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HOUSE BILL 1650

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State of Washington

58th Legislature

2003 Regular Session

By Representatives McMahan and Mielke

Read first time 02/03/2003. Referred to Committee on Local Government.

1 AN ACT Relating to the election of library board members; amending  
2 RCW 27.12.010, 27.12.050, 27.12.120, 27.12.130, 27.12.140, 27.12.150,  
3 27.12.160, 27.12.170, 27.12.180, 27.12.190, 27.12.210, 27.12.215,  
4 27.12.220, 27.12.240, 27.12.260, 27.12.270, 27.12.280, 27.12.285,  
5 27.12.290, 27.12.300, 27.12.305, 27.12.320, 27.12.355, 27.12.360,  
6 27.12.395, 27.12.420, 27.12.430, 27.12.440, and 27.12.470; adding a new  
7 section to chapter 27.12 RCW; and declaring an emergency.

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

9 **Sec. 1.** RCW 27.12.010 and 1994 c 198 s 1 are each amended to read  
10 as follows:

11 ~~((As used in this chapter,))~~ The definitions in this section apply  
12 throughout this chapter unless the context requires ~~((a different~~  
13 ~~meaning\*))~~ otherwise.

14 (1) "Governmental unit" means any county, city, town, rural county  
15 library district, intercounty rural library district, rural partial-  
16 county library district, or island library district;

17 (2) "Legislative body" means the body authorized to determine the  
18 amount of taxes to be levied in a governmental unit; in rural county

1 library districts, in intercounty rural library districts, and in  
2 island library districts, the legislative body shall be the library  
3 board (~~(of library trustees)~~) of the district;

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

6 (4) "Regional library" means a free public library maintained by  
7 two or more counties or other governmental units as provided in RCW  
8 27.12.080;

9 (5) "Rural county library district" means a library serving all the  
10 area of a county not included within the area of incorporated cities  
11 and towns: PROVIDED, That any city or town with a population of one  
12 hundred thousand or less at the time of annexation may be included  
13 therein as provided in RCW 27.12.360 through 27.12.390;

14 (6) "Intercounty rural library district" means a municipal  
15 corporation organized to provide library service for all areas outside  
16 of incorporated cities and towns within two or more counties:  
17 PROVIDED, That any city or town with a population of one hundred  
18 thousand or less at the time of annexation may be included therein as  
19 provided in RCW 27.12.360 through 27.12.390;

20 (7) "Island library district" means a municipal corporation  
21 organized to provide library service for all areas outside of  
22 incorporated cities and towns on a single island only, and not all of  
23 the area of the county, in counties composed entirely of islands and  
24 having a population of less than twenty-five thousand at the time the  
25 island library district was created: PROVIDED, That any city or town  
26 with a population of one hundred thousand or less at the time of  
27 annexation may be included therein as provided in RCW 27.12.360 through  
28 27.12.390; and

29 (8) "Rural partial-county library district" means a municipal  
30 corporation organized to provide library service for a portion of the  
31 unincorporated area of a county. Any city or town located in the same  
32 county as a rural partial-county library district may annex to the  
33 district if the city or town has a population of one hundred thousand  
34 or less at the time of annexation.

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

37 At the next general election after the board of county

1 commissioners has declared a rural county library district established,  
2 (~~it~~) the voters of the library district shall (~~appoint a board of~~  
3 ~~library trustees~~) elect members of a library board as provided in RCW  
4 27.12.190 and provide funds for the establishment and maintenance of  
5 library service for the district by making a tax levy on the property  
6 in the district of not more than fifty cents per thousand dollars of  
7 assessed value per year sufficient for the library service as shown to  
8 be required by the budget submitted to the board of county  
9 commissioners by the library board (~~of library trustees~~), and by  
10 making a tax levy in such further amount as shall be authorized  
11 pursuant to RCW 27.12.222 or 84.52.052 or 84.52.056. Such levies shall  
12 be a part of the general tax roll and shall be collected as a part of  
13 the general taxes against the property in the district.

