

Portrait of a Legislative Success

Development and Passage of Public Library Systems Legislation in Wisconsin

A Talk by Charles Bunge, 2016

[Author's note: This text was originally prepared as an informal talk, presented as part of the Wisconsin Library Association's celebration of its 125th anniversary in 2016. For this reason, its format and style are somewhat less formal than would be appropriate for a published article. Also, in preparing for the talk, I was not as careful about documenting sources as I would have been for an article intended for publication. A note about sources appears at the end of the text.]

In December of 1971, Governor Patrick Lucy signed into law Senate Bill 47, enabling the establishment and state funding of county and multicounty public library systems in Wisconsin. The legislative declaration for the bill said:

Recognizing the importance of making quality library resources and services readily available to all the citizens of Wisconsin, the legislature, through this act, seeks to modernize library laws for public and school libraries, to promote development and improvement of public libraries through library systems and to provide maximum opportunities for cooperation among all types of libraries in order to encourage the most effective use of the library resources in this state.

This bill signing was a momentous landmark in the long history of the Wisconsin Library Association's legislative activities to extend quality public service to all the people of the state. In fact, this history extends back nearly to the founding of WLA in 1891. At its fourth conference in 1895, the members assembled agreed on the need for a state library commission to foster free public library service to all the people of Wisconsin.

WLA member, Frank Hutchins, drafted a bill to establish the Wisconsin Free Library Commission, and a committee of five people was appointed to aid in furthering its passage. So, we might say that WLA's current Library and Development and Legislation Committee can trace its roots back to 1895.

State Senator James Stout, a great supporter of libraries, introduced the bill in the legislature and saw it through to passage, including \$500 per year for expenses. From that time until 1956, the Free Library Commission was the state library agency for Wisconsin.

A good place to begin the more immediate history of Senate Bill 47 is 1956, another landmark year for Wisconsin public library service. In June of that year, President Eisenhower signed into law the Library Services Act (later, the Library Services and Construction Act, or LSCA). In September of that same year, S. Janice Kee, was appointed Secretary of the Free Library Commission, in effect, Wisconsin's state librarian.

Jan, as she was known to her colleagues, brought to this position extensive experience in public library extension, considerable administrative and leadership skill, and an abundance of energy and drive. One of her first duties was to lead the development of Wisconsin's State Plan for Further Extension of Public Library Service to Rural Areas, a requirement to qualify for federal Library Services Act funds.

WLA participated in drafting this plan through its State-wide Library Development Committee. This 1957 plan made reference to an earlier 1948 plan, entitled The Wisconsin-Wide Library Idea, that had

been drawn up by a joint committee of the Free Library Commission and WLA. The 1948 plan envisioned statewide library service through voluntary cooperative county library systems, assisted by state funding. The 1957 state plan and its successive revisions were solidly based on the library systems concept.

Jan Kee, her staff of effective public library consultants, and creative librarians around the state used federal funds to demonstrate the efficacy of the systems idea, which was of crucial importance to later efforts to develop and pass systems legislation. Among important federally funded projects that led more or less directly to state-funded library systems, under the 1971 law, are:

Multicounty Library Service (Ashland area, 1959)

Public Library Service Center (Southwest counties, 1959)

Wisconsin Valley Library Reference Service (1961)

La Crosse Area Library Development Project (1965)

In 1961, the report of a major survey of public library services in Wisconsin, entitled Facing the 60s, was published. This study was conducted by Ruth Baumann, of UW-Extension's Bureau of Government.

Before this report was even published, WLA formed a "Library Survey Action Committee" to assess and apply the findings and conclusions of the study. Bernard Schwab, head of Madison Public Library, was the chair of this committee, whose work was soon folded into that of the Library Development and Legislation Committee, also chaired by Bernie.

If I were pressed to name one person who had the greatest influence on getting the 1971 library systems law written and passed, I would name Bernie Schwab. From this early committee assignment until the signing of the bill in 1971, Bernie was continuously involved in conceptualizing, drafting, re-drafting, and explaining systems legislation. He was very knowledgeable, a skilled communicator, and one who earned the trust of librarians and non-librarians alike, including legislators. He was especially adroit at sensing emerging consensus in a group and putting that consensus into words to which the group could agree and move on.

Another important follow-on to the Facing the 60s report was the development of standards for public library services in Wisconsin, led by the Free Library Commission and published in 1963. A Design for Public Library Development in Wisconsin ("The Design," as the standards were called,) was firmly based on the library systems concept and was an important backdrop to the drafting of the systems bill.

