

IN THE SENATE

SENATE BILL NO. 1235

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC LIBRARY DISTRICT TRUSTEES; AMENDING SECTION 33-2715,  
2 IDAHO CODE, TO REVISE PROVISIONS REGARDING THE TERMS OF OFFICE FOR PUB-  
3 LIC LIBRARY DISTRICT TRUSTEES; AMENDING SECTION 33-2718, IDAHO CODE,  
4 TO REVISE PROVISIONS REGARDING THE TERMS OF OFFICE FOR PUBLIC LIBRARY  
5 DISTRICT TRUSTEES USING TRUSTEE ZONES; AND PROVIDING AN EFFECTIVE DATE.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 33-2715, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 33-2715. BOARD OF TRUSTEES -- SELECTION -- NUMBER -- QUALIFICATIONS --  
11 TERM -- OATH -- APPOINTMENT OF FIRST BOARD. (1) Each library district shall  
12 be governed by a board of trustees of five (5) members elected or appointed as  
13 provided by law, who at the time of their selection and during their terms of  
14 office shall be qualified electors of the district and if trustee zones have  
15 been established under section 33-2718, Idaho Code, shall be a resident of  
16 the trustee zone. Trustees shall be elected at each trustee election, held  
17 on the uniform election date in May. The regular term of a trustee shall be  
18 for ~~six (6)~~ four (4) years, or until his successor has been elected and qual-  
19 ified. Within ten (10) days after his appointment an appointed trustee shall  
20 qualify and assume the duties of his office. An elected trustee shall qual-  
21 ify and assume the duties of his office at the annual meeting. All trustees  
22 qualify by taking the oath of office required of state officers, to be admin-  
23 istered by one (1) of the present trustees or by a trustee retiring.

24 (2) Following the initial establishment of a library district, the  
25 board of county commissioners of the home county within five (5) days shall  
26 appoint the members of the first board of trustees, who shall serve until  
27 the next election of trustees held in an odd-numbered year or until their  
28 successors are elected and qualified in an odd-numbered year. ~~The initial~~  
29 ~~election of trustees shall be for terms of four (4) years for two (2) trustees~~  
30 ~~and thereafter their terms shall be for six (6) years, terms of six (6) years~~  
31 ~~for two (2) trustees and thereafter their terms shall be for six (6) years,~~  
32 ~~and a term of two (2) years for one (1) trustee and thereafter the term shall~~  
33 ~~be for six (6) years. The initial election of three (3) trustees shall be for~~  
34 ~~terms of two (2) years, and subsequent regular terms shall be for four (4)~~  
35 ~~years. The initial and subsequent election of two (2) trustees shall be for~~  
36 ~~terms of four (4) years. Addition of new territory to an existing library~~  
37 ~~district shall not be considered an initial establishment. The first board~~  
38 ~~of trustees shall be sworn by a member of the board of county commissioners of~~  
39 ~~the home county of the district.~~

40 (3) At its first meeting, and after each trustee election, the board  
41 shall organize and elect from its membership a chairman and other officers  
42 necessary to conduct the affairs of the district.

1 (4) Members of the board shall serve without salary but shall receive  
 2 their actual and necessary expenses while engaged in business of the dis-  
 3 trict.

4 (5) For the purpose of achieving an orderly transition ~~to~~ from terms of  
 5 six (6) years ~~and to hold trustee elections in odd-numbered~~ to terms of four  
 6 (4) years, the following schedule shall be followed:

7 ~~(a) For trustees elected in 2005, their terms shall expire in 2011 and~~  
 8 ~~the terms for each of those elected in 2011 shall each be six (6) years~~  
 9 ~~and thereafter those terms shall be for six (6) years;~~

10 ~~(b) For trustees elected in 2006, their terms shall expire in 2011 and~~  
 11 ~~the terms for each of those elected in 2011 shall each be six (6) years~~  
 12 ~~and thereafter those terms shall be for six (6) years;~~

13 ~~(c) For trustees elected in 2007, their terms shall expire in 2013 and~~  
 14 ~~the terms for each of those elected in 2013 shall each be six (6) years~~  
 15 ~~and thereafter those terms shall be for six (6) years;~~

