

CHAPTER 108.

[S. B. 135.]

PUBLIC LIBRARIES.

AN ACT relating to free public libraries and the trustees thereof, providing for a special levy, establishing a fund, and amending section 8 and section 10 of and adding section 9a to chapter 119 of the Laws of 1935.

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

Amends
§ 8226-8 Rem.
Rev. Stat.;
§ 5489-38
P. C.

SECTION 1. Section 8 of chapter 119 of the Laws of 1935 (section 8226-8 of Remington's Revised Statutes; section 5489-38 of Pierce's Code) is hereby amended to read as follows:

Board of
trustees.

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 they shall be appointed by the board of county commissioners. In a regional library district they shall be appointed by the joint action of all the county commissioners in the district. 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 trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from the library

fund. A library trustee may be removed only by vote of the legislative body: *Provided*, That a library trustee of a school district public library may be removed only by a majority vote of the other trustees.

SEC. 2. Chapter 119 of the Laws of 1935 (section 8226-1 to section 8226-20, inclusive, of Remington's Revised Statutes; section 5489-31 to section 5489-50, inclusive, of Pierce's Code) is hereby amended by adding thereto a new section to be known as section 9a, to read as follows:

Adds § 9a to ch. 119, Laws 1935.

Section 9a. The trustees of any school district public library may submit to the qualified voters of such school district at a special election to be called for that purpose by the board of directors of such school district, in the manner provided by law, the proposition of whether a special levy of not to exceed two (2) mills, which shall be in addition to all other taxes levied by or for said school district, shall be levied upon all the taxable property of said district for the purpose of providing for the support of said library. If said proposed tax is authorized as provided by law, the same shall be levied and collected annually either as directed by said proposition or, in the absence of such direction, as are other general taxes upon real property.

Special election to authorize additional levy.

SEC. 3. Section 10 of chapter 119 of the Laws of 1935 (section 8226-10 of Remington's Revised Statutes; section 5489-40 of Pierce's Code) is hereby amended to read as follows:

Amends § 8226-10 Rem. Rev. Stat.; § 5489-40 P. C.

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 and so far as possible, the taxes levied and collected for this purpose shall be levied and collected within the territory to be served: *Provided*,

Annual appropriation.

Free public
library fund.

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 constitute a separate fund called the "Free Public Library Fund," and shall not be used for any but library purposes. The board of trustees shall have the exclusive control of expenditures from the fund subject to any examination of accounts required by the state and money shall be paid from the fund 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.

Passed the Senate February 22, 1939.

Passed the House March 6, 1939.

Approved by the Governor March 12, 1939.