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**SUBSTITUTE SENATE BILL 5092**

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**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** Senate Committee on Government Operations (originally sponsored by Senators Haugen, Winsley and Quigley)

Read first time 02/03/95.

1 AN ACT Relating to library facilities; adding a new section to  
2 chapter 36.32 RCW; adding a new chapter to Title 27 RCW; and repealing  
3 RCW 27.14.010, 27.14.015, 27.14.020, 27.14.030, 27.14.035, 27.14.040,  
4 and 27.14.050.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that it is in the  
7 interests of the people of the state of Washington to be able to  
8 establish library capital facility areas as quasi-municipal  
9 corporations and independent taxing units existing within the  
10 boundaries of existing rural library districts, rural intercounty  
11 library districts, rural partial-county library districts, or island  
12 library districts, for the purpose of financing the construction of  
13 capital library facilities.

14 NEW SECTION. **Sec. 2.** Unless the context clearly requires  
15 otherwise, the definitions in this section apply throughout this  
16 chapter.

17 (1) "Library district" means rural library district, rural  
18 intercounty library district, rural partial-county library district,

1 island library district, or city or town that operates a library  
2 system.

3 (2) "Library capital facility area" means a quasi-municipal  
4 corporation and independent taxing authority within the meaning of  
5 Article VII, section 1 of the state Constitution, and a taxing district  
6 within the meaning of Article VII, section 2 of the state Constitution,  
7 created by a county legislative authority of one or several counties.  
8 A library capital facility area may include all or a portion of a city  
9 or town.

10 NEW SECTION. **Sec. 3.** Upon receipt of a completed written request  
11 signed by a majority of the members of the board of trustees of a  
12 library district, the county legislative authority or county  
13 legislative authorities for the county or counties in which a proposed  
14 library capital facility area is to be established shall adopt an  
15 ordinance creating a library capital facility area. A completed  
16 request submitted under this section shall include: (1) A description  
17 of the boundaries of the library capital facility area; (2) copies of  
18 resolutions of the legislative authorities of any cities and towns and  
19 of the boards of trustees of any adjoining library districts, that are  
20 included in whole or in part within the described library capital  
21 facility area, indicating agreement to the formation of the library  
22 capital facility area; and (3) copies of resolutions adopted by the  
23 board of trustees of the requesting library district, and of the  
24 legislative authorities of any cities and towns and of the boards of  
25 trustees of any adjoining library districts, that are included in the  
26 proposed library capital facility area, indicating agreement with  
27 regard to the payment of the costs of any election for approval of  
28 bonded indebtedness.

29 NEW SECTION. **Sec. 4.** The governing body of the library capital  
30 facility area shall be three members of the county legislative  
31 authority from each county in which the library capital facility area  
32 is located. In counties that have more than three members of their  
33 legislative body, the three members who shall serve on the governing  
34 body of the library capital facility area shall be chosen by the full  
35 membership of the county legislative authority. Where the library  
36 capital facility area is located in more than one county, a county may

1 be represented by less than three members by mutual agreement of the  
2 legislative authorities of the participating counties.

3 NEW SECTION. **Sec. 5.** The governing body of the library capital  
4 facility area may, by interlocal agreement or otherwise, contract with  
5 a county, city, town, or library district to design, administer the  
6 construction of, operate, or maintain a library capital facility  
7 financed pursuant to this chapter. Legal title to library capital  
8 facilities acquired or constructed pursuant to this chapter may be  
9 transferred, acquired, or held by the library capital facility area or  
10 by a county, city, town, or library district in which the facility is  
11 located.

12 NEW SECTION. **Sec. 6.** (1) A library capital facility area may  
13 contract indebtedness or borrow money to finance library capital  
14 facilities and may issue general obligation bonds for such purpose not  
15 exceeding an amount, together with any existing indebtedness of the  
16 library capital facility area, equal to one and one-quarter percent of  
17 the value of the taxable property in the district and impose excess  
18 property tax levies to retire the general indebtedness as provided in  
19 RCW 39.36.050 if a ballot proposition authorizing both the indebtedness  
20 and excess levies is approved by at least three-fifths of the voters of  
21 the library capital facility area voting on the proposition, and the  
22 total number of voters voting on the proposition constitutes not less  
23 than forty percent of the total number of voters in the library capital  
24 facility area voting at the last preceding general election. The term  
25 "value of the taxable property" has the meaning set forth in RCW  
26 39.36.015. The term "library capital facilities" includes both real  
27 and personal property including, but not limited to, land, buildings,  
28 site improvements, equipment, furnishings, and collections and all  
29 necessary costs related to acquisition, financing, design,  
30 construction, remodeling, and installation.

31 (2) A library capital facility area may accept gifts or grants of  
32 money or property of any kind for the same purposes for which it is  
33 authorized to borrow money in subsection (1) of this section.

34 NEW SECTION. **Sec. 7.** (1) A library capital facility area may be  
35 dissolved by a majority vote of the governing body when all obligations  
36 under any general obligation bonds issued by the library capital

1 facility area have been discharged and any other contractual  
2 obligations of the library capital facility area have either been  
3 discharged or assumed by another governmental entity.

4 (2) A library capital facility area shall be dissolved by the  
5 governing body in the event that the initial two elections conducted to  
6 authorize an excess levy as authorized under section 6 of this act fail  
7 to receive the number of votes necessary for approval.

8 NEW SECTION. **Sec. 8.** A new section is added to chapter 36.32 RCW  
9 to read as follows:

10 A county legislative authority may establish a library capital  
11 facility area pursuant to chapter 27.-- RCW (sections 1 through 7 of  
12 this act).

13 NEW SECTION. **Sec. 9.** The following acts or parts of acts are each  
14 repealed:

- 15 (1) RCW 27.14.010 and 1961 c 162 s 1;
- 16 (2) RCW 27.14.015 and 1963 c 80 s 5;
- 17 (3) RCW 27.14.020 and 1963 c 80 s 1 & 1961 c 162 s 2;
- 18 (4) RCW 27.14.030 and 1963 c 80 s 2 & 1961 c 162 s 3;
- 19 (5) RCW 27.14.035 and 1963 c 80 s 3;
- 20 (6) RCW 27.14.040 and 1963 c 80 s 4 & 1961 c 162 s 4; and
- 21 (7) RCW 27.14.050 and 1961 c 162 s 5.

22 NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act shall  
23 constitute a new chapter in Title 27 RCW.

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