
HOUSE BILL 2724

State of Washington 56th Legislature 2000 Regular Session

By Representatives Mielke, Boldt, Barlean and Campbell

Read first time 01/19/2000. Referred to Committee on Local Government.

1 AN ACT Relating to providing for the election of library trustees;
2 amending RCW 27.12.190, 27.12.010, 27.12.040, 27.12.050, 27.12.130,
3 27.12.420, and 27.12.470; and adding new sections to chapter 27.12 RCW.

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

5 **Sec. 1.** RCW 27.12.190 and 1982 c 123 s 8 are each amended to read
6 as follows:

7 The management and control of a library shall be vested in a board
8 of either five or seven trustees, as ~~((hereinafter))~~ provided in this
9 section ~~((provided. In cities and towns))~~, who are elected to those
10 positions and serve until their successors have been elected and
11 qualified and assume office in accordance with RCW 29.04.170.

12 A board of trustees for a city or town library shall consist of
13 five trustees ((shall be appointed by the mayor with the consent of the
14 legislative body. In counties, rural county library districts, and
15 island library districts, five trustees shall be appointed by the board
16 of county commissioners. In)) who are elected to six-year staggered
17 terms of office by the voters of the city or town. A board of trustees
18 for a county library, rural county library district, island library
19 district, or rural partial-county library district shall consist of

1 five trustees who are elected to six-year staggered terms of office by
2 the voters of the county or library district. A board of trustees for
3 a regional library ((district a board)) shall consist of either five or
4 seven trustees ((shall be appointed by the joint action of the
5 legislative bodies concerned. In intercounty rural library districts))
6 who are elected to six-year staggered terms of office by the voters of
7 the governmental units that establish and maintain the regional
8 library. A board of trustees for an intercounty rural library district
9 shall consist of either five or seven trustees ((shall be appointed by
10 the joint action of the boards of county commissioners of each of the
11 counties included in a)) who are elected to six-year terms of office by
12 the voters of the library district. ((The first appointments for
13 boards comprised of but five trustees shall be for terms of one, two,
14 three, four, and five years respectively, and thereafter a trustee
15 shall be appointed annually to serve for five years. The first
16 appointments for boards comprised of seven trustees shall be for terms
17 of one, two, three, four, five, six, and seven years respectively, and
18 thereafter a trustee shall be appointed annually to serve for seven
19 years. No person shall be appointed to any board of trustees for more
20 than two consecutive terms. Vacancies shall be filled for unexpired
21 terms as soon as possible in the manner in which members of the board
22 are regularly chosen.))

23 A library trustee shall not receive a salary or other compensation
24 for services as trustee, but necessary expenses actually incurred shall
25 be paid from the library funds.

26 ((A library trustee in the case of a city or town may be removed
27 only by vote of the legislative body. A trustee of a county library,
28 a rural county library district library, or an island library district
29 library may be removed for just cause by the county commissioners after
30 a public hearing upon a written complaint stating the ground for
31 removal, which complaint, with a notice of the time and place of
32 hearing, shall have been served upon the trustee at least fifteen days
33 before the hearing. A trustee of an intercounty rural library district
34 may be removed by the joint action of the board of county commissioners
35 of the counties involved in the same manner as provided herein for the
36 removal of a trustee of a county library.))

37 NEW SECTION. Sec. 2. A new section is added to chapter 27.12 RCW
38 to read as follows:

1 (1) Except for the initial trustees, library trustees shall be
2 elected to six-year staggered terms of office at general elections held
3 in odd-numbered years. Trustees shall serve until their successors are
4 elected and qualified and assume office in accordance with RCW
5 29.04.170. Vacancies shall occur and be filled as provided in chapter
6 42.12 RCW.

7 (2) Initial library trustees shall be elected at the same election
8 at which the proposition is submitted to the voters authorizing the
9 formation of the library district or at the first general election held
10 after the library has been created in the case of a county, city, or
11 town library or a regional library. The election of initial library
12 district trustees is null and void if the ballot proposition
13 authorizing the formation of the library district is not approved. A
14 primary shall not be held to nominate candidates as part of the process
15 for initially electing library trustees. Each candidate shall run for
16 one of five or seven separate library trustee positions. A special
17 filing period shall be opened as provided in RCW 29.15.170 and
18 29.15.180. The person receiving the greatest number of votes for each
19 position shall be elected to that position. The initial library
20 trustees shall assume office immediately when they are elected and
21 qualified, but their terms of office shall be calculated from the first
22 day of January after their election.

