



STATE OF KANSAS

## Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

**Curt T. Schneider**  
Attorney General

December 23, 1975

ATTORNEY GENERAL OPINION NO. 75- 471

Mrs. Ernestine Gilliland  
State Librarian  
Kansas State Library  
535 Kansas Avenue  
Topeka, Kansas 66603

Re: Libraries--Boards--Officers

Synopsis: The treasurer of a system board, organized under K.S.A. 75-2548 *et seq.*, is not subject to the bonding requirement of treasurers of library boards organized under K.S.A. 12-1218 *et seq.* Terms of members of system board, including terms of persons appointed by the governor, must be prescribed by the state commission at the time of approving any petition filed under K.S.A. 75-2549, and there is no statutory limitation upon the number of successive terms any person may serve.

\* \* \*

Dear Mrs. Gilliland:

K.S.A. 12-1226, applicable to the library board of a library established under K.S.A. 12-1218 *et seq.*, states in pertinent part thus:

"The treasurer of the library board shall give bond, in an amount fixed by said board and approved by the governing body of the municipality, for the safekeeping and due disbursement of all funds that may come into his hands as such treasurer."

Ms. Ernestine Gilliland  
Page Two  
December 23, 1975

You ask whether this requirement extends to treasurers of regional library system boards established under K.S.A. 75-2548 *et seq.* It does not. Legally, the system board is not a board which is subject to K.S.A. 12-1226, and this particular bonding requirement does not apply to treasurers of system boards. Presumptively, the system board may require such bond of the custodian of its funds as it deems necessary to assure adequate security.

K.S.A. 75-2550 states thus:

"The system board shall consist of one or more representatives selected by each of the boards participating in the regional system, and one or more representatives appointed by the governor to represent territory not within the district of participating library board but within the territory of the regional system of cooperating libraries."

You inquire for what period of time persons appointed by the governor may serve, whether there is a maximum number of terms they may serve, and whether the duration of their appointments is similar to those of other members of the board. This section goes on to provide thus:

"The term of each such representative may be proposed in the petition provided under section 3 [75-2549] of this act, but shall not exceed four years, and the final determination of duration of terms shall be made by the state commission at the time of approval of the petition."

Thus, the duration of terms of all members of the board, including persons appointed by the governor, must be prescribed by the state commission at the time of approval of petitions filed under the act. There is no statutory limitation upon the maximum number of terms an appointee may serve.

Yours very truly,



CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj