
SENATE BILL 6151

State of Washington

55th Legislature

1998 Regular Session

By Senator Swecker

Read first time 01/12/98. Referred to Committee on Government Operations.

1 AN ACT Relating to library funding; amending RCW 27.12.050,
2 27.12.150, 27.12.222, 27.12.390, 27.12.420, 41.16.060, 52.04.081,
3 84.52.010, 84.55.100, and 84.55.110; creating new sections; repealing
4 RCW 84.52.063; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** Funding for junior taxing districts has
7 traditionally been through the use of local property taxes. However,
8 the amount available for all taxing districts other than the state,
9 cities, and counties range from fifty cents in certain cities to one
10 dollar eighty-five cents in the unincorporated areas of the county.
11 Because many junior taxing districts compete for this money, the county
12 assessor sometimes is required to lower the levies of all of these
13 districts to keep the total levy within statutory and constitutional
14 limits. Because library districts tend to include more than one
15 county, the legislature intends to fund library districts from the
16 state general fund through annual appropriations and to eliminate the
17 nonvoter-approved property tax levy authority of library districts.
18 This change will result in increased revenues to other junior taxing
19 districts.

1 **Sec. 2.** RCW 27.12.050 and 1973 1st ex.s. c 195 s 5 are each
2 amended to read as follows:

3 After the board of county commissioners has declared a rural county
4 library district established, it shall appoint a board of library
5 trustees and provide funds for the establishment and maintenance of
6 library service for the district by legislative appropriation and by
7 making a tax levy on the property in the district (~~((of not more than~~
8 ~~fifty cents per thousand dollars of assessed value per year sufficient~~
9 ~~for the library service as shown to be required by the budget submitted~~
10 ~~to the board of county commissioners by the board of library trustees,~~
11 ~~and by making a tax levy))~~) in such (~~((further))~~) amount as shall be
12 authorized pursuant to RCW 27.12.222 or RCW 84.52.052 or 84.52.056.
13 Such levies shall be a part of the general tax roll and shall be
14 collected as a part of the general taxes against the property in the
15 district.

16 **Sec. 3.** RCW 27.12.150 and 1973 1st ex.s. c 195 s 7 are each
17 amended to read as follows:

18 (~~(Funds for the establishment and maintenance of the library~~
19 ~~service of the district shall be provided by the boards of county~~
20 ~~commissioners of the respective counties by means of an annual tax levy~~
21 ~~on the property in the district of not more than fifty cents per~~
22 ~~thousand dollars of assessed value per year. The tax levy in the~~
23 ~~several counties shall be at a uniform rate and shall be based on a~~
24 ~~budget to be compiled by the board of trustees of the intercounty rural~~
25 ~~library district who shall determine the uniform tax rate necessary and~~
26 ~~certify their determination to the respective boards of county~~
27 ~~commissioners.))~~)

28 Excess levies authorized pursuant to RCW 27.12.222 and RCW
29 84.52.052 or 84.52.056 shall be at a uniform rate which uniform rate
30 shall be determined by the board of trustees of the intercounty rural
31 library district and certified to the respective boards of county
32 commissioners.

33 **Sec. 4.** RCW 27.12.222 and 1984 c 186 s 8 are each amended to read
34 as follows:

35 (1) A rural county library district, intercounty rural library
36 district, or island library district may contract indebtedness and
37 issue general obligation bonds not to exceed an amount, together with

1 any outstanding nonvoter approved general obligation indebtedness,
2 equal to one-tenth of one percent of the value of the taxable property
3 within the district, as the term "value of the taxable property" is
4 defined in RCW 39.36 015. The maximum term of nonvoter approved
5 general obligation bonds shall not exceed six years. No indebtedness
6 may be contracted under this subsection after the effective date of
7 this section. The board of county commissioners shall make a tax levy
8 on the property in the district of not more than fifty cents per
9 thousand dollars of assessed value per year sufficient to pay the
10 principal and interest due on bonds issued under this subsection.