23 (3) Staggering of the terms of office for the initial library
24 trustees on a five-member board of trustees shall be accomplished as
25 follows: (a) The two persons who are elected receiving the two
26 greatest numbers of votes shall be elected to six-year terms of office
27 if the election is held in an odd-numbered year or five-year terms of
28 office if the election is held in an even-numbered year; (b) the two
29 persons who are elected receiving the next two greatest numbers of
30 votes shall be elected to four-year terms of office if the election is
31 held in an odd-numbered year or three-year terms of office if the
32 election is held in an even-numbered year; and (c) the other person who
33 is elected shall be elected to a two-year term of office if the
34 election is held in an odd-numbered year or a one-year term of office
35 if the election is held in an even-numbered year.

36 (4) Staggering of the terms of office for the initial library
37 trustees on a seven-member board of trustees shall be accomplished as
38 follows: (a) The three persons who are elected receiving the three
39 greatest numbers of votes shall be elected to six-year terms of office

1 if the election is held in an odd-numbered year or five-year terms of
2 office if the election is held in an even-numbered year; (b) the two
3 persons who are elected receiving the next two greatest numbers of
4 votes shall be elected to four-year terms of office if the election is
5 held in an odd-numbered year or three-year terms of office if the
6 election is held in an even-numbered year; and (c) the other two
7 persons who are elected shall be elected to two-year terms of office if
8 the election is held in an odd-numbered year or one-year terms of
9 office if the election is held in an even-numbered year.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 27.12 RCW
11 to read as follows:

12 The board of trustees of a library district may divide the library
13 district into trustee districts equal to the number of members on the
14 board of trustees. Each trustee district shall have approximately the
15 same population and shall follow the boundaries of precincts. Trustee
16 districts shall be redrawn as provided in chapter 29.70 RCW.

17 Library trustee districts shall be used as follows: (1) Only a
18 registered voter who resides in a trustee district may be a candidate
19 for, or serve as, a trustee of the trustee district; and (2) only
20 voters of a trustee district may vote at a primary to nominate
21 candidates for a trustee of the trustee district. Voters of the entire
22 library district may vote at a general election to elect a person as a
23 trustee of the trustee district.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 27.12 RCW
25 to read as follows:

26 The first election of library trustees for libraries that are in
27 existence as of July 1, 2000, shall take place at the 2001 general
28 election. Where needed, the 2001 primary shall be used to nominate
29 candidates. The existing board of library trustees of any library
30 district may divide the library district into trustee districts for use
31 in the first and subsequent election of trustees. Any library created
32 after July 1, 2000, shall have its initial trustees elected as provided
33 in this act.

34 **Sec. 5.** RCW 27.12.010 and 1994 c 198 s 1 are each amended to read
35 as follows:

1 As used in this chapter, unless the context requires a different
2 meaning:

3 (1) "Governmental unit" means any county, city, town, rural county
4 library district, intercounty rural library district, rural partial-
5 county library district, or island library district;

6 (2) "Legislative body" means the body authorized to determine the
7 amount of taxes to be levied in a governmental unit; in rural county
8 library districts, in intercounty rural library districts, and in
9 island library districts, the legislative body shall be the board of
10 library trustees of the district;

11 (3) "Library" means a free public library supported in whole or in
12 part with money derived from taxation;

13 (4) "Library district" means a rural county library district,
14 intercounty rural library district, rural partial-county library
15 district, or island library district;

16 (5) "Regional library" means a free public library maintained by
17 two or more counties or other governmental units as provided in RCW
18 27.12.080;

19 ~~((+5))~~ (6) "Rural county library district" means a ~~((library~~
20 ~~servin))~~ municipal corporation organized to provide library services
21 to all the unincorporated area of a county ~~((not included within the~~
22 ~~area of incorporated cities and towns: PROVIDED, That))~~, but any city
23 or town with a population of one hundred thousand or less at the time
24 of annexation may ~~((be included therein))~~ annex into a rural county
25 library district as provided in RCW 27.12.360 through 27.12.390;