14 **Sec. 3.** RCW 27.12.120 and 1961 c 82 s 2 are each amended to read  
15 as follows:

16 All property, assets, and liabilities of preexisting library  
17 districts within the area included in an intercounty rural library  
18 district shall pass to and be assumed by an intercounty rural library  
19 district: PROVIDED, That where within any intercounty rural library  
20 district heretofore or hereafter organized under the provisions of this  
21 chapter a preexisting library district had incurred a bonded  
22 indebtedness which was outstanding at the time of the formation of the  
23 intercounty rural library district, such preexisting library district  
24 shall retain its corporate existence insofar as is necessary for the  
25 purpose until the bonded indebtedness outstanding against it on and  
26 after the effective date of said formation has been paid in full:  
27 PROVIDED FURTHER, That a special election may be called by the library  
28 board (~~of trustees~~) of the intercounty rural library district, to be  
29 held at the next general or special election held in the respective  
30 counties for the purpose of affording the voters residing within the  
31 area outside of the preexisting library district an opportunity to  
32 assume the obligation of the bonded indebtedness of the preexisting  
33 library district or the question may be submitted to the voters as a  
34 separate proposition at the election on the proposal for the formation  
35 of the intercounty rural library district.

1       **Sec. 4.** RCW 27.12.130 and 1959 c 133 s 1 are each amended to read  
2 as follows:

3       (~~Immediately~~) At the next general election following the  
4 establishment of an intercounty rural library district the (~~boards of~~  
5 ~~county commissioners~~) voters of the (~~counties affected~~) library  
6 district shall (~~jointly appoint~~) elect a library board of five or  
7 seven (~~trustees~~) members for the district in accordance with RCW  
8 27.12.190. The library board (~~of trustees~~) shall appoint a librarian  
9 for the district.

10       **Sec. 5.** RCW 27.12.140 and 1947 c 75 s 6 are each amended to read  
11 as follows:

12       The library board (~~of trustees~~) of an intercounty rural library  
13 district may adopt a name by which the district shall be known and  
14 under which it shall transact all of its business.

15       **Sec. 6.** RCW 27.12.150 and 1973 1st ex.s. c 195 s 7 are each  
16 amended to read as follows:

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

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

32       **Sec. 7.** RCW 27.12.160 and 1947 c 75 s 8 are each amended to read  
33 as follows:

34       The library board (~~of trustees~~) of an intercounty rural library  
35 district shall designate the county treasurer of one of the counties

1 included in the district to act as treasurer for the district. All  
2 moneys raised for the district by taxation within the participating  
3 counties or received by the district from any other sources shall be  
4 paid over to ((him)) the designated county treasurer, and he or she  
5 shall disburse the funds of the district upon warrants drawn thereon by  
6 the auditor of the county to which he or she belongs pursuant to  
7 vouchers approved by the trustees of the district.

8 **Sec. 8.** RCW 27.12.170 and 1947 c 75 s 9 are each amended to read  
9 as follows:

10 Except as otherwise specifically provided intercounty rural library  
11 districts and the ((trustees)) library board members thereof shall have  
12 the same powers as are prescribed by RCW 27.12.040 through 27.12.070,  
13 for rural county library districts and shall follow the same procedures  
14 and be subject to the same limitations as are provided therein with  
15 respect to the contracting of indebtedness.

16 **Sec. 9.** RCW 27.12.180 and 1941 c 65 s 6 are each amended to read  
17 as follows:

18 Instead of establishing or maintaining an independent library, the  
19 legislative body of any governmental unit authorized to maintain a  
20 library shall have power to contract to receive library service from an  
21 existing library, the board ((of trustees)) of which shall have  
22 reciprocal power to contract to render the service with the consent of  
23 the legislative body of its governmental unit. Such a contract shall  
24 require that the existing library perform all the functions of a  
25 library within the governmental unit wanting service. In like manner  
26 a legislative body may contract for library service from a library not  
27 owned by a public corporation but maintained for free public use:  
28 PROVIDED, That such a library be subject to inspection by the state  
29 librarian and be certified by ((him)) the state librarian as  
30 maintaining a proper standard. Any school district may contract for  
31 school library service from any existing library, such service to be  
32 paid for from funds available to the school district for library  
33 purposes.

34 **Sec. 10.** RCW 27.12.190 and 1982 c 123 s 8 are each amended to read  
35 as follows:

1       The management and control of a library shall be vested in a  
2 library board of either five or seven (~~(trustees))~~ members as  
3 hereinafter in this section provided. In cities and towns five  
4 (~~(trustees))~~ members shall be (~~((appointed by the mayor with the consent~~  
5 ~~of the legislative body))~~ elected by those persons who are eligible to  
6 vote in the respective city or town elections. In counties, rural  
7 county library districts, and island library districts, five  
8 (~~(trustees))~~ members shall be (~~((appointed by the board of county~~  
9 ~~commissioners))~~ elected by those persons who are eligible to vote in  
10 the district. In a regional library district a board of either five or  
11 seven (~~(trustees))~~ members shall be (~~((appointed by the joint action of~~  
12 ~~the legislative bodies concerned))~~ elected by those persons who are  
13 eligible to vote in the district. In intercounty rural library  
14 districts a board of either five or seven (~~(trustees))~~ members shall be  
15 (~~((appointed by the joint action of the boards of county commissioners~~  
16 ~~of each of the counties included in a))~~ elected by those persons who  
17 are eligible to vote in the district. (~~((The first appointments for~~  
18 ~~boards comprised of but five trustees shall be for terms of one, two,~~  
19 ~~three, four, and five years respectively, and thereafter a trustee~~  
20 ~~shall be appointed annually to serve for five years. The first~~  
21 ~~appointments for boards comprised of seven trustees shall be for terms~~  
22 ~~of one, two, three, four, five, six, and seven years respectively, and~~  
23 ~~thereafter a trustee shall be appointed annually to serve for seven~~  
24 ~~years.))~~ The term of each trustee shall be four years and until his or  
25 her successor is elected and qualified and assumes office in accordance  
26 with RCW 29.04.170. Trustees shall be elected in odd-numbered years as  
27 provided in RCW 29.13.020.

28       On a five-member board, the positions for the three members who  
29 have the least number of years remaining in their respective terms as  
30 of June 30, 2003, shall be open for election in 2003. The positions  
31 for the remaining two members on the five-member board shall be open  
32 for election in 2005. On a five-member board created after June 30,  
33 2003, all members shall be elected at the same odd-numbered year  
34 election, but the first terms of three of the members shall be only two  
35 years.

36       On a seven-member board, the positions for the four members who  
37 have the least number of years remaining in their respective terms as  
38 of June 30, 2003, shall be open for election in 2003. The positions

1 for the remaining three members on the seven-member board shall be open  
2 for election in 2005. On a seven-member board created after June 30,  
3 2003, all members shall be elected at the same odd-numbered year  
4 election, but the first terms of four of the members shall be only two  
5 years.

6 No person shall be ~~((appointed))~~ elected to any library board ~~((of~~  
7 ~~trustees))~~ for more than two consecutive terms. Vacancies shall be  
8 filled for unexpired terms as soon as possible in the manner ~~((in which~~  
9 ~~members of the board are regularly chosen))~~ provided in RCW 42.12.070.

10 A library ~~((trustee))~~ board member shall not receive a salary or  
11 other compensation for services as ~~((trustee))~~ a board member, but  
12 necessary expenses actually incurred shall be paid from the library  
13 funds.

14 A library ~~((trustee in the case of a city or town may be removed~~  
15 ~~only by vote of the legislative body. A trustee of a county library,~~  
16 ~~a rural county library district library, or an island library district~~  
17 ~~library may be removed for just cause by the county commissioners after~~  
18 ~~a public hearing upon a written complaint stating the ground for~~  
19 ~~removal, which complaint, with a notice of the time and place of~~  
20 ~~hearing, shall have been served upon the trustee at least fifteen days~~  
21 ~~before the hearing. A trustee of an intercounty rural library district~~  
22 ~~may be removed by the joint action of the board of county commissioners~~  
23 ~~of the counties involved in the same manner as provided herein for the~~  
24 ~~removal of a trustee of a county library))~~ board member may be removed  
25 only through the recall procedures provided in chapter 29.82 RCW.

26 NEW SECTION. Sec. 11. A new section is added to chapter 27.12 RCW  
27 to read as follows:

28 All elections held pursuant to RCW 27.12.190, whether general or  
29 special, must be conducted by the county auditor of the county in which  
30 the library is located. The expense of such an election must be paid  
31 for out of the funds of the library.

32 **Sec. 12.** RCW 27.12.210 and 1982 c 123 s 9 are each amended to read  
33 as follows:

34 The ~~((trustees))~~ library board members, immediately after their  
35 appointment or election, shall meet and organize by the election of  
36 such officers as they deem necessary. They shall:

1 (1) Adopt such bylaws, rules, and regulations for their own  
2 guidance and for the government of the library as they deem expedient;

3 (2) Have the supervision, care, and custody of all property of the  
4 library, including the rooms or buildings constructed, leased, or set  
5 apart therefor;

6 (3) Employ a librarian, and upon his or her recommendation employ  
7 such other assistants as may be necessary, all in accordance with the  
8 provisions of RCW ((27.08.010)) 27.04.055, prescribe their duties, fix  
9 their compensation, and remove them for cause;

10 (4) Submit annually to the legislative body a budget containing  
11 estimates in detail of the amount of money necessary for the library  
12 for the ensuing year; except that in a library district the library  
13 board ((~~of library trustees~~)) shall prepare its budget, certify the  
14 same and deliver it to the board of county commissioners in ample time  
15 for it to make the tax levies for the purpose of the district;

16 (5) Have exclusive control of the finances of the library;

17 (6) Accept such gifts of money or property for library purposes as  
18 they deem expedient;

19 (7) Lease or purchase land for library buildings;

20 (8) Lease, purchase, or erect an appropriate building or buildings  
21 for library purposes, and acquire such other property as may be needed  
22 therefor;

23 (9) Purchase books, periodicals, maps, and supplies for the  
24 library; and

25 (10) Do all other acts necessary for the orderly and efficient  
26 management and control of the library.

27 **Sec. 13.** RCW 27.12.215 and 1979 ex.s. c 40 s 1 are each amended to  
28 read as follows:

29 The ((~~trustees~~)) members of a library board or a library district  
30 have the authority to spend funds to recruit job candidates. The  
31 ((~~trustees~~)) members have the authority to reimburse job candidates for  
32 reasonable and necessary travel expenses including transportation,  
33 subsistence, and lodging.

34 **Sec. 14.** RCW 27.12.220 and 1982 c 123 s 10 are each amended to  
35 read as follows:

36 The ((~~trustees~~)) library board members of any rural county library



1 district, any island library district, or any intercounty rural library  
2 district may include in the annual budget of such district an item for  
3 the accumulation during such year of a specified sum of money to be  
4 expended in a future year for the acquisition, enlargement, or  
5 improvement of real or personal property for library purposes.

6 **Sec. 15.** RCW 27.12.240 and 1965 c 122 s 4 are each amended to read  
7 as follows:

8 After a library shall have been established or library service  
9 contracted for, the legislative body of the governmental unit for which  
10 the library was established or the service engaged, shall appropriate  
11 money annually for the support of the library. All funds for the  
12 library, whether derived from taxation or otherwise, shall be in the  
13 custody of the treasurer of the governmental unit, and shall be  
14 designated by him or her in some manner for identification, and shall  
15 not be used for any but library purposes. The library board (~~of~~  
16 ~~trustees~~) shall have the exclusive control of expenditures for library  
17 purposes subject to any examination of accounts required by the state  
18 and money shall be paid for library purposes only upon vouchers of the  
19 board of trustees, without further audit. The board shall not make  
20 expenditures or incur indebtedness in any year in excess of the amount  
21 of money appropriated and/or available for library purposes.

22 **Sec. 16.** RCW 27.12.260 and 1935 c 119 s 12 are each amended to  
23 read as follows:

24 At the close of each year the library board (~~of trustees~~) of  
25 every library shall make a report to the legislative body of the  
26 governmental unit wherein the board serves, showing the condition of  
27 their trust during the year, the sums of money received for the library  
28 fund from taxes and other sources, the sums of money expended and the  
29 purposes of the expenditures, the number of books and periodicals on  
30 hand, the number added during the year, the number retired, the number  
31 loaned out, and such other statistics and information and such  
32 suggestions as they deem of public interest. A copy of this report  
33 shall be filed with the state librarian.

34 **Sec. 17.** RCW 27.12.270 and 1935 c 119 s 13 are each amended to  
35 read as follows:

1 Every library established or maintained under this act shall be  
2 free for the use of the inhabitants of the governmental unit in which  
3 it is located, subject to such reasonable rules and regulations as the  
4 (~~trustees~~) board members find necessary to assure the greatest  
5 benefit to the greatest number, except that the (~~trustees~~) board  
6 members may charge a reasonable fee for the use of certain duplicate  
7 copies of popular books.

8 **Sec. 18.** RCW 27.12.280 and 1935 c 119 s 14 are each amended to  
9 read as follows:

10 The board (~~of trustees~~) of a library, under such rules and  
11 regulations as it may deem necessary and upon such terms and conditions  
12 as may be agreed upon, may allow nonresidents of the governmental unit  
13 in which the library is situated to use the books thereof, and may make  
14 exchanges of books with any other library, either permanently or  
15 temporarily.

16 **Sec. 19.** RCW 27.12.285 and 1975 c 50 s 1 are each amended to read  
17 as follows:

18 The legislature finds that it is necessary to give the several  
19 library boards (~~of library trustees~~) in this state additional powers  
20 in order to effectuate the state's policy with regard to libraries as  
21 set forth in RCW 27.12.020. On and after March 27, 1975, the library  
22 board (~~of library trustees~~) in any county of this state, in addition  
23 to any other powers and duties, is hereby authorized to provide library  
24 services to Indian tribes recognized as such by the federal government  
25 or to supplement any existing library services of such an Indian tribe.  
26 The power granted by this section shall extend beyond the geographic  
27 limits of the library district and the county or counties in which the  
28 district is located.

29 **Sec. 20.** RCW 27.12.290 and 1935 c 119 s 15 are each amended to  
30 read as follows:

31 A library board (~~of library trustees~~) may exclude from the use of  
32 the library under its charge any person who willfully and persistently  
33 violates any rule or regulation prescribed for the use of the library  
34 or its facilities or any person whose physical condition is deemed  
35 dangerous or offensive to other library users.

1       **Sec. 21.** RCW 27.12.300 and 1935 c 119 s 18 are each amended to  
2 read as follows:

3       The title to money or property given to or for the use or benefit  
4 of a library shall vest in the library board (~~((of trustees))~~), to be  
5 held and used according to the terms of the gift.

6       **Sec. 22.** RCW 27.12.305 and 1972 ex.s. c 90 s 1 are each amended to  
7 read as follows:

8       Any public library, including the state library created pursuant to  
9 chapter 27.04 RCW, shall have the authority to provide for the sale of  
10 library materials developed by the library staff for its use but which  
11 are of value to others such as book catalogs, books published by the  
12 library, indexes, films, slides, book lists, and similar materials.

13       The library commission, library board (~~((of library trustees))~~), or  
14 other governing authority charged with the direct control of a public  
15 library shall determine the prices and quantities of materials to be  
16 prepared and offered for sale. Prices shall be limited to the  
17 publishing and preparation costs, exclusive of staff salaries and  
18 overhead. Any moneys received from the sales of such materials shall  
19 be placed in the appropriate library fund.

20       Nothing in this section shall be construed to authorize any library  
21 to charge any resident for a library service nor to authorize any  
22 library to sell materials to a branch library or library which is part  
23 of a depository library system when such materials may be distributed  
24 free of cost to such library nor shall this section be construed to  
25 prevent, curtail, or inhibit any free distribution programs or exchange  
26 programs between libraries or between libraries and other agencies.

27       **Sec. 23.** RCW 27.12.320 and 1982 c 123 s 12 are each amended to  
28 read as follows:

29       A library established or maintained under this chapter (except a  
30 regional or a rural county library district library, an intercounty  
31 rural library district library, or an island library district library)  
32 may be abolished only in pursuance of a vote of the electors of the  
33 governmental unit in which the library is located, taken in the manner  
34 prescribed in RCW 27.12.030 for a vote upon the establishment of a  
35 library. If a library of a city or town be abolished, the books and  
36 other printed or written matter belonging to it shall go to the library

1 of the county whereof the municipality is a part, if there be a county  
2 library, but if not, then to the state library. If a library of a  
3 county or region be abolished, the books and other printed matter  
4 belonging to it shall go to the state library. All other library  
5 property shall be disposed of as the legislative body of the  
6 governmental unit shall direct.

7 After a rural county library district, an island library district,  
8 or an intercounty rural library district has been in operation for  
9 three or more years, it may be dissolved pursuant to a majority vote of  
10 all of the qualified electors residing outside of incorporated cities  
11 and towns voting upon a proposition for its dissolution, at a general  
12 election, which proposition may be placed upon the ballot at any such  
13 election whenever a petition by ten percent or more qualified voters  
14 residing outside of incorporated cities or towns within a rural county  
15 library district, an island library district, or an intercounty rural  
16 library district requesting such dissolution shall be filed with the  
17 library board (~~(of trustees)~~) of such district not less than ninety  
18 days prior to the holding of any such election. An island library  
19 district may also be dissolved pursuant to RCW 27.12.450.

20 If a rural county library district is dissolved, the books and  
21 other printed matter belonging to it shall go to the state library.  
22 All other library property shall be disposed of as the legislative body  
23 of the governmental unit shall direct. When an intercounty rural  
24 library district is dissolved, the books, funds, and other property  
25 thereof shall be divided among the participating counties in the most  
26 equitable manner possible as determined by the state librarian, who  
27 shall give consideration to such items as the original source of  
28 property, the amount of funds raised from each county by the district,  
29 and the ability of the counties to make further use of such property or  
30 equipment for library purposes. Printed material which the state  
31 librarian finds will not be used by any of the participating counties  
32 for further library purposes shall be turned over to the state library.

33 When an island library district is dissolved pursuant to this  
34 section, the books and other printed matter belonging to it shall go to  
35 the state library. All other library property shall be disposed of as  
36 the legislative body of the governmental unit shall direct. When an  
37 island library district is dissolved due to the establishment of a  
38 county library district, pursuant to RCW 27.12.450, all property,

1 assets, and liabilities of the preexisting island library district  
2 within the area included in the county rural library district shall  
3 pass to and be assumed by the county rural library district: PROVIDED,  
4 That where within any county rural library district heretofore or  
5 hereafter organized under the provisions of this chapter a preexisting  
6 island library district has incurred a bonded indebtedness which was  
7 outstanding at the time of the formation of the county rural library  
8 district, the preexisting island library district shall retain its  
9 corporate existence insofar as is necessary for the purpose until the  
10 bonded indebtedness outstanding against it on and after the effective  
11 date of the formation has been paid in full: PROVIDED FURTHER, That a  
12 special election may be called by the library board (~~(of trustees)~~) of  
13 the county rural library district, to be held at the next general or  
14 special election held in the respective counties, for the purpose of  
15 affording the voters residing within the area outside of the  
16 preexisting island library district an opportunity to assume the  
17 obligation of the bonded indebtedness of the preexisting island library  
18 district or the question may be submitted to the voters as a separate  
19 proposition at the election on the proposal for the formation of the  
20 county rural library district.

21 **Sec. 24.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read  
22 as follows:

23 (1) As provided in this section, a rural county library district,  
24 island library district, or intercounty rural library district may  
25 withdraw areas from its boundaries, or reannex areas into the library  
26 district that previously had been withdrawn from the library district  
27 under this section.

28 (2) The withdrawal of an area shall be authorized upon: (a)  
29 Adoption of a resolution by the library board (~~(of trustees)~~)  
30 requesting the withdrawal and finding that, in the opinion of the  
31 board, inclusion of this area within the library district will result  
32 in a reduction of the district's tax levy rate under the provisions of  
33 RCW 84.52.010; and (b) adoption of a resolution by the city or town  
34 council approving the withdrawal, if the area is located within the  
35 city or town, or adoption of a resolution by the county legislative  
36 authority of the county within which the area is located approving the  
37 withdrawal, if the area is located outside of a city or town. A

1 withdrawal shall be effective at the end of the day on the thirty-first  
2 day of December in the year in which the resolutions are adopted, but  
3 for purposes of establishing boundaries for property tax purposes, the  
4 boundaries shall be established immediately upon the adoption of the  
5 second resolution.

6 The authority of an area to be withdrawn from a library district as  
7 provided under this section is in addition, and not subject, to the  
8 provisions of RCW 27.12.380.

9 The withdrawal of an area from the boundaries of a library district  
10 shall not exempt any property therein from taxation for the purpose of  
11 paying the costs of redeeming any indebtedness of the library district  
12 existing at the time of the withdrawal.

13 (3) An area that has been withdrawn from the boundaries of a  
14 library district under this section may be reannexed into the library  
15 district upon: (a) Adoption of a resolution by the library board (~~of~~  
16 ~~trustees~~) proposing the reannexation; and (b) adoption of a resolution  
17 by the city or town council approving the reannexation, if the area is  
18 located within the city or town, or adoption of a resolution by the  
19 county legislative authority of the county within which the area is  
20 located approving the reannexation, if the area is located outside of  
21 a city or town. The reannexation shall be effective at the end of the  
22 day on the thirty-first day of December in the year in which the  
23 adoption of the second resolution occurs, but for purposes of  
24 establishing boundaries for property tax purposes, the boundaries shall  
25 be established immediately upon the adoption of the second resolution.  
26 Referendum action on the proposed reannexation may be taken by the  
27 voters of the area proposed to be reannexed if a petition calling for  
28 a referendum is filed with the city or town council, or county  
29 legislative authority, within a thirty-day period after the adoption of  
30 the second resolution, which petition has been signed by registered  
31 voters of the area proposed to be reannexed equal in number to ten  
32 percent of the total number of the registered voters residing in that  
33 area.

34 If a valid petition signed by the requisite number of registered  
35 voters has been so filed, the effect of the resolutions shall be held  
36 in abeyance and a ballot proposition to authorize the reannexation  
37 shall be submitted to the voters of the area at the next special  
38 election date specified in RCW 29.13.020 that occurs forty-five or more

1 days after the petitions have been validated. Approval of the ballot  
2 proposition authorizing the reannexation by a simple majority vote  
3 shall authorize the reannexation.

4 **Sec. 25.** RCW 27.12.360 and 1982 c 123 s 13 are each amended to  
5 read as follows:

6 Any city or town with a population of one hundred thousand or less  
7 at the time of annexation may become a part of any rural county library  
8 district, island library district, or intercounty rural library  
9 district lying contiguous thereto by annexation in the following  
10 manner: The inclusion of such a city or town may be initiated by the  
11 adoption of an ordinance by the legislative authority thereof stating  
12 its intent to join the library district and finding that the public  
13 interest will be served thereby. Before adoption, the ordinance shall  
14 be submitted to the library board of the city or town for its review  
15 and recommendations. If no library board exists in the city or town,  
16 the state librarian shall be notified of the proposed ordinance. If  
17 the library board (~~(of trustees)~~) of the library district concurs in  
18 the annexation, notification thereof shall be transmitted to the  
19 legislative authority or authorities of the counties in which the city  
20 or town is situated.

21 **Sec. 26.** RCW 27.12.395 and 1985 c 392 s 1 are each amended to read  
22 as follows:

23 (1) All liabilities of a city or town that is annexed to a rural  
24 county library district or intercounty rural library district, which  
25 liabilities were incurred for the purpose of or in the course of  
26 acquiring, operating, or maintaining a library or libraries, may, if  
27 provided for in the ordinance providing for annexation and in the  
28 resolution of the district consenting to annexation, pass to and be  
29 assumed by the rural county library district or intercounty rural  
30 library district. Notwithstanding the foregoing, if the city or town  
31 has incurred any voted bonded indebtedness for the purpose of  
32 acquiring, operating, or maintaining a library or libraries, and if the  
33 indebtedness is outstanding at the time of the annexation, the voted  
34 bonded indebtedness shall not be assumed by the annexing district.