11 (2) A rural county library district, island library district, or
12 intercounty rural library district may ((~~additionally~~)) contract
13 indebtedness and issue general obligation bonds for capital purposes
14 only, together with any outstanding general indebtedness, not to exceed
15 an amount equal to one-half of one percent of the value of the taxable
16 property within the district, as the term "value of the taxable
17 property" is defined in RCW 39.36.015 whenever a proposition
18 authorizing the issuance of such bonds has been approved by the voters
19 of the district pursuant to RCW 39.36.050, by three-fifths of the
20 persons voting on the proposition at which election the number of
21 persons voting on the proposition shall constitute not less than forty
22 percent of the total number of votes cast in such taxing district at
23 the last preceding general election. If the voters shall so authorize
24 at an election held pursuant to RCW 39.36.050, the district may levy
25 annual taxes in excess of normal legal limitations to pay the principal
26 and interest upon such bonds as they shall become due. The excess
27 levies mentioned in this section or in RCW 84.52.052 or 84.52.056 may
28 be made notwithstanding anything contained in RCW 27.12.050 or
29 27.12.150 or any other statute pertaining to such library districts.

30 **Sec. 5.** RCW 27.12.390 and 1982 c 123 s 16 are each amended to read
31 as follows:

32 The annual tax levy authorized by ((~~RCW 27.12.050, 27.12.150, and~~
33 ~~27.12.420~~)) this chapter shall be imposed throughout the library
34 district, including any city or town annexed thereto. ((~~Any city or~~
35 ~~town annexed to a rural library district, island library district, or~~
36 ~~intercounty rural library district shall be entitled to levy up to~~
37 ~~three dollars and sixty cents per thousand dollars of assessed~~
38 ~~valuation less any regular levy made by such library district in the~~

1 ~~incorporated area, notwithstanding any other provision of law:~~
2 ~~PROVIDED, That the limitations upon regular property taxes imposed by~~
3 ~~chapter 84.55 RCW shall apply.))~~

4 **Sec. 6.** RCW 27.12.420 and 1982 c 123 s 4 are each amended to read
5 as follows:

6 Immediately following the establishment of an island library
7 district, the board of county commissioners shall appoint a board of
8 library trustees for the district in accordance with RCW 27.12.190.
9 The board of trustees shall appoint a librarian for the district.

10 Funds for the establishment and maintenance of the library service
11 of the district shall be provided by the board of county commissioners
12 by means of (~~an annual tax levy on the property in the district of not~~
13 ~~more than fifty cents per thousand dollars of assessed value per year.~~
14 ~~The tax levy shall be~~) legislative appropriation and by making a tax
15 levy on the property in the district in such amount as shall be
16 authorized pursuant to RCW 27.12.222, 84.52.052, or 84.52.056 based on
17 a budget to be compiled by the board of trustees of the island library
18 district (~~who shall determine the tax rate necessary and certify their~~
19 ~~determination to the board of county commissioners~~)).

20 Excess levies authorized pursuant to RCW 27.12.222, 84.52.052, or
21 84.52.056 shall be at a rate determined by the board of trustees of the
22 island library district and certified to the board of county
23 commissioners.

24 **Sec. 7.** RCW 41.16.060 and 1987 c 319 s 2 are each amended to read
25 as follows:

26 It shall be the duty of the legislative authority of each
27 municipality, each year as a part of its annual tax levy, to levy and
28 place in the fund a tax of twenty-two and one-half cents per thousand
29 dollars of assessed value against all the taxable property of such
30 municipality: PROVIDED, That if a report by a qualified actuary on the
31 condition of the fund establishes that the whole or any part of said
32 dollar rate is not necessary to maintain the actuarial soundness of the
33 fund, the levy of said twenty-two and one-half cents per thousand
34 dollars of assessed value may be omitted, or the whole or any part of
35 said dollar rate may be levied and used for any other municipal
36 purpose.

