

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Barbara P. Allen at 1:30 p.m. on March 7, 2002 in Room 245-N of the Capitol.

All members were present except: Senator Schmidt- excused

Committee staff present: Ken Wilke, Revisor of Statutes
Mike Heim, Legislative Research
Dennis Hodgins, Legislative Research
Nancy Kirkwood, Committee Secretary

Conferees appearing before the committee: Representative Michael O'Neal
Representative Tom Sloan
Elmer Ronnebaum, General Mgr., KS Rural Water Association
Melissa Wangemann, Legal Counsel, Secretary of State
Jody Boeding, Unified Government, Wyandotte County,
Kansas City, Kansas

Others attending: See attached list.

Hearing on HB 2670 - Townships, Officers who also are employees, restrictions

Representative Michael O'Neal appeared as a proponent of the bill. **HB 2670** would stop board members who are also township employees from voting on their own pay increases (Attachment 1).

There were no opponents to the bill.

With no others wishing to testify, the hearing on **HB 2670** was closed.

Hearing on HB 2607 - Concerning certain rural water districts; authorizing certain elections to be held by mail ballot

Representative Tom Sloan appeared as a proponent of **HB 2607**. The bill would allow rural water districts to hold mail-in ballot elections if they chose (Attachment 2).

Elmer Ronnebaum, General Manager of Kansas Rural Water Association, appeared as a proponent of the bill. He stated the bill would allow greater involvement in elections by citizens in the district (Attachment 3).

There were no opponents to the bill

With no other testimony on the bill, the hearing on **HB 2607** was closed.

Hearing on HB 2761 - Election procedures; voting by felons

Melissa A. Wangemann, Legal Counsel for the Secretary of State's Office, appeared as a proponent of **HB 2761**. The bill would clarify the voting rights of felons and resolve contradictions in the language of three existing state statutes and the state Constitution (Attachment 4).

Request by Chairperson Allen for Melissa Wangemann to furnish the Committee information from the Office of Judicial Administration on notification to Secretary of State's Office about felony convictions.

There were no opponents to the bill.

With no other testimony on the bill, the hearing on **HB 2761** was closed.

Hearing on HB 2781 - Libraries; administration of library funds

Jody Boeding, Assistant Counsel for the Unified Government of Wyandotte and Kansas City, Kansas, appeared as a proponent of the bill. The bill would allow the County to transfer funds directly to libraries rather than first

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS AND LOCAL GOVERNMENT at on March 7, 2002 in Room 245-n of the Capitol.

going through the Library Board, allowing funds to arrive at intended locations faster (Attachment 5).

Written testimony in favor of **HB 2781** was distributed from Kay Shevling, Chair of the Unified Government Library Board (Attachment 6).

There were no opponents to the bill.

With no other testimony on the bill, the hearing on **HB 2781** was closed.

Adjournment

The meeting was adjourned by the Chair at 2:05pm.

The next meeting is scheduled for Tuesday, March 12, 2002.

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

MICHAEL R. (MIKE) O'NEAL

104TH DISTRICT
HUTCHINSON / NORTHEAST RENO COUNTY

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CHAIRMAN:
JUDICIARY COMMITTEE
REDISTRICTING COMMITTEE

MEMBER:
KANSAS FUTURES
FISCAL CLERKS SIGHT
UNIFORM LAW COMMISSION
KANSAS JUDICIAL COUNCIL

TESTIMONY ON H.B. 2670

COMMITTEE ON ELECTIONS & LOCAL GOVERNMENT

March 7, 2002

Chairman Allen and members of the Committee, thank you for your consideration of H.B. 2670. At first blush, I'm sure many of you are asking why this bill is needed. One would assume that the behavior which is the subject of the bill is already prohibited. That was certainly what one of my local township board members thought. However, after contact with the Governmental Ethics Commission and the Attorney General's Office, he found that there was apparently no rule or statute prohibiting one of his co-board members who was also a township employee from voting himself a pay raise. Of the three-member board all the employee needed was the vote of another board member.

My constituent board member's concern was first raised when his co-board member was hired as a township employee. The issue raised in that circumstance was the subject of the attached Attorney General's opinion. The A.G. opined that it was not a violation of the conflict of interest laws to hire a board member and that the common law rule of incompatibility of offices had been statutorily abrogated with the statute allowing board members to be hired as township road overseer.

