

# HOUSE BILL REPORT

## SB 5701

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### As Passed House:

April 5, 2005

**Title:** An act relating to regional law libraries.

**Brief Description:** Revising provisions relating to regional law libraries.

**Sponsors:** By Senators Hewitt and Delvin.

### Brief History:

#### Committee Activity:

Local Government: 3/24/05 [DP].

#### Floor Activity:

Passed House: 4/5/05, 93-1.

### Brief Summary of Bill

- Provides that it is the population of the counties at the time a regional law library is created that is determinative of whether a regional law library is permissible.
- Indicates who sits on the boards of trustees of the individual counties creating a regional law library.
- Establishes that once a regional law library is created, it is that status, and not the population of the individual counties, which determines the makeup of the board of trustees.

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## HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** CeCe Clynch (786-7168).

### Background:

Whether a county must establish a law library and who sits on the law library board of trustees is determined by the population of the county:

- Counties with less than 8,000 people may, but are not required to, establish a law library. In these smaller counties, the prosecutor is charged with maintaining the library.

- Counties with more than 8,000 people must have a law library. The board is made up of five persons but who sits on the board is dependent upon the population. In the largest counties, two judges sit on the board while in the counties with populations greater than 8,000 but less than 300,000, only one judge sits on the board. A representative of the county legislative authority and lawyers from the community round out the group.

Counties with populations larger than 8,000 but less than 125,000 may choose to create a regional law library. It is the law library boards of trustees of the respective counties, which are empowered to make this decision as well as determine the location of the principal law library to be maintained by the regional law library. Once the regional law library is created, it is governed by a single board of trustees with an equal number of representatives from each county.

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**Summary of Bill:**

Whether a regional law library may be created and maintained is determined by the size of the population in each county at the time it is created, regardless of subsequent changes in the population. The bill establishes which rules govern who sits on the respective county boards of trustees empowered to make the decision whether or not to form a regional law library. Once a regional law library is created, it is governed by a single board of trustees. Rules with respect to size and makeup of the board of trustees in counties that maintain their own law libraries, are not applicable to regional law libraries once those regional libraries are established.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Benton and Franklin Counties formed a regional law library some time ago. Benton County's population has now surpassed the maximum population for forming a regional law library, but the county would like to remain a part of the regional law library and keep the great law library they have. This library is housed at the community college, it is open over 76 hours a week, it costs the county nothing, and it is open to the public.

**Testimony Against:** None.

**Persons Testifying:** Senator Hewitt, prime sponsor; Jeff Hall, Board for Judicial Administrators; and Leo Bowman, Benton County.

**Persons Signed In To Testify But Not Testifying:** None.