1 It shall be the duty of the legislative authority of each
2 municipality, each year as a part of its annual tax levy and in
3 addition to the city levy limit set forth in RCW 84.52.043, to levy and
4 place in the fund an additional tax of twenty-two and one-half cents
5 per thousand dollars of assessed value against all taxable property of
6 such municipality: PROVIDED, That if a report by a qualified actuary
7 establishes that all or any part of the additional twenty-two and one-
8 half cents per thousand dollars of assessed value levy is unnecessary
9 to meet the estimated demands on the fund under this chapter for the
10 ensuing budget year, the levy of said additional twenty-two and one-
11 half cents per thousand dollars of assessed value may be omitted, or
12 the whole or any part of such dollar rate may be levied and used for
13 any other municipal purpose: PROVIDED FURTHER, That cities that have
14 annexed to (~~library districts according to RCW 27.12.360 through~~
15 ~~27.12.395 and/or~~) fire protection districts according to RCW 52.04.061
16 through 52.04.081 shall not levy this additional tax to the extent that
17 it causes the combined levies to exceed the statutory or constitutional
18 limits.

19 The amount of a levy under this section allocated to the pension
20 fund may be reduced in the same proportion as the regular property tax
21 levy of the municipality is reduced by chapter 84.55 RCW.

22 **Sec. 8.** RCW 52.04.081 and 1984 c 230 s 17 are each amended to read
23 as follows:

24 The annual tax levies authorized by chapter 52.16 RCW shall be
25 imposed throughout the fire protection district, including any city or
26 town annexed thereto. Any city or town annexed to a fire protection
27 district is entitled to levy up to three dollars and sixty cents per
28 thousand dollars of assessed valuation less any regular levy made by
29 the fire protection district (~~or by a library district under RCW~~
30 ~~27.12.390~~) in the incorporated area: PROVIDED, That the limitations
31 upon regular property taxes imposed by chapter 84.55 RCW apply.

32 **Sec. 9.** RCW 84.52.010 and 1995 2nd sp.s. c 13 s 4 are each amended
33 to read as follows:

34 Except as is permitted under RCW 84.55.050, all taxes shall be
35 levied or voted in specific amounts.

36 The rate percent of all taxes for state and county purposes, and
37 purposes of taxing districts coextensive with the county, shall be

1 determined, calculated and fixed by the county assessors of the
2 respective counties, within the limitations provided by law, upon the
3 assessed valuation of the property of the county, as shown by the
4 completed tax rolls of the county, and the rate percent of all taxes
5 levied for purposes of taxing districts within any county shall be
6 determined, calculated and fixed by the county assessors of the
7 respective counties, within the limitations provided by law, upon the
8 assessed valuation of the property of the taxing districts
9 respectively.

10 When a county assessor finds that the aggregate rate of tax levy on
11 any property, that is subject to the limitations set forth in RCW
12 84.52.043 or 84.52.050, exceeds the limitations provided in either of
13 these sections, the assessor shall recompute and establish a
14 consolidated levy in the following manner:

15 (1) The full certified rates of tax levy for state, county, county
16 road district, and city or town purposes shall be extended on the tax
17 rolls in amounts not exceeding the limitations established by law;
18 however any state levy shall take precedence over all other levies and
19 shall not be reduced for any purpose other than that required by RCW
20 84.55.010. If, as a result of the levies imposed under RCW 84.52.069,
21 84.34.230, the portion of the levy by a metropolitan park district that
22 was protected under RCW 84.52.120, and 84.52.105, the combined rate of
23 regular property tax levies that are subject to the one percent
24 limitation exceeds one percent of the true and fair value of any
25 property, then these levies shall be reduced as follows: (a) The
26 portion of the levy by a metropolitan park district that is protected
27 under RCW 84.52.120 shall be reduced until the combined rate no longer
28 exceeds one percent of the true and fair value of any property or shall
29 be eliminated; (b) if the combined rate of regular property tax levies
30 that are subject to the one percent limitation still exceeds one
31 percent of the true and fair value of any property, then the levies
32 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
33 imposed under RCW 84.52.069 that is in excess of thirty cents per
34 thousand dollars of assessed value, shall be reduced on a pro rata
35 basis until the combined rate no longer exceeds one percent of the true
36 and fair value of any property or shall be eliminated; and (c) if the
37 combined rate of regular property tax levies that are subject to the
38 one percent limitation still exceeds one percent of the true and fair
39 value of any property, then the thirty cents per thousand dollars of

1 assessed value of tax levy imposed under RCW 84.52.069 shall be reduced
2 until the combined rate no longer exceeds one percent of the true and
3 fair value of any property or eliminated.