In 1965, as part of a broader reorganization of state government, the Free Library Commission became the Division for Library Services in the Department of Public Instruction. W. Lyle Eberhart became the first head of the Division, with the title of Assistant State Superintendent.

Lyle was another very important and influential person in the development and passage of system legislation. He had a steady calmness about him that contributed reasonableness and practicality to the many deliberations regarding library systems. He was an adroit bureaucrat in the bureaucratic environment that the state library agency now entered.

In 1966, WLA gave the Library Development and Legislation Committee specific responsibility for getting a public library systems bill drafted. To accomplish this complicated task, LD&L's membership was expanded to include a broadly based Public Library Subcommittee.

The President of WLA at the time was Gerald Somers, head of the Green Bay Public Library, who later chaired LD&L and the Public Library Subcommittee. Like Bernie Schwab and Lyle Eberhart, Jerry's work over several years was of crucial importance to the drafting and passage of the systems bill. Jerry was politically astute, a good judge of people, able to use his keen sense of humor in committee leadership.

Here he is in a long letter advising WLA President-Elect, Charlotte Knight, on appointments to the Public Library Subcommittee of LD&L: Jerry says he prefers to appointment of Barbara Kelly, head of Manitowoc Public Library, over Dennis Ribbens, then head of Waupun Public Library. Dennis would be o.k., says Jerry, but there are strained relations between Dennis and another Fox Valley librarian, Eugene McLane. Jerry knows that Gene will attend subcommittee meetings, even though he's not a member, and, "I can see clashes between Dennis and Gene in the offing." Distractions the subcommittee could do without.

In addition, Jerry continues, Barbara would represent Type I public libraries in the Fox Valley. "If we are to have the legislative backing of these influential librarians (who know their key legislators quite well) they need to have a voice on the committee." He goes on to say, "If this seems political, it is," adding, "So much for that little headache."

Having mentioned Gene McLane, then head of Fond du Lac Public Library, I should say that he was another important participant in the process of getting the systems bill drafted and passed. Gene had an unfortunate way of presenting his ideas and arguments, consisting of a combination of bluster and petulance, that put off many people with whom he interacted. He was very interested in systems legislation, especially as it related to his library's ability to be a systems headquarters. Successive WLA presidents-elect failed to appoint him to LD&L, but he claimed to have attended more LD&L meetings than anyone else, as what might be called a "participating observer."

Coming back to Jerry Somers' letter to Charlotte Knight: A proposed appointment with which he heartily agreed was that of Vivian Maddox, Assistant Director of Milwaukee Public Library, another person of significant importance in drafting and passage of the systems bill. Vivian, who had previously chaired LD&L, represented Milwaukee's special interests and needs regarding system development. However, regarding issues in other areas of the state, Vivian had no dog in those races, so she could look at things objectively. As Jerry says to Charlotte, "She is the chief formulator of precise phrasing of complex solutions to questions on the PL subcommittee."

Other public librarians were important to the work of the committee over the years, including Forrest Mills, head of the Racine Public Library, and Gertrude Thurow, head of La Crosse Public Library, to name just a couple.

A key breakthrough in the work of the committee came in 1966, with a grant from the Division for Library Services to Margaret Monroe to head a project to provide the LD&L Public Library Subcommittee with background information and discussion papers on organizing, financing, and administering public library systems in Wisconsin.

Margaret had come to the state in 1962 to head the UW-Madison Library School, bringing considerable background in public library services. She was a skilled gatherer and synthesizer of information, and she had a genius for helping a group reach consensus and for capturing that consensus in writing. Jerry Somers characterized Margaret as a strong personality, a gifted thinker, and a team worker. "She depends on the logic of her arguments to convince you, and it often does."

Margaret's project team consisted of Vivian Cazayoux and Judith Keller, graduate students in the Library School. During the last half of 1966, the project team served as staff to the subcommittee, providing a series of resource papers and background documents on various aspects of organizing and financing public library systems. The committee discussed the issues raised by these papers and reached tentative decisions regarding them. These issues included:

What units of government or areas would be the basic building blocks for systems?

What would be the defining criteria for systems, such as population minimums, resources needed, areas served, etc.?

How would the establishment and operation of systems be funded?

