



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

March 1, 1978

ATTORNEY GENERAL OPINION NO. 78-99

Mr. Thomas A. Glinstra
Acting City Attorney
100 West Santa Fe
Post Office Box 768
Olathe, Kansas 66061

Re: Cities--Libraries--Library Board Powers

Synopsis: Once the city governing body approves the decision to erect a library building under K.S.A. 12-1225(b), the authority and responsibility to implement and execute that decision, through the execution of contracts and the disbursement of funds therefor, rests solely with the library board.

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Dear Mr. Glinstra:

We have your letter of February 22, 1978, inquiring whether in view of the statements and conclusions reached in Opinion No. 78-74, the "Library Board and not the City Commission is totally liable for the construction of the building and the ultimate disbursement of the funds." For the reasons stated in that opinion, repetition and elaboration of which is unnecessary here, that is a correct statement of my view of the powers of the library board. In my judgment, responsibility for the construction of the building, and for the execution of contracts therefor and the disbursement of funds therefor, rests exclusively with the library board, and not with the city commission. The city commission is required, of course, to approve the decision to construct

Mr. Thomas A. Glinstra
Page Two
March 1, 1978

the building, but once that approval is given, responsibility for execution of the project rests with the library board.

Yours truly,



CURT T. SCHNEIDER
Attorney General

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