My constituent's current concern is not so much that a board member may also be an employee, it's the fact that since the hiring of the board member he has sought and obtained two pay increases for himself with little or no justification or substantiation and the concerned board member has been powerless to do anything about it. Hence, the proposed bill would prohibit the board-member employee from actually voting on his own pay increase.

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Senate Elec & Loc Gov
03-07-02
Attachment 1



State of Kansas

Office of the Attorney General

120 S.W. 10th Avenue, 2ND FLOOR, TOPEKA, KANSAS 66612-1597

CARLA J. STOVALL
ATTORNEY GENERAL

September 13, 2001

MAIN PHONE: (785) 296-2215
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The Honorable David Kerr
State Senator, 34th District
Box 2620
Hutchinson, Kansas 67504

Re: Roads and Bridges--County and Township Roads--Township Road Overseer; Assistants;
Compensation

Statutes; Administrative Rules and Regulations and Procedure--Statutes--Common Law

Dear Senator Kerr:

As Senator from the 34th district, you inform us that in your district a township board member is also a township employee who performs road work. However, we were not informed whether this township board member is employed as the township overseer or as an assistant to the overseer. You further inform us that this township board member voted with one other township board member to raise his hourly rate of pay for doing township road work. In light of this situation you ask whether this action of the township board member constitutes a violation of K.S.A. 75-4301 *et seq.*, the Kansas Conflict of Interest Act, or common law conflict of interest principles. Additionally, if it is determined a conflict of interest exists, you ask our advice on an appropriate remedy.

Initially we note that K.S.A. 2000 Supp. 75-4303a places the responsibility for issuing advisory opinions concerning the Kansas Conflict of Interest Act on the Kansas Commission on Governmental Ethics. Consequently, you may wish to address your first question to the Commission. However, for your guidance we draw your attention to K.S.A. 75-4304:

"(a) No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the *making of a contract* with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest.

"(b) No person or business shall *enter into any contract* where any local governmental officer or employee, acting in that capacity, is a signatory to or a participant in the making of the contract and is employed by or has a substantial interest in the person or business." (Emphasis added.)

Since the township board member serves as an employee it does not appear that any contract is involved, and thus it does not appear that the Kansas Conflict of Interest Act would be applicable to the situation you describe.

We now turn to an examination of the situation presented in relation to common law principles. The term "conflict of interest" is sometimes used to indicate what is also referred to as incompatibility of office. General authorities provide assistance in determining when the nature and duties of two offices or positions are inconsistent, so as to render them incompatible.

"A conflict of interest exists where one office is subordinate to the other, and subject in some degree to the supervisory power of its incumbent, or where the incumbent of one of the offices has the power of appointment as to the other office or has the power to remove the incumbent of the other to punish the other. Furthermore, a conflict of interest may be demonstrated by the power to regulate the compensation of the other, or to audit his accounts."

Based on this common law principle, this office has issued two previous opinions concerning a township board member serving as an employee of the township.

In 1979 Attorney General Stephan opined that the doctrine of incompatibility did not prevent the appointment of a township board member as an assistant to the township road overseer.¹

In 1995 we addressed the myriad of compensation statutes applicable to township board members.² Part of the opinion was based on the then-current version of K.S.A. 68-500 which specifically provided that in townships of less than 500, the township trustee, by unanimous vote, could be appointed to serve as the township road overseer. In that respect we opined that it may create an incompatibility to allow township board members to appoint themselves to the position of road overseer and then pay themselves a reasonable compensation for the work. Thus the opinion concluded that, except in townships with a population under 500, persons may not simultaneously hold the positions of township board member and township road overseer.

The 1996 Legislature amended the many statutes relating to the compensation of township board members.³ In the process of amending township compensation statutes, the Legislature validated "legislative recognition that in certain instances it may be necessary and appropriate to employ township board members to effect construction, repair or maintenance of township roads."⁴ The current versions of the statutes applicable to your question provide:

¹ Attorney General Opinion No. 79-242 (copy enclosed).

² Attorney General Opinion No. 95-113 (copy enclosed).

³ L. 1986, ch. 184 (copy enclosed).

⁴ Attorney General Opinion No. 79-242.