4 (2) The certified rates of tax levy subject to these limitations by
5 all junior taxing districts imposing taxes on such property shall be
6 reduced or eliminated as follows to bring the consolidated levy of
7 taxes on such property within the provisions of these limitations:

8 (a) First, the certified property tax levy rates of those junior
9 taxing districts authorized under RCW 36.68.525, 36.69.145, and
10 67.38.130 shall be reduced on a pro rata basis or eliminated;

11 (b) Second, if the consolidated tax levy rate still exceeds these
12 limitations, the certified property tax levy rates of flood control
13 zone districts shall be reduced on a pro rata basis or eliminated;

14 (c) Third, if the consolidated tax levy rate still exceeds these
15 limitations, the certified property tax levy rates of all other junior
16 taxing districts, other than fire protection districts, (~~library~~
17 ~~districts,~~) the first fifty cent per thousand dollars of assessed
18 valuation levies for metropolitan park districts, and the first fifty
19 cent per thousand dollars of assessed valuation levies for public
20 hospital districts, shall be reduced on a pro rata basis or eliminated;

21 (d) Fourth, if the consolidated tax levy rate still exceeds these
22 limitations, the certified property tax levy rates authorized to fire
23 protection districts under RCW 52.16.140 and 52.16.160 shall be reduced
24 on a pro rata basis or eliminated; and

25 (e) Fifth, if the consolidated tax levy rate still exceeds these
26 limitations, the certified property tax levy rates authorized for fire
27 protection districts under RCW 52.16.130, (~~library—districts,~~)
28 metropolitan park districts under their first fifty cent per thousand
29 dollars of assessed valuation levy, and public hospital districts under
30 their first fifty cent per thousand dollars of assessed valuation levy,
31 shall be reduced on a pro rata basis or eliminated.

32 In determining whether the aggregate rate of tax levy on any
33 property, that is subject to the limitations set forth in RCW
34 84.52.050, exceeds the limitations provided in that section, the
35 assessor shall use the hypothetical state levy, as apportioned to the
36 county under RCW 84.48.080, that was computed under RCW 84.48.080
37 without regard to the reduction under RCW 84.55.012.

1 **Sec. 10.** RCW 84.55.100 and 1983 c 223 s 1 are each amended to read
2 as follows:

3 The property tax limitation contained in this chapter shall be
4 determined by the county assessors of the respective counties in
5 accordance with the provisions of this chapter(~~(: PROVIDED, That the~~
6 ~~limitation for any state levy shall be determined by the department of~~
7 ~~revenue and the limitation for any intercounty rural library district~~
8 ~~shall be determined by the library district in consultation with the~~
9 ~~respective county assessors))~~).

10 **Sec. 11.** RCW 84.55.110 and 1987 c 138 s 6 are each amended to read
11 as follows:

12 Whenever a withdrawal occurs under RCW 27.12.355, 35.61.360,
13 52.04.056, or 70.44.235, restrictions under chapter 84.55 RCW on the
14 taxes due for the (~~(library district,))~~) metropolitan park district,
15 fire protection district, or public hospital district, and restrictions
16 under chapter 84.55 RCW on the taxes due for the city or town if an
17 entire city or town area is withdrawn from a (~~(library district or))~~)
18 fire protection district, shall be calculated as if the withdrawn area
19 had not been part of the (~~(library district,))~~) metropolitan park
20 district, fire protection district, or public hospital district, and as
21 if the (~~(library district or))~~) fire protection district had not been
22 part of the city or town.

23 NEW SECTION. **Sec. 12.** RCW 84.52.063 and 1997 c 3 s 125
24 (Referendum Bill No. 47), 1973 1st ex.s. c 195 s 105, 1973 1st ex.s. c
25 195 s 150, & 1970 ex.s. c 92 s 9 are each repealed.

26 NEW SECTION. **Sec. 13.** This act applies to taxes levied for
27 collection in 2000 and thereafter.

28 NEW SECTION. **Sec. 14.** Section 4 of this act is necessary for the
29 immediate preservation of the public peace, health, or safety, or
30 support of the state government and its existing public institutions,
31 and takes effect immediately.

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