

HOUSE BILL REPORT

HB 2426

As Reported by House Committee On:
Local Government

Title: An act relating to modifying the appointment process for trustees of rural county library districts in counties with one million or more residents.

Brief Description: Modifying the appointment process for trustees of rural county library districts in counties with one million or more residents.

Sponsors: Representatives Fitzgibbon and Stokesbary.

Brief History:

Committee Activity:

Local Government: 1/21/16, 1/26/16 [DPS].

Brief Summary of Substitute Bill

- Modifies the number and manner of appointment of trustees for rural county library districts located in a county with an adopted Home Rule charter and 1 million or more residents.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Appleton, Chair; Gregerson, Vice Chair; Griffey, Assistant Ranking Minority Member; Fitzgibbon, McBride, McCaslin, Peterson and Pike.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor, Ranking Minority Member.

Staff: Cassie Jones (786-7303).

Background:

Library Districts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

State law authorizes the establishment and maintenance of public libraries by counties, cities, towns, and library districts, either separately or in cooperation with one another. Library districts are separate taxing districts that fall into three categories:

1. Rural county library districts provide library service to the area of a county not included within the area of incorporated cities and towns.
2. Intercounty rural library districts provide library service for all areas outside of incorporated cities and towns within two or more counties.
3. Island library districts provide service to all areas outside of incorporated cities and towns on a single island only.

The management and control of a library is vested in a board of either five or seven trustees. The number and manner of appointment of library trustees depends upon whether the library was established by a county, city or town, or library district. For example, in counties, rural county library districts, and island library districts, five trustees are appointed by the board of county commissioners. The first appointments for boards comprised of five trustees are for terms of one, two, three, four, and five years respectively. Thereafter, trustees are appointed to vacancies for five-year terms.

Library trustees are required to:

- adopt such bylaws, rules, and regulations for their own guidance and for the government of the library as they deem expedient;
- have the supervision, care, and custody of all property of the library, including the rooms or buildings constructed, leased, or set apart therefor;
- employ a librarian, and upon his or her recommendation employ such other assistants as may be necessary, prescribe their duties, fix their compensation, and remove them for cause;
- submit annually to the legislative body a budget containing estimates in detail of the amount of money necessary for the library for the ensuing year; except that in a library district the board of library trustees shall prepare its budget, certify the same and deliver it to the board of county commissioners in ample time for it to make the tax levies for the purpose of the district;
- have exclusive control of the finances of the library;
- accept such gifts of money or property for library purposes as they deem expedient;
- lease or purchase land for library buildings;
- lease, purchase, or erect an appropriate building or buildings for library purposes, and acquire such other property as may be needed;
- purchase books, periodicals, maps, and supplies for the library; and
- do all other acts necessary for the orderly and efficient management and control of the library.

Home Rule Charter.

The Washington Constitution provides for two forms of county government: (1) a "commission" form to be established through general laws by the Legislature; and (2) a "Home Rule Charter" form, which any county may choose to adopt. Seven of the state's 39 counties have adopted Home Rule charters.

Under a commission form, the county has a three-member board of commissioners, elected on a partisan basis, who serve as the county's legislative body and also perform executive

functions. Counties with populations greater than 300,000 may increase the size of the commission from three to five members. Under a Home Rule Charter form, the county charter may provide for a form of government different from a commission form (*e.g.*, with a council/executive form, a county executive serves as the head of the executive branch and a county council serves as the legislative branch).

Summary of Substitute Bill:

Rules for the number and manner of appointment of library trustees for rural county library districts are modified for rural county library districts located in a county with an adopted home rule charter and 1 million or more residents. In such districts, the board of trustees for the library district will be made up of seven trustees who are appointed by the county executive and confirmed by the legislative authority. The trustees must be residents of either: (1) those cities and towns that, through annexation, have become part of the district; or (2) unincorporated areas of the county. Trustees must represent the geographic diversity of the district. The initial seven-member board will be comprised of the existing five trustees, who will serve out their existing terms, and two new trustees, who will have initial terms of one and two years respectively. Thereafter, trustees are appointed to vacancies to serve five-year terms. Trustees may serve no more than two consecutive terms.

Substitute Bill Compared to Original Bill:

The substitute bill includes a requirement that the trustees serve no more than two consecutive terms.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The King County rural library district is a very large, robust, and well-funded system. The intent of this bill is to make sure that the library board is large and geographically diverse enough to represent people in all areas of the district. The bill requires geographic diversity, and seven trustees will allow for that diversity. Increasing the number of trustees is a great way to modernize state law to reflect the county and the library itself. There is a request for a technical amendment to limit the number of terms a trustee may serve on the seven-member board to be consistent with current law for five-member boards.

(Opposed) None.

Persons Testifying: Representative Fitzgibbon, prime sponsor; Mac Nicholson, King County; Abby Moore, Washington Library Association; Gary Wasdin, King County Library System; Debbie Adelstein, Whatcom County Auditor and Washington State Association of County Auditors; and Monty Cobb, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: None.