

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5092**

Chapter 368, Laws of 1995

54th Legislature  
1995 Regular Session

LIBRARY CAPITAL FACILITY AREAS

EFFECTIVE DATE: 7/23/95

Passed by the Senate April 21, 1995  
YEAS 46 NAYS 0

JOEL PRITCHARD

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**President of the Senate**

Passed by the House April 6, 1995  
YEAS 89 NAYS 8

CLYDE BALLARD

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**Speaker of the  
House of Representatives**

Approved May 16, 1995

MIKE LOWRY

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5092** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

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**Secretary**

FILED

May 16, 1995 - 11:18 a.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5092**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

**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 county library districts, rural  
11 intercounty library districts, rural partial-county library districts,  
12 or island library districts, for the purpose of financing the  
13 construction of 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.

1 (1) "Library district" means rural county library district, rural  
2 intercounty library district, rural partial-county library district, or  
3 island library district.

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

11 (3) "Library capital facilities" includes both real and personal  
12 property including, but not limited to, land, buildings, site  
13 improvements, equipment, furnishings, collections, and all necessary  
14 costs related to acquisition, financing, design, construction,  
15 equipping, and remodeling.

16 NEW SECTION. **Sec. 3.** Upon receipt of a completed written request  
17 to both establish a library capital facilities area and submit a ballot  
18 proposition under section 6 of this act to finance library capital  
19 facilities, that is signed by a majority of the members of the board of  
20 trustees of a library district or board of trustees of a city or town  
21 library, the county legislative authority or county legislative  
22 authorities for the county or counties in which a proposed library  
23 capital facility area is to be established shall submit separate ballot  
24 propositions to voters to authorize establishing the proposed library  
25 capital facilities area and authorizing the library capital facilities  
26 area, if established, to finance library capital facilities by issuing  
27 general indebtedness and imposing excess levies to retire the  
28 indebtedness. The ballot propositions may only be submitted to voters  
29 at a general election. Approval of the ballot proposition to create a  
30 library capital facilities area shall be by a simple majority vote.

31 A completed request submitted under this section shall include:  
32 (1) A description of the boundaries of the library capital facility  
33 area; and (2) a copy of the resolution of the legislative authority of  
34 each city or town, and board of trustees of each library district, with  
35 territory included within the proposed library capital facilities area  
36 indicating both: (a) Its approval of the creation of the proposed  
37 library capital facilities area; and (b) agreement on how election  
38 costs will be paid for submitting ballot propositions to voters that

1 authorize the library capital facilities area to incur general  
2 indebtedness and impose excess levies to retire the general  
3 indebtedness.

4 NEW SECTION. **Sec. 4.** The governing body of the library capital  
5 facility area shall be three members of the county legislative  
6 authority from each county in which the library capital facility area  
7 is located. In counties that have more than three members of their  
8 legislative body, the three members who shall serve on the governing  
9 body of the library capital facility area shall be chosen by the full  
10 membership of the county legislative authority. Where the library  
11 capital facility area is located in more than one county, a county may  
12 be represented by less than three members by mutual agreement of the  
13 legislative authorities of the participating counties.

14 NEW SECTION. **Sec. 5.** A library capital facilities area may  
15 construct, acquire, maintain, and remodel library capital facilities  
16 and the governing body of the library capital facility area may, by  
17 interlocal agreement or otherwise, contract with a county, city, town,  
18 or library district to design, administer the construction of, operate,  
19 or maintain a library capital facility financed pursuant to this  
20 chapter. Legal title to library capital facilities acquired or  
21 constructed pursuant to this chapter may be transferred, acquired, or  
22 held by the library capital facility area or by a county, city, town,  
23 or library district in which the facility is located.

24 NEW SECTION. **Sec. 6.** (1) A library capital facility area may  
25 contract indebtedness or borrow money to finance library capital  
26 facilities and may issue general obligation bonds for such purpose not  
27 exceeding an amount, together with any existing indebtedness of the  
28 library capital facility area, equal to one and one-quarter percent of  
29 the value of the taxable property in the district and impose excess  
30 property tax levies to retire the general indebtedness as provided in  
31 RCW 39.36.050 if a ballot proposition authorizing both the indebtedness  
32 and excess levies is approved by at least three-fifths of the voters of  
33 the library capital facility area voting on the proposition, and the  
34 total number of voters voting on the proposition constitutes not less  
35 than forty percent of the total number of voters in the library capital  
36 facility area voting at the last preceding general election. The term

1 "value of the taxable property" has the meaning set forth in RCW  
2 39.36.015. Such a proposition may only be submitted to voters at a  
3 general election and may be submitted to voters at the same election as  
4 the election when the ballot proposition authorizing the establishing  
5 of the library capital facilities district is submitted.

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

9 NEW SECTION. **Sec. 7.** (1) A library capital facility area may be  
10 dissolved by a majority vote of the governing body when all obligations  
11 under any general obligation bonds issued by the library capital  
12 facility area have been discharged and any other contractual  
13 obligations of the library capital facility area have either been  
14 discharged or assumed by another governmental entity.

15 (2) A library capital facility area shall be dissolved by the  
16 governing body if the first two ballot propositions under section 6 of  
17 this act that are submitted to voters are not approved.

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

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

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

- 25 (1) RCW 27.14.010 and 1961 c 162 s 1;
- 26 (2) RCW 27.14.015 and 1963 c 80 s 5;
- 27 (3) RCW 27.14.020 and 1963 c 80 s 1 & 1961 c 162 s 2;
- 28 (4) RCW 27.14.030 and 1963 c 80 s 2 & 1961 c 162 s 3;
- 29 (5) RCW 27.14.035 and 1963 c 80 s 3;
- 30 (6) RCW 27.14.040 and 1963 c 80 s 4 & 1961 c 162 s 4; and
- 31 (7) RCW 27.14.050 and 1961 c 162 s 5.

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

Passed the Senate April 21, 1995.  
Passed the House April 6, 1995.  
Approved by the Governor May 16, 1995.  
Filed in Office of Secretary of State May 16, 1995.