~~and~~

36 (j) ~~as to place money received from sources other than a tax levy~~
37 ~~for library purposes, in its discretion, to place such money in a~~
38 ~~separate fund or funds, or to place the money or in the fund to~~
39 ~~which the tax levy money is credited unless the grantor or donor~~
40 ~~directs how and for what purpose the money shall be handled and~~
41 ~~spent.~~

42 Sec. 8. (a) The board shall prepare, publish and approve an annual
43 budget for the maintenance and support of the library and may

and

(k) subject to the provisions of (f), the Topeka and Shawnee county public library shall pay annually to the Rossville public library and to the Silver Lake public library the sum of money equal to 50% of the annual appropriation each such library receives from its respective board of township trustees for annual operations and maintenance. The first such payment shall be made payable and delivered to the Rossville public library and to the Silver Lake public library on or before the 31st day of March first following the election conducted pursuant to section 2, and on the same day of each year thereafter. Such payments shall be in lieu of annual grants such township libraries receive from the northeast Kansas library system.

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1 Supp. 12-1225a, 12-1225b and 12-1225c, and amendments thereto,
2 or the provisions of sections 1 to ~~11~~, inclusive, of this act.

12

3 [(20) Counties may not exempt from or effect changes in the
4 provisions of K.S.A. 19-211, and amendments thereto.

5 [(21) Counties may not exempt from or effect changes in the
6 provisions of K.S.A. 19-4001 to 19-4015, inclusive, and amendments
7 thereto.

8 [(22) Counties may not regulate the production or drilling of
9 any oil or gas well in any manner which would result in the du-
10 plication of regulation by the state corporation commission and the
11 Kansas department of health and environment pursuant to chapter
12 55 and chapter 65 of the Kansas Statutes Annotated and any rules
13 and regulations adopted pursuant thereto. Counties may not require
14 any license or permit for the drilling or production of oil and gas
15 wells. Counties may not impose any fee or charge for the drilling
16 or production of any oil or gas well.

17 [(23) Counties may not exempt from or effect changes in K.S.A.
18 19-2920, and amendments thereto.

19 [(24) Counties may not exempt from or effect changes in K.S.A.
20 79-41a04, and amendments thereto.

21 [(b) Counties shall apply the powers of local legislation granted
22 in subsection (a) by resolution of the board of county commissioners.
23 If no statutory authority exists for such local legislation other than
24 that set forth in subsection (a) and the local legislation proposed
25 under the authority of such subsection is not contrary to any act
26 of the legislature, such local legislation shall become effective upon
27 passage of a resolution of the board and publication in the official
28 county newspaper. If the legislation proposed by the board under
29 authority of subsection (a) is contrary to an act of the legislature
30 which is applicable to the particular county but not uniformly ap-
31 plicable to all counties, such legislation shall become effective by
32 passage of a charter resolution in the manner provided in K.S.A.
33 19-101b, and amendments thereto.

34 [Sec. ~~13~~-[14]. K.S.A. 1991 Supp. 19-101a is hereby repealed.]

35 Sec. ~~14~~-~~12~~-[15]. This act shall take effect and be in force from
36 and after its publication in the statute book.

Attachment 1-3
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