



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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CURT T. SCHNEIDER
ATTORNEY GENERAL

October 30, 1978

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ATTORNEY GENERAL OPINION NO. 78- 350

Mr. Bill Baldock
Attorney at Law
Alma, Kansas 66401

Re: Libraries--Boards-- Members

Synopsis: The ex officio members of regional library boards under K.S.A. 12-1232 have the same voting rights and privileges as other members of the board.

* * *

Dear Mr. Baldock:

K.S.A. 12-1232 commences thus:

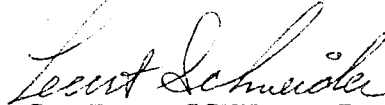
"The library board of a regional library shall consist of six (6) appointed members and, in addition thereto, the official head of each participating county or township shall be an ex officio member with the same powers as appointed members."

You have been asked to inquire whether the county commissioner member of the board, who is a member ex officio, *i.e.*, by virtue of his or her county office, has the same voting rights as other members of the regional library board. In my judgment, the statute is explicit, that the official head of each participating county shall be an "ex officio member with the same powers as appointed members," and thus is entitled to vote just as are other members. The phrase "ex officio member" means no more than that the county

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officer is a member of the library board by virtue of his or her county office. He or she is equally a member as those who are appointed to the regional library board, and has the same rights and privileges as other members.

Yours truly,


CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj