

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Bill Mason at 1:35 p.m. on March 11, 2003 in Room 313-S of the Capitol.

All members were present except: Representative John Edmonds
Representative Everett Johnson

Committee staff present: Russell Mills, Legislative Research Department
Mary Torrence, Office of Revisor of Statutes
Rose Marie Glatt, Committee Secretary

Conferees appearing before the committee: **Opponents:**
Duane Johnson, State Librarian
Marilu Goodyear, University of Kansas and Board of Regents,
Vice Provost for Information Services and
Chief Information Officer
Tim Moore, Wichita Public Library
Laura Loveless, Kansas City Kansas Public Library
Betty Cattrell, Haysville Public Library Assn.
Rosanne Goble, Kansas Library Assn.
Dr. Blake West, KNEA
Donna Whiteman, Kansas Association of Schools
James McHenry Ph.D., Topeka and Shawnee County Public Library
Daryl Youngman, Kansas State University Library
Freda Dobbins, Pottawatomie-Wabaunsee Regional Library
Diane Yeagley, Patron of the Topeka Library
Robert Banks, Topeka and Shawnee County Public Library
John Opgaard, Topeka and Shawnee County Public Library

Others attending: See Attached

Representative Hutchins clarified a statement made yesterday regarding the impact **HB 2420** would have on schools and universities. The bill was not intended to impact those institutions and the revisor had agreed to rework the bill to clarify that point.

HB 2420 - Children's Internet Protection Act

Duane Johnson, State Librarian, stated that Library boards and librarians throughout Kansas support Internet safety for children (Attachment 1). A filter device is an unreliable and an expensive remedy that would mean increased expenses for research libraries. K.S.A 21-4301 provides a more effective remedy than that which is proposed in **HB 2420**.

Marilu Goodyear, University of Kansas and the Board of Regents expressed concern about the impact of the **HB 2420** since the definition of libraries in the bill includes academic and special libraries that are supported by public money (Attachment 2). She estimated the costs of putting filters on the 1,269 public machines in the

Regents institutions, to be \$6,800,000. The University believes that librarians and their supervisors are best suited to make decisions about access to information in their individual libraries.

Tim Moore, Wichita Public Library, rose in opposition to **HB 2420** ([Attachment 3](#)). Their library does not use filtering software on its public access workstations because they believe that the best way to encourage responsible use of their resources is through education and personal responsibility, not through restrictions. Although he acknowledged that it was nearly impossible to keep all customers from viewing inappropriate materials all of the time, their staff promptly addresses each abuse of library policies when it is brought to their attention.

Laura Loveless, Kansas City Kansas Public Library, stated that staff would have to be reassigned to the computer area just to verify that age restrictions imposed in **HB 2420** were being met. They feel this is unfair to their other customers. There have been no incidents in the last six months of inappropriate computer usage. ([No written testimony](#)).

Betty Cattrell, Haysville Public Library, reviewed the process that customers go through before they can use computers in their small library. They believe that good service is of utmost importance and fear that service would decline if their small staff would be required to take on additional duties imposed by **HB 2420** ([No written testimony](#)).

Rosanne Goble, Kansas Library Association, related that the very notion of filtering is diametrically opposed to the philosophies and attitudes of those who worked hard to bring Internet access into rural areas. The cost of filtering software would place another burden on their small and already stressed budgets ([Attachment 4](#)).

Blake West, KNEA, stated that Internet filtering systems have not been found to work effectively and provide a false sense of security that may lead to under-supervision of children as they use the Internet ([Attachment 5](#)). The only effective system that allows access to needed appropriate content is for education and library media specialists to monitor student use of these resources.

Donna Whiteman, Kansas Association of School Boards, expressed her concern over what they consider very broad language in **HB 2420** making it vulnerable to litigation ([Attachment 6](#)). She stated that she would provide the revisor an article on technology from the Richmond Log Journal, that details the history of litigation in the area of internet in schools.

James McHenry, Topeka and Shawnee County Public Library, stated that no caring person wishes children to be exposed to pornography, however **HB 2420** does not effectively advance that cause ([Attachment 7](#)). I do not believe this bill represents good public policy.

Daryl Youngman, Kansas State University Libraries, stated that the broad definition of "library" as used in **HB 2420** would certainly include academic university libraries ([Attachment 8](#)). This bill has the potential to draw away scarce human and financial resources from research and instruction and diminish the libraries' ability to fulfill its mission.

Freda Dobbins, Pottawatomie Wabaunsee Regional Library, expressed concern over what **HB 2420** would do to the small rural libraries ([Attachment 9](#)). Finding reliable, dependable employees for their libraries is difficult at best and the bill would make it almost impossible when they learned they could be subject to being sued if some one from the community happened to dislike what they saw on a computer, even if the Library had a filter in place.

Diane Yeagley, Library Patron, rose in opposition to **HB 2420** (Attachment 10). She spoke about the various resources that her family used at the Library and stated that the staff was trained well to handle possible abusers.

Robert Banks, Topeka and Shawnee County Library, expressed confusion as to the need for the legislation (Attachment 11). Their library currently filters all of the computers in the Children's area and they have a strong Internet policy that doesn't permit viewing inappropriate materials on any of their computers. He reviewed procedures used for someone found violating the policy. He urged the committee to vote against **HB 2420** and allow local boards to handle this on a local level.

John Opgaard, Topeka and Shawnee County Library, reviewed the libraries Public Computer Use Policy (Attachment 12). During 2,002, the Library served nearly 800,000 people and only 241 (0.03%) were expelled for violating the policy. He reviewed recent actions taken by the Board of Trustees stand by their Computer Use Policy.

CONTINUATION SHEET