By late January 1967, Margaret had used the results of these discussions to produce a draft plan to focus further committee discussion. The draft proposed county or multi-county systems, which could be either consolidated or federated. Each system was to contain at least one city of more than 30,000 in population. Each system area should have a population of 150,000 or more, with smaller total populations permitted in areas with low population density. State aids in the form of establishment grants and continuation grants were proposed as necessary for systems to be developed across the state.

Throughout 1967, the committee met at least monthly, sometimes in meetings spread over two days, to discuss and refine the draft report. The most intensive discussion focused on the required minimum system population. Strong opposition to the 150,000 minimum was expressed by Gene McLane, Barbara Kelly, and others. Also in need of fleshing out were mechanisms for funding the establishment and operation of systems. During this period, Margaret and her team produced successive drafts of the plan, incorporating decisions reached during the continuing committee discussions.

By the spring of 1968, the subcommittee felt ready to present a 12-page position paper for discussion at the district meetings around the state. At six of the seven spring district meetings, subcommittee members served on panels to explain and discuss the basic concepts and problems of system development in Wisconsin. They also gathered reactions and ideas to take back to the subcommittee to use in its further work.

At its July 1968 meeting, the Executive Board of WLA received a report from LD&L committee chair, Jerry Somers, entitled Public Library System Development for Wisconsin. The board adopted the report and recommended it for favorable membership action at the annual conference in La Crosse. This report was widely distributed as a 16-page pamphlet with a chartreuse cover, becoming known as the "Chartreuse Report."

The required system-area minimum population had been reduced from 150,000 to 100,000. A state-aid formula for system operation was proposed: 50 cents per capita for population served; \$6.00 per

square mile of area served, with more for multi-county systems; plus an amount equal to 7% of local expenditures for public libraries. Grants to state-level resource libraries were proposed, as well. County planning committees, appointed by the county boards of supervisors, would do initial planning for systems.

With the Chartreuse Report in hand, during July and August of 1968, the LD&L Public Library Subcommittee worked on putting together an education and information program to support the passage of the bill that would eventually be drafted and introduced in the State Legislature. At the WLA Annual Meeting in La Crosse in October 1968, the membership approved the Chartreuse Report. The membership also authorized the committee to proceed with getting a bill drafted and endorsed a program of legislative support for the bill. As part of its budgeting process, the WLA Board allocated \$3,750 to underwrite the legislative program.

At this same meeting, Muriel Fuller accepted the gavel as President of WLA. (It is interesting to note in passing that Muriel Fuller represented WLA on the Joint Extension Committee that produced the 1948 statewide plan, The Wisconsin-Wide Library Idea, mentioned above.) With her usual energy, Muriel flew into the many tasks involved in launching WLA's education and legislative program on behalf of library systems legislation.

Doris Moulton, formerly of the Milwaukee Public Library, was hired as legislative coordinator. A 20-minute slide-tape show was prepared to explain the Chartreuse Report to librarians, trustees, and legislators. (This presentation was narrated by State Senator Chilsen, who later introduced the bill in the State Senate.)

Doris Moulton set up a network of legislative coordinators in the seven library districts that I mentioned earlier. While this was before the day of email mailing lists and electronic social media, Doris set up an effective network of phone-call trees to spread the word and encourage action. A state-wide Citizens Committee for Library Development was established representing Friends of Wisconsin Libraries, the Wisconsin Library Trustees Association, and other groups.

A brochure summarizing the Chartreuse Report was prepared and widely distributed, as well as a seven-page question-and-answer handout. Doris Moulton issued periodic legislative bulletins, tracking the progress of the legislative effort and urging librarians, trustees, and friends to stay active in support of the cause.

On March 20, 1969, Senate Bill 363 was introduced on behalf of WLA by Senator Chilsen of Wausau. Senators Carilli, Krueger, Terry, and R.C. Johnson co-sponsored the bill, as did Assemblymen Alfonsi, Froelich, and Grover. All but one of the co-sponsors were Republicans, who controlled both houses of the legislature. An amendment was introduced by Senator Hollander that would have lowered the system minimum population requirement to 75,000.

The bill was referred to the Senate Education Committee, where a hearing was held in June of 1969. Several WLA members testified in favor of the bill, including Gene McLane, who testified in favor of Senator Hollander's amendment.

State Superintendent of Public Instruction, William Kahl, included system funding in the DPI biennial budget request at the level of \$2.3 million for the biennium. Governor Knowles commended the intent of the proposed program, but refused to include funding in his executive budget.