"The township board, with the approval of the county engineer, shall appoint, on merits only, a competent experienced road builder for road overseer for the entire township. The township road overseer shall have charge of the construction and maintenance of all township roads, bridges and culverts, under the supervision of the township board and the county engineer. When in the opinion of the county engineer the conditions demand it, the overseer may appoint one or more competent assistants, subject to the approval of the township board. *The township board may designate a member of the township board to act as road overseer.* Compensation and the cost of benefits provided to such officer for such work and labor shall be determined by the township board as provided by K.S.A. 80-207, and amendments thereto."⁵

"The compensation of the road overseer and assistants shall be fixed by the township board at such rate as may be reasonable for the time actually employed in the performance of their duties. *In townships where a township board member has been designated as road overseer* under K.S.A. 68-530, and amendments thereto, and when such board member is paid by the day and not by contract, such board member shall be compensated in an amount determined by the board as provided by K.S.A. 80-207, and amendments thereto. Before entering upon such duties, the overseer shall give bond unto the township, with surety to be approved by the township board, in the sum of \$1,000, conditioned upon the faithful discharge of such duties and the protection, care and return of all property of the township which may come into the overseer's custody. *The township overseer and any assistants, if any, shall hold office at the pleasure of the township board.*"⁶

"(a) The township officers of any township shall be reimbursed for any expenses incurred while actually and necessarily attending to township business.

"(b) Members of the township board shall receive compensation for their services while actually and necessarily conducting township business.

"(c) The township board, by adoption of a resolution, may fix the amount of compensation to be received by the members of the board. Such resolution shall be published at least once each week for two consecutive weeks in a newspaper of general circulation within the township. If the total amount of compensation to be received annually by each member of the board is \$100 or less, such resolution shall not be required to be published and shall be effective upon adoption of the resolution.

A resolution providing for an increase in compensation shall not be effective until 30 days following the date of the last publication of the resolution."⁷

⁵K.S.A. 2000 Supp. 68-530 (emphasis added).

⁶K.S.A. 2000 Supp. 68-531 (emphasis added).

⁷K.S.A. 80-207.

As to a township board member who is employed as the township road overseer, we are thus brought to the conflict between these Kansas statutes and common law principles related to incompatibility of office and conflict of interest as determined by the 1995 Attorney General opinion. The conflict is, however, easily resolved.

"From the earliest days of Kansas history, flexibility in the common law has been carefully preserved (G.S. 1949, 77-109).⁸ Indeed, the great office of statutes is to remedy defects in the common law as they are developed and to adapt it to the changes of time and circumstances. That the legislature may change the principle of the common law and abrogate decisions made thereunder when in its opinion it is necessary to the public interest is well settled."⁹

Thus, "when a statute conflicts with the common law, the statute, of course, controls."¹⁰

Specifically in response to your questions, as this office opined in 1979, the doctrine of incompatibility does not prevent the appointment of a township board member as an assistant to the township road overseer. In the absence of a statute to the contrary, the doctrine of incompatibility would prevent the appointment of a township board member as the township road overseer. However, the Kansas Legislature abrogated this common law doctrine through enactment of statutes that specifically authorize the appointment of a township board member as the township road overseer. Any action to modify this authorization would require legislative action.

Very truly yours,



Carla J. Stovall
Attorney General

CJS:CN:jm
Enclosures

⁸Now K.S.A. 77-109.

⁹*Board of County Commissioners of Neosho County ex rel. Board of Trustees, Neosho Memorial Hospital v. Central Air Conditioning Co., Inc.*, 235 Kan. 977, 982-83 (1984), quoting *Williams v. City of Wichita*, 190 Kan. 317, 331-32 (1962).

¹⁰*Id.* at 981.

TOM SLOAN
REPRESENTATIVE, 45TH DISTRICT
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TOPEKA

HOUSE OF
REPRESENTATIVES

TESTIMONY
HOUSE BILL 2607
SENATE ELECTIONS & LOCAL GOVERNMENT COMMITTEE
February 7, 2002

Madam Chairman and Committee Members:

Rural Water Districts are quasi-governmental units developed by the citizens who desire safe drinking water, approved by the appropriate county commissions, and regulated by the Department of Health and Environment. They do not have taxing authority, but rely on the sale of water and other services for operating funds.

Under current law, members of a Rural Water District's Board of Directors are elected at their annual meeting and generally serve without pay. As many of you know, I have served as Chairman of Douglas County Rural Water District #1 for many years. During the almost 20 years that I have been a board member, the largest number of patrons to attend an annual meeting was 40. The average number to attend (excluding board members, district staff, and our spouses) is six. For the past few years, only two persons have attended. District #1 has more than 400 meters (roughly 800 adult patron customers).

