

CHAPTER 65.

[S. B. 176.]

RURAL FREE PUBLIC LIBRARIES.

AN ACT relating to free public libraries; providing for rural county library districts, providing revenue and creating boards therefor, prescribing their powers and duties, and amending sections 2, 3, 4, 5, 7, 8, 9 and 10 of chapter 119, Laws of 1935 as amended by sections 1 and 3 of chapter 108, Laws of 1939 (sections 8226-2, 8226-3, 8226-4, 8226-5, 8226-7, 8226-8, 8226-9 and 8226-10, Remington's Revised Statutes); adding thereto one new section to be known as section 4a; and repealing section 6 of chapter 119, Laws of 1935 (section 8226-6, Remington's Revised Statutes).

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 2 of chapter 119, Laws of 1935 (section 8226-2, Remington's Revised Statutes) is amended to read as follows: Amendments.

Section 2. As used in this act, unless the context requires a different meaning (1) "governmental unit" means any county, city, town, rural county library district, or school district, except a union high school district; (2) "legislative body" means the body authorized to determine the amount of taxes to be levied in a governmental unit; in rural county library districts the legislative body shall be the board of library trustees of the district; (3) "library" means a free public library supported in whole or in part with money derived from taxation; and (4) "regional library" means a free public library maintained by two or more counties or other governmental units; and (5) "rural county library district" means a library serving all the area of a county not included within the area of incorporated cities and towns. Definitions.

SEC. 2. Section 3 of chapter 119, Laws of 1935 (section 8226-3, Remington's Revised Statutes) is amended to read as follows: Amendments.

Power to
maintain
library.

Section 3. Any governmental unit has power to establish and maintain a library, either by itself or in cooperation with one or more other governmental units.

Amendments.

SEC. 3 Section 4 of chapter 119, Laws of 1935 (section 8226-4, Remington's Revised Statutes) is amended to read as follows:

Procedure to
establish.

Section 4. A library may be established in any county, city, town, or school district, except a union high school district, either (1) by its legislative body of its own initiative; or (2) upon the petition of one hundred (100) tax payers of such a governmental unit, the legislative body shall submit to a vote of the qualified electors thereof, at the next municipal or special election held therein (in the case of a city, town, or school district) or the next general election or special election held therein (in the case of a county), the question whether a library shall be established; and if a majority of the electors voting on the question vote in favor of the establishment of a library, the legislative body shall forthwith establish one.

Petition.

Election.

Amendments.

SEC. 4. Chapter 119, Laws of 1935, is amended by adding thereto a new section to be known as section 4a to read as follows:

Rural free
library
districts
authorized.

Section 4a. Rural county library districts are hereby authorized for the purpose of giving free public library service to their residents. Such districts shall include all areas of the county outside incorporated cities and towns. A rural county library district may be established by a majority vote of the people voting on the proposition in the district. The procedure for the establishment of such a rural county library district shall be as follows: (1) Petitions signed by at least one hundred (100) tax paying citizens of the county, outside of the area of incorporated cities and towns, asking that the

Procedure.

Petition.

question: "Shall a rural county library district be established?" shall be filed with the board of county commissioners. (2) The board of county commissioners, after having determined that the petition was signed by the requisite number of qualified petitioners, shall place the proposition for the establishment of a rural county library district on the ballot for the vote of the people of the county, outside incorporated cities and towns, at the next succeeding general or special election. (3) If a majority of the electors voting on the proposition vote in favor of the establishment of a rural county library district, the board of county commissioners shall forthwith declare it established. After the board of county commissioners has declared a rural county library district established, it shall appoint a board of library trustees as is provided in section 8 hereof and provide funds for the establishment and maintenance of library service for the district by making a tax levy on the property in the district of not more than two (2) mills per annum and thereafter shall levy a tax upon said district sufficient for the library service as is required by the budget submitted to the board of county commissioners by the board of library trustees. Such levies shall be a part of the general tax roll and shall be collected as a part of the general taxes against the property in the district. It shall be the duty of the county treasurer of the county in which any rural county library district is created under this act to receive and disburse all district revenues and to collect all taxes levied under this act.

Election.

Appoint
board.Tax levy to
maintain.Duty of Co.
Treasurer.

A rural county library district shall be a public corporation with such powers as are necessary to carry out its functions and for taxation purposes shall have the power vested in municipal corporations for such purposes.

District a
public
corporation.

Amendments.

SEC. 5. Section 5 of chapter 119, Laws of 1935 (section 8226-5, Remington's Revised Statutes) is amended to read as follows:

Two or more counties may establish regional library.

Section 5. Two (2) or more counties, or other governmental units, by action of their legislative bodies, may join in establishing and maintaining a regional library under the terms of a contract to which all will agree. The expenses of the regional library shall be apportioned between or among the contracting parties concerned on such basis as shall be agreed upon in the contract. The treasurer of one of the governmental units, as shall be provided in the contract, shall have the custody of the funds of the regional library; and the treasurers of the other governmental units concerned shall transfer quarterly to him all moneys collected for free public library purposes in their respective governmental units. If the legislative body of any governmental unit decides to withdraw from a regional library contract, the governmental unit withdrawing shall be entitled to a division of the property on the basis of its contributions.

Treasurer.

May withdraw from contract.

Dissolution and division.

Amendments.

SEC. 6. Section 7 of chapter 119, Laws of 1935 (section 8226-7, Remington's Revised Statutes) is amended to read as follows:

May contract for service from existing library.