35 (2) Notwithstanding subsection (1) of this section, if the annexed  
36 city or town has outstanding at the time of the annexation any voted

1 bonded indebtedness incurred for the purpose of acquiring, operating,  
2 or maintaining a library or libraries, a special election may be called  
3 by the library board (~~(of trustees)~~) of the rural county library  
4 district or intercounty rural library district, to be held at the next  
5 general or special election held in the applicable county or counties,  
6 for the purpose of affording the voters residing within the area of the  
7 district outside the annexed city or town an opportunity to assume the  
8 voted bonded indebtedness of the annexed city or town upon the assent  
9 of three-fifths of the voters.

10 **Sec. 27.** RCW 27.12.420 and 1982 c 123 s 4 are each amended to read  
11 as follows:

12 (~~Immediately~~) At the next general election following the  
13 establishment of an island library district, the (~~board of county~~  
14 ~~commissioners~~) voters of the library district shall (~~appoint a board~~  
15 ~~of library trustees~~) elect members of a library board for the district  
16 in accordance with RCW 27.12.190. The library board (~~(of trustees)~~)  
17 shall appoint a librarian for the district.

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

26 Excess levies authorized pursuant to RCW 27.12.222, 84.52.052, or  
27 84.52.056 shall be at a rate determined by the library board (~~(of~~  
28 ~~trustees)~~) of the island library district and certified to the board of  
29 county commissioners.

30 **Sec. 28.** RCW 27.12.430 and 1982 c 123 s 6 are each amended to read  
31 as follows:

32 The library board (~~(of trustees)~~) of an island library district may  
33 adopt a name by which the district shall be known and under which it  
34 shall transact all of its business.



1       **Sec. 29.** RCW 27.12.440 and 1982 c 123 s 5 are each amended to read  
2 as follows:

3       Except as otherwise specifically provided, island library districts  
4 and the ~~((trustees))~~ library board members thereof shall have the same  
5 powers and limitations as are prescribed by RCW 27.12.060 through  
6 27.12.070 for rural county library districts and shall follow the same  
7 procedures and be subject to the same limitations as are provided  
8 therein with respect to the contracting of indebtedness.

9       **Sec. 30.** RCW 27.12.470 and 1999 c 153 s 25 are each amended to  
10 read as follows:

11       A rural partial-county library district may be created in a portion  
12 of the unincorporated area of a county as provided in this section if  
13 a rural county library district, intercounty rural library district, or  
14 island library district has not been created in the county.

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

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

33       The rural partial-county library district shall be created if the  
34 ballot proposition authorizing the creation of the district is approved  
35 by a simple majority vote of the voters voting on the proposition.  
36 ~~((Immediately after))~~ At the next general election following creation  
37 of the rural partial-county library district, the ~~((county legislative~~

1 ~~authority shall appoint a))~~ voters of the library district shall elect  
2 members of a library board (~~(of library trustees)~~) for the district as  
3 provided under RCW 27.12.190.

4 Except as provided in this section, a rural partial-county library  
5 district is subject to all the provisions of law applicable to a rural  
6 county library district and shall have all the powers, duties, and  
7 authorities of a rural county library district, including, but not  
8 limited to, the authority to impose property taxes, incur debt, and  
9 annex a city or town with a population of less than one hundred  
10 thousand at the time of the annexation that is located in the same  
11 county as the rural partial-county library district.

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

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

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

33 Nothing in this section authorizes the consolidation of a rural  
34 partial-county library district with any rural county library district;  
35 island library district; city, county, or regional library; intercounty  
36 library district; or other rural partial-county library district,  
37 unless, in addition to any other requirements imposed by statute, the  
38 boards of all library districts involved approve the consolidation.

1        NEW SECTION.   **Sec. 31.**   This act is necessary for the immediate  
2   preservation of the public peace, health, or safety, or support of the  
3   state government and its existing public institutions, and takes effect  
4   immediately.

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