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## Local Government Committee

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### HB 2526

**Brief Description:** Providing for the election of library trustees.

**Sponsors:** Representatives Kretz and Warnick.

#### Brief Summary of Bill

- Authorizes the various categories of library districts to have boards of trustees who are publicly elected rather than appointed.
- Establishes two alternative methods for initiating a ballot proposition allowing voters to determine whether or not appointed library trustees should be replaced by trustees subject to public election.

**Hearing Date:** 1/18/08

**Staff:** Thamas Osborn (786-7129).

#### **Background:**

##### *Categories of Library Districts*

State law provides for the establishment, management, and operation of different categories of public libraries. In addition to public libraries established by cities, towns, and counties, state law authorizes the establishment of regional libraries, rural county library districts, intercounty rural library districts, and island library districts. In general, the organization and service areas of these special districts are as follows:

- a rural county library district is organized to provide library services to all areas within a county not included within incorporated cities and towns;
- an intercounty rural library district is organized to provide library service for all areas outside of incorporated cities and towns within two or more counties;
- an island library district is organized to provide library service for all areas outside of incorporated cities and towns on a single island only, and not all of the area of the county. Island library districts may only be established in counties composed entirely of islands with fewer than 25,000 residents at the time the library district was created; and

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- a regional library district is organized to provide library service within two or more counties or other governmental units and is created by a contract among the participating governmental entities.

### ***Governance of Public Libraries***

The management and control of public libraries is vested in an appointed board of trustees. The number of trustees and the method of appointment varies among the different types of libraries:

- city and town libraries five trustees are appointed by the mayor with the consent the legislative body;
- county libraries five trustees are appointed by the county commissioners;
- rural county library districts five trustees are appointed by the county commissioners;
- island library districts five trustees are appointed by the county commissioners;
- intercounty rural library district either five or seven trustees are appointed by the joint action of the boards of county commissioners of each of the counties included in the district; and
- regional library districts either five or seven trustees are appointed by the joint action of the legislative bodies with jurisdiction over the district.

### **Summary of Bill:**

#### ***Ballot Proposition Established by Ordinance***

The act establishes two alternative methods for initiating a ballot proposition allowing eligible voters to determine whether or not appointed library trustees should be replaced by trustees subject to public election. The first method begins with a discretionary action on the part of the governing body having the authority to appoint the members of a library board. Under this method, the appointing authority may, by ordinance or resolution, create a ballot proposition allowing voters to decide whether library board trustees should be chosen by public election rather than appointment by the pertinent governing body. Upon the enactment of such ordinance or resolution, the ballot proposition is submitted to the voters within the jurisdiction at the next general election or a special election called for this purpose.

#### ***Ballot Proposition Established by Petition***

The second method of creating an elected board of library trustees is by citizen petition. Under this method, eligible voters living within the jurisdictional boundaries of the library district may submit a petition to the county auditor proposing that a ballot proposition be submitted to the voters for the determination of whether trustees should be elected rather than appointed. If the auditor determines that the petition has been signed by registered voters numbering at least 10 percent of the votes cast in the last general election, then the ballot proposition must be submitted to the voters at the next general election or special election called for this purpose.

#### ***Election and Service of Library Trustees***

Upon the passage of a ballot proposition requiring the election of library trustees, the appointed commissioners are replaced by those elected by the voters in accordance with specified procedures. Elected library trustees serve four-year terms.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.