Section 7. Instead of establishing or maintaining an independent library, the legislative body of any governmental unit authorized to maintain a library shall have power to contract to receive library service from an existing library, the board of trustees of which shall have reciprocal power to contract to render the service with the consent of the legislative body of its governmental unit. Such a contract shall require that the existing library perform all the functions of a library within the governmental unit wanting service. In like manner a legislative body may contract for library service from a library not owned by a public corporation but maintained

for free public use: *Provided*, That such a library be subject to inspection by the state librarian and be certified by him as maintaining a proper standard. Any school district may contract for school library service from any existing library, such service to be paid for from funds available to the school district for library purposes.

Inspection.

SEC. 7. Section 8 of chapter 119, Laws of 1935, as amended by section 1 of chapter 108, Laws of 1939 (section 8226-8 of Remington's Revised Statutes), is amended to read as follows:

Amendments.

Section 8. The management and control of a library shall be vested in a board of five (5) trustees. In cities and towns the trustees shall be appointed by the mayor with the consent of the legislative body. In counties and rural county library districts they shall be appointed by the board of county commissioners. In a regional library district they shall be appointed by the joint action of the legislative bodies concerned. In school districts they shall be elected by the voters in the manner in which school directors are elected. The first appointments or elections shall be for terms of one (1), two (2), three (3), four (4), and five (5) years respectively, and thereafter a trustee shall be appointed or elected annually to serve for five (5) years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen: *Provided*, That where the library is a school district public library, the remaining members of the board of trustees shall fill such vacancies by appointment, for terms to expire at the next regular election of library trustees. A library trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from the library funds. A library trustee in the case of a city or town may be removed only by vote of the

Power vested in board of trustees.

Appointment.

Terms of trustees.

Vacancies.

No compensation except expenses for trustees.

Removal of trustee.

legislative body. A library trustee of a school district public library may be removed only by a majority vote of the other trustees. A trustee of a county library or a rural county library district library may be removed by the county commissioners after a public hearing upon a written complaint stating the ground for removal, which complaint, with a notice of the time and place of hearing, shall have been served upon the trustee at least fifteen (15) days before the hearing.

Procedure.

Amendments.

SEC. 8. Section 9 of chapter 119, Laws of 1935 (section 8226-9, Remington's Revised Statutes) is amended to read as follows:

Duties of Trustees.

Section 9. The trustees, immediately after their appointment or election, shall meet and organize by the election of such officers as they deem necessary.

Organization.

Adopt rules.

They shall (1) adopt such by-laws, rules, and regulations for their own guidance and for the government of the library as they deem expedient; (2) have the supervision, care, and custody of all property of the library, including the rooms or buildings constructed, leased, or set apart therefor; (3) employ a librarian, and upon his recommendation employ such other assistants as may be necessary, all in accordance with the provisions of section 11 of this act, prescribe their duties, fix their compensation, and remove them for cause; (4) 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 rural county 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; (5) have exclusive control of the finances of the library; (6) accept such gifts of money or property for library purposes as they deem

Custody of property.

Employ librarian.

Submit annual budget.

Exclusive control.

expedient; (7) lease or purchase land for library buildings; (8) lease, purchase, or erect an appropriate building or buildings for library purposes, and acquire such other property as may be needed therefor; (9) purchase books, periodicals, maps, and supplies for the library; and (10) do all other acts necessary for the orderly and efficient management and control of the library.

Purchase and hold property.

SEC. 9. Section 10 of chapter 119, Laws of 1935, as amended by section 3, chapter 108, Laws of 1939 (section 8226-10 of Remington's Revised Statutes), is amended to read as follows:

Amendments.

Section 10. After a library shall have been established or library service contracted for, the legislative body of the governmental unit for which the library was established or the service engaged, shall appropriate money annually for the support of the library: *Provided*, That with respect to a school district public library it shall not be necessary for the school board of the district in which said library is located to make an appropriation of the moneys derived from the levy provided in section 9a of this act, but all such moneys shall at all times be available for the use of said library. All funds for the library, whether derived from taxation or otherwise, shall be in the custody of the treasurer of the governmental unit, and shall be designated by him in some manner for identification, and shall not be used for any but library purposes. The board of trustees shall have the exclusive control of expenditures for library purposes subject to any examination of accounts required by the state and money shall be paid for library purposes only upon vouchers of the board of trustees, without further audit. The board shall not make expenditures or incur indebtedness in any year in excess of the amount of money appropriated and/or available for library purposes.

Appropriation for support.

Treasurer custodian of all funds.

Trustees to make all expenditures.

Limits.

Statute
repealed.

SEC. 10. Section 6 of chapter 119, Laws of 1935 (section 8226-6, Remington's Revised Statutes) is hereby repealed.

Passed the Senate March 6, 1941.

Passed the House March 5, 1941.

Approved by the Governor March 12, 1941.

CHAPTER 66.

[S. B. 16.]

LEASING OF STATE LAND TO THE UNITED STATES FOR DEFENSE PURPOSES.

AN ACT providing for the leasing of state lands to the United States for defense purposes, and declaring an emergency.

*Be it enacted by the Legislature of the State of
Washington:*

State lands
may be
leased for
defense.

SECTION 1. State lands may be leased to the United States for national defense purposes at the fair rental value thereof as determined by the Commissioner of Public Lands, for a period of five years or less. Such leases may be made without competitive bidding at public auction and without payment in advance by the United States government of the first year's rental. Such leases otherwise shall be negotiated and arranged in the same manner as other leases of state lands.

Effective im-
mediately.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 7, 1941.

Passed the House March 6, 1941.

Approved by the Governor March 12, 1941.