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Attachment 2

(RWD #1 generally has less than 1 percent of its eligible members participate in board elections. The 40 persons who attended a meeting were concerned about the impact of KDOT actions on district operations. Once they were assured that the district was not adversely impacted, most left.)

Low attendance at Rural Water District annual meetings is not confined to my district. Unless there is a major problem, patrons do not attend. The reality is that with so few persons attending annual meetings, board members can largely re-elect themselves or their successors.

HB 2607 was suggested to me by a constituent as a means of increasing patron participation in Rural Water District board elections. I checked with several other water district board representatives and they concurred. A copy of a letter from the RWD serving my constituent reports that they had previously sought an Attorney General's opinion regarding their ability to conduct such an election without legislative approval. The General concluded that such elections would not be legal without legislative authorization.

This is a simple bill that will permit, but not require, Rural Water Districts to conduct their annual director elections by mail ballot. The expectation is that additional persons will participate and that the resulting boards will be more representative of their patrons.

I appreciate your attention and consideration of HB 2607; and will be pleased to respond to any questions.

Tom Sloan, 45th District Representative

Rural Water District #5-Douglas County
295 E 550 Rd
Overbrook, KS 66524

11-28-2001

Alvin Fishburn
977 E 650 Rd
Lawrence, KS 66047

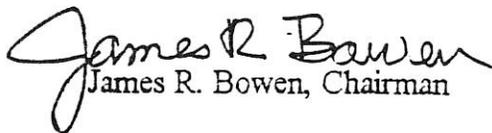
Dear Alvin,

Earlier this year, the Board of Directors of Rural Water District #5, Douglas County requested clarification from the Kansas attorney general as to whether rural water districts could use mail-in ballots from qualified patrons to elect directors. The attorney general ruled that Kansas statutes did not allow the use of mail-in ballots for rural water districts.

The board understands that State Representative Thomas Sloan has agreed to initiate hearings on this issue in 2002, and that you are scheduled to testify before the relevant House committee or sub-committee in support of enabling legislation. Members of our board support any changes in state law to allow use of mail-in balloting in electing directors of rural water districts. Anecdotal information from other water districts suggests that many annual meetings, which are when directors are chosen, may be attended by as few as 4-5 qualified voters. The flexibility provided by allowing properly administered mail-in balloting could, in some districts, improve the overall quality and accountability of rural water district boards. The legislation should not, of course, prohibit election of directors by those attending annual meetings for rural water districts wishing to do so.

The board appreciates your interest in and support of this matter, and stands ready to assist you in any way we can.

Sincerely,


James R. Bowen, Chairman

cc: Sloan



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COMMENTS ON
HOUSE BILL No. 2607
BEFORE THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE
MARCH 7, 2002

Madam Chairperson and Members of the Committee:

Thank you for the opportunity to present comments on House Bill 2607. I am General Manager of the Kansas Rural Water Association. The Association has 275 rural water districts as members.

The Association supports HB 2607. This bill would provide that rural water districts in Kansas could, if they so chose, to hold elections of directors by mail ballot. Too often, the annual meetings of the rural water districts are held at times which are not convenient for a majority of the customers of the district. Having the advantage mail ballots might allow for broader participation by patrons of the district. If HB 2607 is approved, any rural water district would need to make amendments to their individual bylaws to authorize the ballot by mail procedure.

This same provision is already available to many other types of agencies.

We encourage the Committee to give favorable consideration to HB 2607.

Respectfully submitted,



Elmer Ronnebaum
General Manager

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03-07-02
Attachment 3

RON THORNBURGH
Secretary of State



First Floor, Memorial Hall
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STATE OF KANSAS

Senate Committee on Elections and Local Government Testimony on House Bill 2761

March 7, 2002

Madam Chair and Members of the Committee:

Thank you for the opportunity to testify in support of HB 2761. The Secretary of State proposed this bill to clarify the voting rights of felons. Specifically, it seeks to clarify when and under what circumstances the rights to register and vote are restored to persons convicted of federal or state felonies. Passage of this legislation would resolve a contradiction in the language of three existing state statutes and the state constitution.

K.S.A. 21-4615 was amended in 1996 to say that a person loses the right to register, vote, hold public office, and serve as a juror upon conviction of a felony, and that those rights are restored when the person is discharged from custody. HB 2761 further amends that statute to simplify the language without altering its meaning.

The rule on felons' voting rights articulated in K.S.A. 21-4615 is consistent with the Kansas Constitution, which states in part:

“No person convicted of a felony under the laws of any state or of the United States, unless pardoned or restored to his civil rights, shall be qualified to vote.”

