

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 204** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 20-3127 is hereby amended to read as follows: 20-3127. (a) Except as provided further, all fees collected pursuant to K.S.A. 20-3126, and amendments thereto, shall be used to establish and maintain the county law library. A board of trustees, appointed as provided in this section, shall have the management and control of such library and shall use the fees paid for registration, and all other sums, books, or library materials or equipment donated or provided by law, for the purpose of establishing and maintaining such library. Such library shall be established or maintained in the county courthouse or other suitable place to be provided and maintained by the county commissioners of such county, including acquiring and maintaining materials and technology that may, at the discretion of the board of trustees, be loaned to library users for use outside the premises of the library. The district judge or district judges of the district court, members of the bar who have registered and paid the fee provided for in K.S.A. 20-3126, and amendments thereto, judges of all other courts in the county and county officials shall have the right to use the library in accordance with the rules and regulations established by the board of trustees. The board of trustees shall develop guidelines to provide members of the public reasonable access to the law library.

(b) (1) The board of trustees of any law library established or governed under this act in Johnson, Sedgwick and Douglas counties shall consist of the following five members:

(A) Two judges of the district court, appointed by a consensus of all judges of the

district court in such county; and

(B) three members of such county's bar association, appointed by selection of the county bar association pursuant to the county bar association's bylaws for two-year terms.

(2) The board of trustees of the law library in all other counties shall consist of the district judge or judges of the district court presiding in such county and ~~not less~~ fewer than two attorneys ~~who shall be elected for two-year terms by a majority of the attorneys residing in the county~~ reside in such county, appointed by the chief judge of the judicial district.

(c) The clerk of the district court of the county shall be treasurer of the library and shall safely keep the funds of such library and disburse them as the trustees shall direct. The clerk shall be liable on an official bond for any failure, refusal or neglect in performing such duties.

(d) The board of county commissioners of any county designated an urban area pursuant to K.S.A. 19-2654, and amendments thereto, ~~wherein in which~~ in which an election has been held to come under the provisions of this act is hereby authorized to appoint, by and with the advice and consent of the board of trustees of the law library of such county, a librarian, ~~who and~~ and library assistants as are necessary to perform the duties of administering the law library. Such librarian shall act as custodian of the law library of such county and shall assist in the performance of the clerk's duties as treasurer ~~thereof, and such assistants as are necessary to perform the duties of administering the law~~ of the library. The librarian and any assistants so appointed shall be employees of the county under the supervision of the board of county commissioners, or the board's designated official, with the advice and recommendations of the board of trustees of the law library, and shall be subject to the personnel policies and procedures established by the board of county commissioners for all employees of the county. The librarian and any assistants shall receive as compensation such salaries and benefits as established by the

law library board of trustees, subject to the approval of the board of county commissioners, ~~which~~. Such salaries and benefits shall be payable from the general fund of the county, through the county payroll process, from funds budgeted and made available by the law library board of trustees for that purpose through the collection of fees or other funds authorized by this act.

(e) All attorneys registered under this act shall not be liable to pay any occupational tax or city license fees levied under the laws of this state by any municipality.

(f) (1) Except as provided by subsection (f)(2), the board of trustees of a county law library established pursuant to this section may authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126 and 20-3129, and amendments thereto, for the purpose of facilitating and enhancing functions of the district court of the county. No judge shall participate in any decision made by the board of trustees of a county law library pursuant to this paragraph to authorize the chief judge of the judicial district to use fees collected pursuant to K.S.A. 20-3126 and 20-3129, and amendments thereto.

(2) The provisions of subsection (f)(1) shall not apply to the board of trustees of any law library established in Johnson and Sedgwick counties.";

On page 2, in line 40, before "K.S.A." by inserting "K.S.A. 20-3127 and"; also in line 40, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "court records" and inserting "courts; relating to county law libraries; providing that the attorney members of the board of trustees of the county law library in certain counties shall be appointed by the chief judge of the judicial district; allowing the board to authorize the chief judge to use certain fees for the purpose of facilitating and enhancing functions of the district court of the county"; in line 3, after "amending" by

inserting "K.S.A. 20-3127 and"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate