
HOUSE BILL 2483

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Horn, Bray, Van Luven, Ludwig, Neher, May, Haugen and Ferguson

Read first time 01/17/92. Referred to Committee on Local Government.

1 AN ACT Relating to accountability and fair access in library
2 districts; amending RCW 27.12.050, 27.12.130, 27.12.190, and 27.12.420;
3 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 27.12.050 and 1973 1st ex.s. c 195 s 5 are each
6 amended to read as follows:

7 After the ~~((board of))~~ county ~~((commissioners))~~ legislative
8 authority has declared a rural county library district established, it
9 shall appoint ~~((a))~~ an initial board of library trustees and provide
10 funds for the establishment and maintenance of library service for the
11 district by making a tax levy on the property in the district of not
12 more than fifty cents per thousand dollars of assessed value per year
13 sufficient for the library service as shown to be required by the
14 budget submitted to the ~~((board of))~~ county ~~((commissioners))~~

1 legislative authority by the board of library trustees, and by making
2 a tax levy in such further amount as shall be authorized pursuant to
3 RCW 27.12.222 or RCW 84.52.052 or 84.52.056. Such levies shall be a
4 part of the general tax roll and shall be collected as a part of the
5 general taxes against the property in the district.

6 **Sec. 2.** RCW 27.12.130 and 1959 c 133 s 1 are each amended to read
7 as follows:

8 Immediately following the establishment of an intercounty rural
9 library district the ~~((boards of))~~ county ~~((commissioners))~~ legislative
10 authorities of the counties affected shall jointly appoint ~~((a))~~ an
11 initial board of five or seven trustees for the district in accordance
12 with RCW 27.12.190. The board of trustees shall appoint a librarian
13 for the district.

14 **Sec. 3.** RCW 27.12.190 and 1982 c 123 s 8 are each amended to read
15 as follows:

16 (1) The management and control of a library shall be vested in a
17 board of either five or seven trustees as ~~((hereinafter))~~ provided in
18 this section ~~((provided))~~.

19 In cities and towns five trustees shall be appointed by the mayor
20 with the consent of the city or town legislative body. The board of
21 trustees of a city or town shall remain an appointed body.

22 In county law libraries, five trustees shall be appointed by the
23 county legislative authority. The board of trustees of a county law
24 library shall remain an appointed body.

25 In ~~((counties,))~~ rural county library districts~~((,))~~ and island
26 library districts, five trustees shall be appointed as the initial
27 board of trustees by the ~~((board of))~~ county ~~((commissioners))~~
28 legislative authority. The board of trustees of a rural county library

1 district or island library district shall become an elected body, as
2 provided in subsection (3) of this section.

3 In a regional library district a board of either five or seven
4 trustees shall be appointed by the joint action of the legislative
5 bodies concerned. The board of trustees of a regional library shall
6 remain an appointed body.

7 In intercounty rural library districts a board of either five or
8 seven trustees shall be appointed as the initial board of trustees by
9 the joint action of the ~~((boards of county commissioners of each of~~
10 ~~the))~~ counties included in a district. The board of trustees of an
11 intercounty rural library district shall become an elected body, as
12 provided in subsection (3) of this section.

13 ~~(2) The first appointments for boards of trustees comprised of~~
14 ~~((but))~~ five trustees that remain appointed bodies shall be for terms
15 of one, two, three, four, and five years respectively~~((, and thereafter~~
16 ~~a trustee shall be appointed annually to serve for five years))~~.
17 Successor trustees shall be appointed to five-year terms of office.
18 The first appointments for boards of trustees comprised of seven
19 trustees that remain appointed bodies shall be for terms of one, two,
20 three, four, five, six, and seven years respectively~~((, and thereafter~~
21 ~~a trustee shall be appointed annually to serve for seven years))~~.
22 Successor trustees shall be appointed to seven-year terms of office.
23 No person shall be appointed to any board of trustees for more than two
24 consecutive terms.

25 (3) The persons appointed as trustees to boards of trustees that
26 will become elected bodies shall hold office until their successors are
27 elected and assume office as provided in RCW 29.04.170. An election
28 shall be held to elect their successors at the first district general
29 election occurring ninety or more days after the district is created.
30 Candidates shall run for specific trustee positions. On a five-member

1 board of trustees, the three persons elected as trustees who received
2 the greatest number of votes shall be elected to four-year terms of
3 office and the remaining persons who are elected as trustees shall be
4 elected to two-year terms of office. On a seven-member board of
5 trustees, the four persons who are elected as trustees who receive the
6 greatest number of votes shall be elected to four-year terms of office
7 and the remaining persons who are elected as trustees shall be elected
8 to two-year terms of office. Their successors shall be elected to
9 four-year terms of office. Library district elections shall conform
10 with general election law.

11 (4) Vacancies shall be filled for unexpired terms as soon as
12 possible in the manner in which members of the board of trustees are
13 regularly chosen. A vacancy shall occur on an elective trustee
14 position as provided in RCW 42.12.010.

15 (5) A library trustee, whether elected or appointed, shall not
16 receive a salary or other compensation for services as trustee, but
17 necessary expenses actually incurred shall be paid from the library
18 funds.

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

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

3 Immediately following the establishment of an island library
4 district, the ~~((board of))~~ county ~~((commissioners))~~ legislative
5 authority shall appoint ~~((a))~~ an initial board of library trustees for
6 the district, and the successor trustees shall elect, in accordance
7 with RCW 27.12.190. The board of trustees shall appoint a librarian
8 for the district.

9 Funds for the establishment and maintenance of the library service
10 of the district shall be provided by the ~~((board of))~~ county
11 ~~((commissioners))~~ legislative authority by means of an annual tax levy
12 on the property in the district of not more than fifty cents per
13 thousand dollars of assessed value per year. The tax levy shall be
14 based on a budget to be compiled by the board of trustees of the island
15 library district who shall determine the tax rate necessary and certify
16 their determination to the ~~((board of))~~ county ~~((commissioners))~~
17 legislative authority.

18 Excess levies authorized pursuant to RCW 27.12.222, 84.52.052, or
19 84.52.056 shall be at a rate determined by the board of trustees of the
20 island library district and certified to the ~~((board of))~~ county
21 ~~((commissioners))~~ legislative authority.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 27.12 RCW
23 to read as follows:

24 Each rural county library district shall enter into a reciprocal
25 service agreement with each city or town located in the same county as
26 the library district, if the city or town provides library services to
27 its residents and the number of books per capita in the permanent
28 library collection of the city or town is at least equal to the number
29 of books per capita in the permanent library collection of the rural

1 county library district. Each intercounty rural library district shall
2 enter into a reciprocal service agreement with each city or town
3 located in the same counties as the library district, if the city or
4 town provides library services to its residents and the number of books
5 per capita in the permanent library collection of the city or town is
6 at least equal to the number of books per capita in the permanent
7 library collection of the intercounty rural library district. The
8 population of the entire rural county library district or intercounty
9 rural library district, including the population of a city or town that
10 has annexed to the library district, shall be used to calculate the
11 number of books per capita for the rural county library district or
12 intercounty rural library district.

13 A reciprocal service agreement shall allow residents of the city or
14 town to borrow materials and use the interlibrary loan system of the
15 rural county library district or intercounty rural library district
16 under the same conditions as the residents of the library district or
17 are eligible to borrow materials and use the interlibrary loan system
18 of the city or town library.

19 If, after January 1, 1992, a reciprocal service agreement has not
20 been entered into, a city, town, rural county library district, or
21 intercounty rural library district may submit the matter to arbitration
22 under chapter 7.04 RCW.

23 NEW SECTION. **Sec. 6.** A new section is added to chapter 27.12 RCW
24 to read as follows:

25 Every rural county library district and intercounty rural library
26 district shall issue nonresident library cards, enabling the holders to
27 enjoy all the privileges of residents of the library district, to
28 residents of a city or town located in the county or counties in which
29 the library district is located if, the city or town does not operate

1 a city or town library, and (1) does not have a contract with the
2 library district enabling the city or town residents to use the library
3 district facilities or (2) library district property taxes are not
4 being imposed in the city or town as a result of being annexed by the
5 library district.

6 A rural county library district or intercounty library district may
7 impose an annual charge for a nonresident library card not to exceed
8 the per capita costs of its normal library users. For purposes of
9 calculating the per capita costs of its normal library users, "normal
10 library users" means the number of persons residing in the library
11 district and a city or town located in the same county or counties as
12 the library district that does not operate a city or town library but
13 has a contract with the library district for its residents to use the
14 library district facilities. Whenever a city or town annexes to a
15 library district, the population of the city or town shall not be
16 included as part of the library district until the library district
17 property tax levy is imposed in the city or town. For purposes of
18 calculating the per capita costs of its normal library users, the
19 "costs" of a library district are the amount of the property tax levy
20 or levies of the library district that is imposed for collection in the
21 year for which the card is issued and the amount of any contracts for
22 library services that the library district receives from a city or town
23 permitting the city or town residents to use the library district
24 facilities for the year in which the card is issued.