26 ~~((+6))~~ (7) "Intercounty rural library district" means a municipal
27 corporation organized to provide library service for all unincorporated
28 ~~areas ((outside of incorporated cities and towns))~~ within two or more
29 counties~~((: PROVIDED, That))~~, but any city or town with a population
30 of one hundred thousand or less at the time of annexation may ~~((be~~
31 ~~included therein))~~ annex into an intercounty rural library district as
32 provided in RCW 27.12.360 through 27.12.390;

33 ~~((+7))~~ (8) "Island library district" means a municipal corporation
34 organized to provide library service for all unincorporated areas
35 ~~((outside of incorporated cities and towns))~~ on a single island only,
36 and not all of the unincorporated area of the county, in counties
37 composed entirely of islands and having a population of less than
38 twenty-five thousand at the time the island library district was
39 created~~((: PROVIDED, That))~~, but any city or town with a population of

1 one hundred thousand or less at the time of annexation may ~~((be~~
2 ~~included therein))~~ annex into an island library district as provided in
3 RCW 27.12.360 through 27.12.390; and

4 ~~((+8))~~ (9) "Rural partial-county library district" means a
5 municipal corporation organized to provide library service for a
6 portion of the unincorporated area of a county~~((+))~~, but any city or
7 town located in the same county as a rural partial-county library
8 district may annex to the district if the city or town has a population
9 of one hundred thousand or less at the time of annexation.

10 **Sec. 6.** RCW 27.12.040 and 1990 c 259 s 1 are each amended to read
11 as follows:

12 The procedure for the establishment of a rural county library
13 district shall be as follows:

14 (1) Petitions signed by at least ten percent of the registered
15 voters of the unincorporated area of a county who voted in the last
16 general election, ~~((outside of the area of incorporated cities and~~
17 ~~towns,))~~ asking that the question, "Shall a rural county library
18 district be established?" be submitted to a vote of the ~~((people))~~
19 registered voters residing in the unincorporated area of the county,
20 shall be filed with the county legislative authority.

21 (2) The county legislative authority, after having determined that
22 the petitions were signed by the requisite number of registered voters,
23 shall place the proposition for the establishment of a rural county
24 library district on the ballot for the vote of the ~~((people))~~
25 registered voters of the unincorporated area of the county, ~~((outside~~
26 ~~incorporated cities and towns,))~~ at the next succeeding general or
27 special election.

28 (3) If a majority of those voting on the proposition vote in favor
29 of the establishment of the rural county library district, the county
30 legislative authority shall forthwith declare it established.

31 The initial trustees shall be elected as provided in section 2 of
32 this act.

33 **Sec. 7.** RCW 27.12.050 and 1973 1st ex.s. c 195 s 5 are each
34 amended to read as follows:

35 ~~((After the board of county commissioners has declared a rural~~
36 ~~county library district established, it shall appoint a board of~~
37 ~~library trustees and provide))~~ Funds for the establishment and

1 maintenance of library service for the district shall be provided by
2 making a tax levy on the property in the district of not more than
3 fifty cents per thousand dollars of assessed value per year sufficient
4 for the library service (~~as shown to be required by the budget~~
5 ~~submitted to the board of county commissioners by the board of library~~
6 ~~trustees~~)), and by making a tax levy in such further amount as shall be
7 authorized pursuant to RCW 27.12.222 or 84.52.052 or 84.52.056.
8 ((Such)) The board of trustees shall determine the levy or levies and
9 certify the levy or levies to the county legislative authority. Levies
10 shall be a part of the general tax roll and shall be collected as a
11 part of the general taxes against the property in the district.

12 **Sec. 8.** RCW 27.12.130 and 1959 c 133 s 1 are each amended to read
13 as follows:

14 (~~Immediately following the establishment of an intercounty rural~~
15 ~~library district the boards of county commissioners of the counties~~
16 ~~affected shall jointly appoint a board of five or seven trustees for~~
17 ~~the district in accordance with RCW 27.12.190.)) The initial board of
18 trustees for an intercounty library district shall be elected as
19 provided in section 2 of this act. The board of trustees shall appoint
20 a librarian for the district.~~

21 **Sec. 9.** RCW 27.12.420 and 1982 c 123 s 4 are each amended to read
22 as follows:

23 (~~Immediately following the establishment of an island library~~
24 ~~district, the board of county commissioners shall appoint a board of~~
25 ~~library trustees for the district in accordance with RCW 27.12.190.))
26 The initial board of trustees for an island library district shall be
27 elected as provided in section 2 of this act. The board of trustees
28 shall appoint a librarian for the district.~~

29 Funds for the establishment and maintenance of the library service
30 of the district shall be provided by (~~the board of county~~
31 ~~commissioners by~~) means of an annual tax levy on the property in the
32 district of not more than fifty cents per thousand dollars of assessed
33 value per year. The tax levy shall be based on a budget to be compiled
34 by the board of trustees of the island library district who shall
35 determine the tax rate necessary and certify their determination to the
36 (~~board of county commissioners~~) county legislative authority.