After the Education Committee hearing, committee chair, Senator Rasmusen, told WLA that the idea behind the bill was a good one but that the bill was technically flawed. It just didn't have the technical detail needed to implement the system concepts. Sen. Rasmusen recommended referring the bill to the Legislative Council, the research and study arm of the Legislature. The WLA Board reluctantly agreed, and the Legislature passed a resolution establishing a Legislative Council study committee to study the subject matter of SB 363.

Doris Moulton, Lyle Eberhart, Muriel Fuller, Bernie Schwab, and other leaders pointed out the advantages of having a new bill prepared by a broadly based committee of legislators, librarians, and other citizens and with the technical assistance of Legislative Council staff. They also pointed out that it was essential that education and legislative efforts continue, so that the excellent foundation that had been laid would not go to waste.

On April 29, 1970, the organizational meeting of the Legislative Council Advisory Committee on Library Laws Revision was held. Senator Holger Rasmusen chaired the 16-person committee, which included three other legislators, four librarians, and eight citizen members. At least four of the citizen members were public library trustees. Also among the citizen members were a village mayor and a county board chairman.

Bernie Schwab represented WLA on the committee and was perhaps its most influential member – sometimes to the frustration of another librarian member, Gene McLane. A third librarian on the committee was Jane Billings, a school librarian from Clintonville, representing the advisory council to the Division for Library Services. (Like Muriel Fuller, Jane, then a public librarian, was on the joint committee that produced the 1948 plan, mentioned earlier.) The fourth librarian was Richard Cooklock, head of the library of the State University at River Falls.

While not a member of the committee, Lyle Eberhart attended all its meetings as head of the Division for Library Services. By now, I had been appointed chair of WLA's LD&L Committee, and I attended all the meetings of the committee. Both Lyle and I participated actively in the discussions of the committee, as well as in some word-smithing work between meetings. Other librarians attended certain meetings. For example, Vivian Maddox gave important input regarding matters involving Milwaukee Public Library.

Of crucial importance to the work of the committee was the fact that it was staffed by Bonnie Reese, senior research analyst for the Legislative Council, and Mike Vaughan, chief bill drafter for the Legislative Reference Bureau.

The committee held half a dozen or so monthly meetings through the summer and fall of 1970. A typical pattern for a meeting would be for Bonnie Reese and Mike Vaughan to present to the committee a draft of the bill that represented their attempt to capture the decisions reached by the committee so far. The committee would then fine tune this draft. Next, Bonnie and Mike would raise further policy questions or issues to which they needed answers, in order to produce a new draft of the bill for the next meeting.

Given the composition of the committee, issues were addressed from various perspectives. For example, the role of county boards of supervisors in system establishment and operation, the authority

and role of the Division in developing standards and certifying systems, the relationship of systems to existing public libraries, and many others.

The issue of the minimum population for a system came in for extensive discussion, just as it had in the development of the Chartreuse Report. Gene McLane insisted that the 1000,000 population minimum be lowered to 75,000. He claimed the support of librarians in the Fox Valley, where he said the consensus was that it should be possible to have six systems, with the six Type I libraries as headquarters. Bernie Schwab and others argued that lowering the population minimum could result in smaller weaker systems, to the detriment of effective system development across the state.

While arguing for larger systems, committee members recognized that unwillingness to compromise could jeopardize passage of the eventual bill, given the political potency of the Fox Valley. Finally, between meetings of the committee a few of us met and devised a solution that eventually was adopted. It lowered the minimum from 100,000 to 85,000, with the provision that temporary certification could be given to a system with a population of 80,000 if it met the other system criteria.

Committee members also recognized the importance of political support for the bill from the Milwaukee area. Two features of the bill addressed this concern: One allowed public libraries in Milwaukee County to become a federated system without having to reorganize its existing system of contracts between Milwaukee Public Library and other public libraries in the county. Another authorized the Division to contract with libraries to serve as state-wide resources for specialized materials. One of those state-wide resource libraries was, of course, Milwaukee Public Library.

By 1970, there was a great deal of interest in Wisconsin in cooperation and networking across all types of libraries, not just among public libraries. The Becker-Hayes report had been published, and various planning activities were underway. To take account of this, the committee also adopted wording for the bill giving the Division clear responsibility for facilitating interlibrary cooperation among all types of libraries.

