
SUBSTITUTE SENATE BILL 5150

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Government Operations & Elections (originally sponsored by Senators Benton, Roach and Stevens)

READ FIRST TIME 02/20/03.

1 AN ACT Relating to providing for the election of library trustees;
2 amending RCW 27.12.190; and adding a new section to chapter 27.12 RCW.

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

4 **Sec. 1.** RCW 27.12.190 and 1982 c 123 s 8 are each amended to read
5 as follows:

6 (1) The management and control of a library shall be vested in a
7 board of either five or seven trustees as hereinafter in this section
8 provided. In cities and towns five trustees shall be appointed by the
9 mayor with the consent of the legislative body. In counties, rural
10 county library districts, and island library districts, five trustees
11 shall be appointed by the board of county commissioners. In a regional
12 library district a board of either five or seven trustees shall be
13 appointed by the joint action of the legislative bodies concerned. In
14 intercounty rural library districts a board of either five or seven
15 trustees shall be appointed by the joint action of the boards of county
16 commissioners of each of the counties included in a district. The
17 first appointments for boards comprised of but five trustees shall be
18 for terms of one, two, three, four, and five years respectively, and
19 thereafter a trustee shall be appointed annually to serve for five

1 years. The first appointments for boards comprised of seven trustees
2 shall be for terms of one, two, three, four, five, six, and seven years
3 respectively, and thereafter a trustee shall be appointed annually to
4 serve for seven years. No person shall be appointed to any board of
5 trustees for more than two consecutive terms. Vacancies shall be
6 filled for unexpired terms as soon as possible in the manner in which
7 members of the board are regularly chosen.

8 (2)(a) The appointing authority of a library district, or the
9 legislative body of a city, town, or county in the case of a city,
10 town, or county library, may by ordinance or resolution, or the
11 citizens may by petition, provide for a ballot proposition to determine
12 whether the library trustees should be elected pursuant to section 2 of
13 this act.

14 (b) When proposed by citizen petition or by ordinance or resolution
15 of the appointing authority of a library district, or the legislative
16 body of a city, town, or county in the case of a city, town, or county
17 library, a ballot proposition authorizing election of the library
18 trustees shall be submitted to the voters residing in the district,
19 city, town, or county at any general election, or at any special
20 election which may be called for that purpose.

21 (c) The ballot proposition shall be submitted (i) if the appointing
22 authority of a library district, or the legislative body of a city,
23 town, or county in the case of a city, town, or county library enacts
24 an ordinance or resolution proposing the election; or (ii) if a
25 petition proposing the election of library trustees is submitted to the
26 county auditor of the county in which the district, city, town, or
27 county is located or the largest county in which a multicounty district
28 is located that is signed by registered voters within the district,
29 city, town, or county, numbering at least ten percent of the votes cast
30 in the last general election by registered voters within the district,
31 city, town, or county.

32 (d) Upon receipt of a citizen petition under (c)(ii) of this
33 subsection, the county auditor shall determine whether the petition is
34 signed by a sufficient number of registered voters, using the
35 registration records and returns of the preceding general election,
36 and, no later than forty-five days after receipt of the petition, shall
37 attach to the petition the auditor's certificate stating whether or not

1 sufficient signatures have been obtained. If the signatures are found
2 by the auditor to be insufficient, the petition shall be returned to
3 the person filing it.

4 (e) The ballot proposition authorizing election of library trustees
5 shall appear on the ballot of the next general election or at the next
6 special election date specified under RCW 29.13.020 occurring sixty or
7 more days after the resolution proposing the election or the date the
8 county auditor certifies that the petition proposing such election
9 contains sufficient valid signatures.

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

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

24 NEW SECTION. Sec. 2. A new section is added to chapter 27.12 RCW
25 to read as follows:

26 (1) When election of library trustees is provided for under RCW
27 27.12.190, each member of a library board shall be elected by ballot by
28 the registered voters of the city, town, county, or library district
29 and shall hold office for a term of four years and until a successor is
30 elected and qualified. Terms of trustees shall be staggered, and
31 insofar as possible, not more than a majority of one shall be elected
32 to full terms at any regular election. In case a member or members of
33 a library board are to be elected to fill an unexpired term or terms,
34 the ballot shall specify the term for which each such member is to be
35 elected.

36 (2) Candidates for the position of library trustee shall file their

1 declarations of candidacy and elections for the positions of library
2 trustee shall be conducted as provided in Title 29 RCW.

3 (3) The positions of library trustee in each city, town, county, or
4 library district shall be dealt with as separate offices for all
5 election purposes, and where more than one position is to be filled,
6 each candidate shall file for one of the positions so designated.

7 (4) No person is eligible to the office of library trustee who is
8 not a citizen of the United States and the state of Washington and a
9 registered voter of the city, town, county, or library district, as the
10 case may be.

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