1 Excess levies authorized pursuant to RCW 27.12.222, 84.52.052, or
2 84.52.056 shall be at a rate determined by the board of trustees of the
3 island library district and certified to the (~~board of county~~
4 ~~commissioners~~) county legislative authority.

5 **Sec. 10.** RCW 27.12.470 and 1999 c 153 s 25 are each amended to
6 read as follows:

7 A rural partial-county library district may be created in a portion
8 of the unincorporated area of a county as provided in this section if
9 a rural county library district, intercounty rural library district, or
10 island library district has not been created in the county.

11 The procedure to create a rural partial-county library district is
12 initiated by the filing of petitions with the county auditor proposing
13 the creation of the district that have been signed by at least ten
14 percent of the registered voters residing in the area proposed to be
15 included in the rural partial-county library district. The county
16 auditor shall review the petitions and certify the sufficiency or
17 insufficiency of the signatures to the county legislative authority.

18 If the petitions are certified as having sufficient valid
19 signatures, the county legislative authority shall hold a public
20 hearing on the proposed rural partial-county library district, may
21 adjust the boundaries of the proposed district, and may cause a ballot
22 proposition to be submitted to the voters of the proposed rural
23 partial-county library district authorizing its creation if the county
24 legislative authority finds that the creation of the rural partial-
25 county library district is in the public interest. A subsequent public
26 hearing shall be held if additional territory is added to the proposed
27 rural partial-county library district by action of the county
28 legislative authority.

29 The rural partial-county library district shall be created if the
30 ballot proposition authorizing the creation of the district is approved
31 by a simple majority vote of the voters voting on the proposition.
32 (~~Immediately after creation of the rural partial-county library~~
33 ~~district the county legislative authority shall appoint a board of~~
34 ~~library trustees for the district as provided under RCW 27.12.190.))
35 The initial trustees shall be elected as provided in section 2 of this
36 act.~~

37 Except as provided in this section, a rural partial-county library
38 district is subject to all the provisions of law applicable to a rural

1 county library district and shall have all the powers, duties, and
2 authorities of a rural county library district, including, but not
3 limited to, the authority to impose property taxes, incur debt, and
4 annex a city or town with a population of less than one hundred
5 thousand at the time of the annexation that is located in the same
6 county as the rural partial-county library district.

7 Adjacent unincorporated territory in the county may be annexed to
8 a rural partial-county library district in the same manner as territory
9 is annexed to a water-sewer district, except that an annexation is not
10 subject to potential review by a boundary review board.

11 If, at the time of creation, a rural partial-county library
12 district has an assessed valuation of less than fifty million dollars,
13 it may provide library services only by contracting for the services
14 through an interlocal agreement with an adjacent library district, or
15 an adjacent city or town that maintains its own library. If the
16 assessed valuation of the rural partial-county library district
17 subsequently reaches fifty million dollars as a result of annexation or
18 appreciation, the fifty million dollar limitation shall not apply.

19 If a ballot proposition is approved creating a rural county library
20 district in the county, every rural partial-county library district in
21 that county shall be dissolved and its assets and liabilities
22 transferred to the rural county library district. Where a rural
23 partial-county library district has annexed a city or town, the voters
24 of the city or town shall be allowed to vote on the proposed creation
25 of a rural county library district and, if created, the rural county
26 library district shall include each city and town that was annexed to
27 the rural partial-county library district.

28 Nothing in this section authorizes the consolidation of a rural
29 partial-county library district with any rural county library district;
30 island library district; city, county, or regional library; intercounty
31 library district; or other rural partial-county library district,
32 unless, in addition to any other requirements imposed by statute, the
33 boards of all library districts involved approve the consolidation.

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