During the past several years we have learned that the loss and restoration of rights were not as simple as stated in K.S.A. 21-4615 and the Kansas Constitution. Other laws on the books, namely K.S.A. 21-4603 and 21-4603d, altered the effect of 21-4615. According to these two statutes, a person convicted of a felony never loses his/her civil rights if sentenced to dispositions not involving custody with the Department of Corrections, such as probation or conservation camp. Similar mitigating language had been deleted from K.S.A. 21-4615 by the 1996 amendments, but the other two statutes were left unchanged.

We propose this legislation because we believe the Legislature made a statement of policy on this issue in 1996, but we as election officials are unable to administer the policy due to the contradictory provisions in K.S.A. 21-4603 and 21-4603d. This bill will establish the consistency needed in the laws so county election officers know whom to disqualify from voting and when to restore the right.

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03-07-02
Attachment 4

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We have consulted with the Department of Corrections, Sentencing Commission, Juvenile Justice Authority, Judicial Council, Public Defender, and the Attorney General in preparing this legislation. None of those agencies has expressed opposition.

Please note that the House Committee on Ethics and Elections amended a technical change into the title of the bill, which does not affect the substance of the bill.

We urge the committee to report House Bill 2761, as amended, favorably for passage, thereby promoting consistency in Kansas statutes and making a clear enunciation of the state's policy on the voting rights of felons.

Thank you for your consideration. I will stand for questions.

Brad Bryant, Deputy Assistant Secretary of State
Elections and Legislative Matters

Melissa A. Wangemann, Legal Counsel
Deputy Assistant Secretary of State



LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS

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Marc Conklin

Testimony Before
Senate Committee on Elections and Local Government
March 7, 2002

House Bill 2781

Testimony on Behalf of
The Unified Government of Wyandotte County/Kansas City, Kansas
In Support of HB 2781
By Jody Boeding, Assistant Counsel

Chairman Allen and Members of the Committee:

On behalf of the Unified Government of Wyandotte County/Kansas, thank you for the opportunity to appear before the Committee today in support of HB 2781. I am an Assistant Counsel for the Unified Government and also act as a staff liaison to the Wyandotte County Library Board.

I have also distributed written testimony from the Chair of the Library Board, Kay Shevling, who was unable to be here today.

The Wyandotte County Library Board is requesting a change in state legislation governing the operation of library boards, specifically, by adding a new subsection (c) to K.S.A. 12-1226, concerning the duties of the treasurer of the Library Board.

K.S.A. 19-101a prohibits counties from chartering out of this statute, even though it is not uniformly applicable to all counties. K.S.A. 12-1226 currently has one section which applies to Johnson County and another section which applies to all other counties. The Wyandotte County Library Board is seeking a change similar but not identical to that applicable to Johnson County. The County Library Board made this request for legislation to the Unified Government, and the Unified Government has endorsed the proposal.

There are many different methods in Kansas for providing library services. Because we have three of the different types in Wyandotte County, one of which is unique in Kansas, we believe the situation warrants specific treatment in the statute. The three different libraries in Wyandotte County are: The County Library; the Kansas City, Kansas Public Library operated by Unified School District #500 (the only public library operated by a school district); and the Bonner Springs City Library. There are three different tax levies

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Attachment 5

for these libraries, none of which overlap. The County Library tax is levied against the areas of the County not otherwise subject to taxation for either the Kansas City, Kansas Public Library or the Bonner Springs City Library.

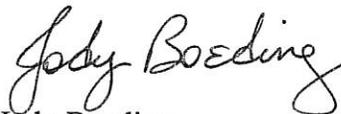
When the County Library Board was first formed in 1964, it briefly operated a separate library, but in 1966 it turned over its books to and since then has contracted with the Kansas City, Kansas Public Library to provide library service to other parts of Wyandotte County in exchange for moneys raised by the library tax levy. For the past two years, the County Library Board has shared the proceeds from the tax levy with both of the operating libraries in the County--the Kansas City, Kansas Public Library and the Bonner Springs City Library. The County Library Board operates no library of its own.

The County Library Board is appointed by the Unified Government Commission, which is our local governing body combining the functions of a County Commission and City Council for Kansas City, Kansas. The Library Board members are volunteers. They do not operate a library. They set the amount of the County library tax levy and then direct where the proceeds of that tax levy will be spent. What they want is to avoid actually having to handle the money. They prefer to direct the Unified Government how to disburse the library tax levy.

