

September 17, 2013
Assembly Committee on Urban and Local Affairs

**Department of Public Instruction Testimony
on Assembly Bill 288**

I want to thank Chairman Brooks for the opportunity to testify today on Assembly Bill 288 (AB 288) related to county payments to adjacent libraries. My name is Jennifer Kammerud. I am the Legislative Liaison for the Department of Public Instruction (DPI) and with me today is John De Bacher, Director of Public Library Development. We are here today to testify for information on behalf of State Superintendent Tony Evers.

The basis for how much funding county libraries should receive was set in 1997 Act 150, which established for the first time in Wisconsin library law a minimum standard for county library funding. The bill that became Act 150 was introduced by the Joint Legislative Council. It was based on recommendations from its Special Committee on Public Libraries. At that time, the funding requirement was limited to payment for library use within the library's own county, and specifically exempted consolidated county libraries.

In 2002, former State Superintendent Elizabeth Burmaster appointed the Wisconsin Public Library Legislation and Funding Task Force to undertake a review of legislation and funding issues relating to public libraries and public library systems and to make recommendations to the State Superintendent. One of the recommendations coming from that task force was to address the library use by Wisconsin's citizens, which frequently flows across county lines. This is especially true for communities located near or on a county border. The task force specifically recommended that the county payments requirements established in 1997 under s. 43.12 should be extended to adjacent counties. The State Superintendent supported this recommendation, which became law along with many other task force recommendations, as part of 2005 Act 420. An unintended consequence of that change permits consolidated county libraries to receive payments from adjacent counties, even though their own counties are not required to make payments. The bill before you today would address this by changing the language of s. 43.12 so that the eight counties that have consolidated county libraries would be required to pay libraries in adjacent counties for use by any of its residents.

While AB 288 would fix the issue of consolidated county libraries being able to bill other counties, but not be billed by others, it creates a new inequity. Current law states that a county must pay to each public library in the county and to each public library in an adjacent county a fee for library loans made to residents of the county who are not residents of a municipality that maintains a public library. Under this bill, however, all residents in a consolidated county library system would be treated as having no member library for billing purposes. This means that adjacent counties would be able to bill consolidated county library systems for more people than consolidated county libraries can.

While the department believes the inequities this bill is attempting to address should be dealt with, we are also concerned with the new inequity created by the bill. The department believes that this, and other library-related issues, should be studied as part of a comprehensive review of the state's library system and its funding.

Thank you again for the opportunity to testify today. We would be happy to answer any questions you may have.