At its meeting in October of 1970, the committee voted unanimously to give preliminary approval to the fifth draft of the bill, as amended at that meeting, and to recommend it to their parent committee, the Education Committee of the Legislative Council. In December, a joint meeting was held of the Advisory Committee on Library Laws Revision and the Legislative Council Education Committee, which consisted of 17 legislators and five public members. A letter from State Superintendent Kahl was read into the record, strongly supporting the bill. Bernie Schwab, representing the study committee, presented an excellent lengthy analysis of the bill and the changes it would make to library law – an analysis that later would be used widely in educational and lobbying efforts. Among various other speakers in support of the bill, I told the Education Committee of WLA's strong support, as indicated in a resolution that had been adopted at the recent 1970 Annual Meeting of the association.

Among questions from Education Committee members was one from a public member, Mr. Kramer. He questioned the requirement that a system area include a city of more than 30,000, pointing out that there was a successful five-county system in southwest Wisconsin that didn't contain a city of 30,000. On a motion for the Education Committee to recommend the bill to the full Legislative Council, there was only one dissenting vote, that of Mr. Kramer. LD&L members and others present at the meeting made note of Mr. Kramer's objection and its potential political import to passage of the bill.

In January of 1971, the Legislative Council voted unanimously to recommend the bill to the Legislature for passage. Also in January, the bill was introduced as Senate Bill 47 by the Legislative Council and referred to the Senate Education Committee.

Wayne Bassett was hired as WLA legislative coordinator or lobbyist. Wayne was widely respected for his knowledge of library systems and his skill at working with library board members and others to develop successful library operations. He had been a state legislator himself in Minnesota. He had a common-sense way of putting things that won the trust of librarians and legislators alike.

By this time, Muriel Fuller was chair of the WLA Library Development and Legislation Committee. She worked closely with Wayne Bassett, Lyle Eberhart, Bernie Schwab, and others throughout WLA to explain the bill to librarians and trustees around the state and to urge them to contact legislators on the bill's behalf.

The chances of the bill's passage were greatly enhanced when Governor Patrick Lucey included funding for library systems in his 1971-73 biennial budget at the level of \$144,000 for planning grants in the first year and \$1.6 million for state aids to systems in the second year of the biennium. Money was also included for the state-wide resource library contracts.

Those of us working for passage of the bill were aware of the possibility that support for the bill would be weakened by opposition from the southwestern part of the state because of the requirement for a city of 30,000. In the process of the bill's movement through the legislature, an amendment was added specifying that an existing system that met the other requirements could be certified for state aids if it contracted with the library in a city of over 30,000 in another system.

In February, the Senate Education Committee held a hearing on the bill and unanimously endorsed it. On June 1, the Senate passed the bill by voice vote and sent it to the Assembly. Later in June, the Assembly Education Committee voted 12 to 1 to recommend SB47 to the Assembly for passage. Unfortunately, action by the full Assembly was delayed by the budget snarl between the Assembly and the Senate that lasted until the fall. Finally, in October, the Assembly passed the bill, with a vote of 79 to 20, and sent it to the Governor for signing.

The budget deal that was worked out between the two houses contained funding to implement SB47, albeit only half the Governor's recommended funding. In 1972, the Division developed emergency administrative rules to implement the systems law.

Four systems were granted provisional certification for state funding and began operating in 1973:

Milwaukee County Federated Library System

Northern Waters Library Service

Winding Rivers Library System

Wisconsin Valley Library System

Thirteen more systems followed and all 17 systems evolved to their current status. At the time this talk was given, the state's library community was considering the possible reconfiguration of library systems, perhaps moving to fewer systems with larger populations. It seems appropriate, then, to reflect on the decisions that were made along the way to passing the legislation that enabled the extension of public

library service to all the people of Wisconsin. I hope that this talk has served as a useful basis for such reflection.

A note on sources: Much of the information for the period after 1967 came from my own memory, enhanced by my files, which are housed in the University of Wisconsin-Madison Archives. The archives of the Wisconsin Library Association, at the Wisconsin Historical Society Archives, were very helpful, especially the files of the Library Development and Legislation Committee and the WLA president. Also available in the WLA archives is a full run of the WLA Newsletter (formerly titled President's Newsletter), which I perused. A particularly important source is the Wisconsin Library Bulletin, which was self-indexed, allowing me to find information about WLA legislative activities over the years. Very useful, as well, was Benton H. Wilcox's 1966 history of the Wisconsin Library Association.

Some basic documents mentioned in the text:

The Wisconsin-Wide Library Idea for Voluntary Education through Reading. Madison: Wisconsin Free Library Commission, 1948.

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