

SENATE BILL No. 59

AN ACT creating the Eudora community library district act.

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

Section 1. (a) This act shall be known and may be cited as the Eudora community library district act.

(b) The purpose of this act is to allow for the city of Eudora to continue being a part of a library district previously established by the city of Eudora and the Eudora township under the provisions of K.S.A. 12-1236 et seq., as in effect in 1968, which allows cities of the third class to join with townships to form a library district. The city of Eudora was declared to be a city of the second class in 2010 and thereafter was not considered part of the library district.

Sec. 2. When used in the Eudora community library district act:

(a) "Eudora community library district" means all territory located within the boundaries of the city of Eudora and the Eudora township; and

(b) "board" means the board of directors of the Eudora community library district appointed pursuant to the provisions of this act.

Sec. 3. (a) The governing body of the city of Eudora and the Eudora township board shall adopt a joint resolution creating a library district. The joint resolution creating the Eudora community library district shall include the following provisions:

(1) The library district board shall be appointed as provided in the joint resolution;

(2) the library district board shall replace the existing Eudora township library board; and

(3) the Eudora community library district shall maintain the Eudora township public library at the discretion of the library district board.

(b) A copy of the joint resolution creating the Eudora community library district shall be filed with the county clerk.

Sec. 4. All contracts previously entered into by the Eudora township library district shall be binding on the Eudora community library district and all outstanding bonds, debts and other obligations of the Eudora township library district shall become an obligation of the Eudora community library district.

Sec. 5. (a) A library district created pursuant to this act shall be governed by a library district board. The board shall consist of five directors who shall be qualified electors of the library district and shall have terms of office as established by the joint resolution. Board members appointed by the Eudora township library board shall continue to serve in their offices as directors of the Eudora community library district board until their respective terms expire and until their successors are appointed by the city of Eudora and the Eudora township as provided in the joint resolution.

(b) Directors serving on the library district board shall receive no compensation, but shall be reimbursed for their actual and necessary expenses in attending meetings and in carrying out their duties as directors.

Sec. 6. (a) Each year the directors serving on the Eudora community library district board shall meet and organize by the election of a chairperson, secretary, treasurer and such other officers as the board may deem necessary by a majority vote. The board shall fix the date and place of its regular meetings. Special meetings may be called by the chairperson or a majority vote of the library district board. Written notice stating the time, place and purpose of any special meeting, unless waived, shall be given to each director at least two days prior to such meeting, and no business other than that stated in the notice shall be transacted at such meeting. The library district board may adopt such bylaws as the library district board may deem appropriate, consistent with the provisions of this act.

(b) The treasurer of the library district board shall give bond, in an amount fixed by the library district board. The bond shall be filed with the Douglas county clerk. Except where otherwise provided by law, the Douglas county treasurer shall pay over to the treasurer of the library district board all funds collected for the maintenance of the library or libraries within the library district, and the treasurer of the library district board shall pay out the funds on orders of the board, signed by the secretary and chairperson of the board. The treasurer of the library district board shall keep an accurate record of all moneys received and disbursed thereby and make a monthly report thereof to the library district board, or as often as the board requires.

Sec. 7. The Eudora community library district shall constitute a body corporate and politic and shall have the power to:

- (a) Enter into contracts;
- (b) sue, and be sued;
- (c) acquire, hold and convey real and personal property;
- (d) make and adopt rules and regulations for the administration of the library district;
- (e) lease a site or sites and to lease a building or buildings for library purposes;
- (f) acquire material and equipment deemed necessary by the library district board for the maintenance and extension of modern library service;
- (g) employ one or more librarians and such other employees as the library district board deems necessary;
- (h) establish and maintain a library and traveling library service within the library district or within any other municipality with which service contract arrangements have been made;
- (i) contract with other libraries or the governing body of a municipality for the furnishing of library service to the residents of the municipality and contract with any school board to furnish library service to any school library or to use the library facilities of the public school to supplement the facilities of the public library;
- (j) receive, accept and administer any moneys appropriated or granted to it by the state or the federal government;
- (k) receive and accept any gift or donation to the library district and administer the same in accordance with any provisions thereof; and
- (l) make annual reports to the state librarian, on or before January 31 of each year for the preceding calendar year, showing receipts and disbursements from all funds under its control and showing such statistical information relating to library materials acquired and on hand, number of library users, library services available and other information of general interest as the governing body requires.

Sec. 8. (a) The library facilities shall be free for the use of the residents of the library district, subject to such reasonable rules and regulations as the library district board may adopt. The library district board may exclude from the use of a library any and all persons who shall willfully violate its rules.

(b) The library district board may extend the use and privilege of the library to nonresidents of the library district, charge nonresidents a reasonable fee therefor, and make exchanges of books with any other library upon such terms and conditions as the library district board may prescribe.

Sec. 9. (a) The library district board may issue general obligation bonds of the library district for the purpose of paying the cost of constructing, reconstructing, repairing, remodeling, furnishing and equipping any library building or additions thereto, including any sites therefor. Bonds issued pursuant to this section shall not be subject to or

within any bonded debt limit of the city of Eudora or Eudora township. The library district may levy a tax sufficient to pay the principal and interest on such bonds.

(b) The question of issuing general obligation bonds shall be submitted to the qualified electors of the library district. The election shall be called and held, and the bonds issued in accordance with the provisions of the general bond law. An election may be conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto. If a majority of persons eligible to vote approve the bond issue proposition, the bonds may be issued.

(c) The bonds shall not be considered a debt obligation of the city of Eudora or the Eudora township.

Sec. 10. (a) The library district board shall prepare and publish an annual budget for the maintenance and support of the library.

(b) The board is authorized to levy a tax of not to exceed 5 mills on all tangible property in the library district to fund the budget as determined by the library district board. The tax shall be levied and collected in like manner as other taxes and shall be kept by the library district in a separate fund to be known as the library fund of the library district. The tax levy shall not be considered a tax levy of the city of Eudora or the Eudora township.

(c) The board of the library district shall have the authority to increase the mill levy authorized by subsection (b) on each dollar assessed tangible valuation for the property of the library district for the acquisition, maintenance and support of a free public library by adoption of a resolution. Such resolution shall be published once each week for two consecutive weeks in a newspaper of general circulation in the county. If within 30 days after the last publication of the resolution, a petition signed by not less than 5% of the qualified electors in the library district is filed in the office of the county election officer requesting an election on the mill levy increase from the prior year, no increase levy shall be made unless the question is submitted to and approved by a majority of the voters of the library district voting at an election. The election shall be called and held in the manner provided under the general bond law. If the question is approved, the levy shall be certified and placed on the tax rolls.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

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*President of the Senate.*

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*Secretary of the Senate.*

Passed the HOUSE \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*