Currently the Unified Government, as the tax collector for all the taxing entities in the County, collects the taxes and then is supposed to turn over the amounts collected from the library tax levy to the Library Board treasurer. The treasurer must be bonded. The Library Board treasurer then immediately writes checks to the operators of the two libraries. The proposed legislation would remove the necessity of transferring funds from the County to the Library Board to the libraries and would instead permit the County to transfer the funds directly to the libraries if the Library Board has instructed the County to do so. In this way the Library Board would not need to maintain a bank account or to have its treasurer bonded.

The legislation proposed in House Bill 2781 does not affect the tax levy or the method of financing the libraries. It merely eliminates one of the fund transfer steps in the process of tax collection and distribution. We believe it makes the administration of the library tax dollars more efficient, getting the funds to the intended recipients faster and more easily.

Sincerely,



Jody Boeding
Assistant Counsel



WYANDOTTE COUNTY LIBRARY BOARD

J. Kay Shevling,
Chairperson

James L. Jenkins
Treasurer

Betty T. Roberts
Secretary

Members

Pat Gaunce
Mary Jean Grindel
Nancy Guess
Phylis Hancock
Carroll V. O'Neal
Linda Quinn
Vicky Wheeler
Shari Wilson

**Testimony re: HB 2781, Amendment to K. S. A. 12-1226
Senate Committee on Elections and Local Government
Presented by J. Kay Shevling, Chair
Wyandotte County Library Board
March 7, 2002**

Chairman Allen and Members of the Committee:

My name is Kay Shevling, and, as chair, I represent the newly reconstituted Wyandotte County Library Board.

As you probably know, the citizens of Wyandotte County voted a few years ago to unify the county and Kansas City, Kansas, governments to improve efficiency and cost effectiveness. After the unification, many of the governmental services were examined, and changes were made to effect more accountability in these areas. A Task Force was appointed to study the County Library Board and recommend ways to improve the function and structure of the board to better represent and serve the population.

Wyandotte County is unique in that there are three ways in which library services are offered. The Kansas City School District #500 operates the libraries for Kansas City, and the City of Bonner Springs operates the Bonner Springs City Library. The residents who live outside of these two entities pay a county library tax. This includes residents of Piper School District, Turner School District, and the City of Edwardsville. The City of Edwardsville shares a school district with Bonner Springs, but does not share the Bonner Springs Library tax. However, many of the Edwardsville residents use the Bonner Springs City Library and were interested in seeing that their library taxes support that library. The Task Force worked out a formula using the ratio of Edwardsville residents who use the two library systems and recommended that the county tax paid by Edwardsville residents be divided between the two systems using that ratio.

The Unified Government passed Charter Resolution No. CR-01-99, abolishing the old board and creating a new board to administrate the county library funds as well as to support the library services in the county, monitor those services, and encourage communication and cooperation among the various libraries.

Unified Government Staff Liaison Jody Boeding Legal Department
701 N. 7th Street, Kansas City, Kansas 66101 (913) 573-5060 Fax: (913) 573-5243

*Senate Elec + Loc Gov
03-07-02
Attachment 6*

I am proud to say that the Board is functioning very well and is able to reach consensus on most issues. We all share the goal of providing excellent library services to our community. However, we are in a unique position in that we do not actually operate any libraries. We contract with the above mentioned entities to actually provide the services.

The way K. S. A. 12-1226 was written in 1951, the treasurer of the Board, a volunteer, must be bonded, and this would be done at the expense of the Board. In addition, the Board would have to maintain a checking account. This account would receive funds from the Unified Government's Director of Revenue six times a year, and the County Library Board treasurer would then, immediately write checks to the treasurers of the Bonner Springs City Library and the Kansas City, Kansas School District as directed by the Library Board. This means the account would be empty most of the time.

We feel that this process is both cumbersome, unnecessarily expensive, and inefficient, especially now that electronic transfer is used by most businesses and agencies. The amendment would allow the Director of Revenue to transfer the funds as approved by the Board directly to the treasurers of the two libraries with which the Wyandotte Library Board contracts for services. The funds would be audited adequately when the books of the Director of Revenue and the treasurers of the libraries were audited, and the Board maintains accountability by reviewing statements from the libraries that receive the funds.

Thank you for your time and consideration of this matter.

J. Kay Shevling, Chair
Wyandotte County Library Board