

2 **SSB 5092** - H COMM AMD **ADOPTED 4/6/95**
3 By Committee on Government Operations

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5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
8 interests of the people of the state of Washington to be able to
9 establish library capital facility areas as quasi-municipal
10 corporations and independent taxing units existing within the
11 boundaries of existing rural county library districts, rural
12 intercounty library districts, rural partial-county library districts,
13 or island library districts, for the purpose of financing the
14 construction of capital library facilities.

15 NEW SECTION. **Sec. 2.** Unless the context clearly requires
16 otherwise, the definitions in this section apply throughout this
17 chapter.

18 (1) "Library district" means rural county library district, rural
19 intercounty library district, rural partial-county library district, or
20 island library district.

21 (2) "Library capital facility area" means a quasi-municipal
22 corporation and independent taxing authority within the meaning of
23 Article VII, section 1 of the state Constitution, and a taxing district
24 within the meaning of Article VII, section 2 of the state Constitution,
25 created by a county legislative authority of one or several counties.
26 A library capital facility area may include all or a portion of a city
27 or town.

28 (3) "Library capital facilities" includes both real and personal
29 property including, but not limited to, land, buildings, site
30 improvements, equipment, furnishings, collections, and all necessary
31 costs related to acquisition, financing, design, construction,
32 equipping, and remodeling.

33 NEW SECTION. **Sec. 3.** Upon receipt of a completed written request
34 to both establish a library capital facilities area and submit a ballot

1 proposition under section 6 of this act to finance library capital
2 facilities, that is signed by a majority of the members of the board of
3 trustees of a library district or board of trustees of a city or town
4 library, the county legislative authority or county legislative
5 authorities for the county or counties in which a proposed library
6 capital facility area is to be established shall submit separate ballot
7 propositions to voters to authorize establishing the proposed library
8 capital facilities area and authorizing the library capital facilities
9 area, if established, to finance library capital facilities by issuing
10 general indebtedness and imposing excess levies to retire the
11 indebtedness. The ballot propositions may only be submitted to voters
12 at a general election. Approval of the ballot proposition to create a
13 library capital facilities area shall be by a simple majority vote.

14 A completed request submitted under this section shall include:
15 (1) A description of the boundaries of the library capital facility
16 area; and (2) a copy of the resolution of the legislative authority of
17 each city or town, and board of trustees of each library district, with
18 territory included within the proposed library capital facilities area
19 indicating both: (a) Its approval of the creation of the proposed
20 library capital facilities area; and (b) agreement on how election
21 costs will be paid for submitting ballot propositions to voters that
22 authorize the library capital facilities area to incur general
23 indebtedness and impose excess levies to retire the general
24 indebtedness.

25 NEW SECTION. **Sec. 4.** The governing body of the library capital
26 facility area shall be three members of the county legislative
27 authority from each county in which the library capital facility area
28 is located. In counties that have more than three members of their
29 legislative body, the three members who shall serve on the governing
30 body of the library capital facility area shall be chosen by the full
31 membership of the county legislative authority. Where the library
32 capital facility area is located in more than one county, a county may
33 be represented by less than three members by mutual agreement of the
34 legislative authorities of the participating counties.

35 NEW SECTION. **Sec. 5.** A library capital facilities area may
36 construct, acquire, maintain, and remodel library capital facilities
37 and the governing body of the library capital facility area may, by

1 interlocal agreement or otherwise, contract with a county, city, town,
2 or library district to design, administer the construction of, operate,
3 or maintain a library capital facility financed pursuant to this
4 chapter. Legal title to library capital facilities acquired or
5 constructed pursuant to this chapter may be transferred, acquired, or
6 held by the library capital facility area or by a county, city, town,
7 or library district in which the facility is located.

8 NEW SECTION. **Sec. 6.** (1) A library capital facility area may
9 contract indebtedness or borrow money to finance library capital
10 facilities and may issue general obligation bonds for such purpose not
11 exceeding an amount, together with any existing indebtedness of the
12 library capital facility area, equal to one and one-quarter percent of
13 the value of the taxable property in the district and impose excess
14 property tax levies to retire the general indebtedness as provided in
15 RCW 39.36.050 if a ballot proposition authorizing both the indebtedness
16 and excess levies is approved by at least three-fifths of the voters of
17 the library capital facility area voting on the proposition, and the
18 total number of voters voting on the proposition constitutes not less
19 than forty percent of the total number of voters in the library capital
20 facility area voting at the last preceding general election. The term
21 "value of the taxable property" has the meaning set forth in RCW
22 39.36.015. Such a proposition may only be submitted to voters at a
23 general election and may be submitted to voters at the same election as
24 the election when the ballot proposition authorizing the establishing
25 of the library capital facilities district is submitted.

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

29 NEW SECTION. **Sec. 7.** (1) A library capital facility area may be
30 dissolved by a majority vote of the governing body when all obligations
31 under any general obligation bonds issued by the library capital
32 facility area have been discharged and any other contractual
33 obligations of the library capital facility area have either been
34 discharged or assumed by another governmental entity.

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

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

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

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

8 (1) RCW 27.14.010 and 1961 c 162 s 1;

9 (2) RCW 27.14.015 and 1963 c 80 s 5;

10 (3) RCW 27.14.020 and 1963 c 80 s 1 & 1961 c 162 s 2;

11 (4) RCW 27.14.030 and 1963 c 80 s 2 & 1961 c 162 s 3;

12 (5) RCW 27.14.035 and 1963 c 80 s 3;

13 (6) RCW 27.14.040 and 1963 c 80 s 4 & 1961 c 162 s 4; and

14 (7) RCW 27.14.050 and 1961 c 162 s 5.

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

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20 On page 1, line 1 of the title, after "facilities;" strike the
21 remainder of the title and insert "adding a new section to chapter
22 36.32 RCW; adding a new chapter to Title 27 RCW; and repealing RCW
23 27.14.010, 27.14.015, 27.14.020, 27.14.030, 27.14.035, 27.14.040, and
24 27.14.050."

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