16 ~~(d) For trustees elected in 2008, their terms shall expire in 2013 and~~  
 17 ~~the terms for each of those elected in 2013 shall each be six (6) years~~  
 18 ~~and thereafter those terms shall be for six (6) years;~~

19 ~~(e) For trustees elected in 2009, their terms shall expire in 2015 and~~  
 20 ~~the terms for each of those elected in 2015 shall each be six (6) years~~  
 21 ~~and thereafter those terms shall be for six (6) years;~~

22 ~~(f) For trustees elected in 2010, their terms shall expire in 2015 and~~  
 23 ~~the terms for each of those elected in 2015 shall be six (6) years and~~  
 24 ~~thereafter those terms shall be for six (6) years.~~

25 (a) Trustees elected in 2023 or earlier shall serve the remainder of the  
 26 regular six (6) year term for which they were most recently elected; and

27 (b) Trustees elected in 2025 or later shall serve regular terms of four  
 28 (4) years.

29 SECTION 2. That Section 33-2718, Idaho Code, be, and the same is hereby  
 30 amended to read as follows:

31 33-2718. CREATION OF TRUSTEE ZONES. (1) Each library district may be  
 32 divided into five (5) trustee zones with each zone having approximately the  
 33 same population. To the maximum extent possible, boundaries of trustee  
 34 zones shall follow the existing boundaries of the electoral precincts of  
 35 the county. They shall be revised, as necessary, to equalize population  
 36 and to follow new electoral precinct boundaries following the publication  
 37 of the report of each decennial census. In order for a library district to  
 38 be divided into trustee zones, the board of trustees shall pass a motion  
 39 declaring the district to be divided into trustee zones and providing a legal  
 40 description of each trustee zone. The board of trustees shall transmit the  
 41 motion along with the legal description of the trustee zones to the board or  
 42 boards of county commissioners in the county or counties where the library  
 43 district is contained and to the board of library commissioners. The board  
 44 or boards of county commissioners shall have forty-five (45) days from the  
 45 receipt of the motion and legal description to reject, by adoption of a mo-  
 46 tion, the establishment of trustee zones proposed by formal motion of the  
 47 board of trustees of the library district. If the board or boards of county  
 48 commissioners do not reject the establishment of the trustee zones within  
 49 the time limit specified, they shall be deemed to be in full force and effect.

1 If a library district is contained in more than one (1) county, a motion of  
2 rejection adopted by one (1) board of county commissioners shall be suffi-  
3 cient to keep the trustee zone plan from going into effect. A board of county  
4 commissioners shall notify the library board of trustees in writing if a  
5 proposal is rejected.

6 (2) If a proposal for the establishment of trustee zones is rejected by  
7 a board of county commissioners, the boundaries of the trustee zones, if any,  
8 shall return to the dimensions they were before the rejection. Trustee zones  
9 may be redefined and changed, but not more than once every two (2) years after  
10 a new set of trustee zones are formally established and in full force and ef-  
11 fect.

12 (3) At the next regular meeting of the board of trustees of the library  
13 district following the creation of trustee zones, the public library dis-  
14 trict board shall appoint from its membership or from other qualified elec-  
15 tors resident in each trustee zone, a person from that zone to serve as a  
16 trustee until the next regularly scheduled trustee election from that zone,  
17 which election shall be held in an odd-numbered year. The initial and subse-  
18 quent regular election of two (2) trustees for the trustee zones shall be for  
19 terms of four (4) years for two (2) trustees and thereafter their terms shall  
20 be for six (6) years, terms of six (6) years for two (2) trustees and there-  
21 after their terms shall be for six (6) years, and a term of two (2) years for  
22 one (1) trustee and thereafter the term shall be for six (6) years, with each  
23 zone being. The initial election of three (3) trustees shall be for a term of  
24 two (2) years and thereafter the regular terms of office shall be for four (4)  
25 years. Each zone shall be assigned an initial term length by a random drawing  
26 of the numbers one (1) through five (5).

27 ~~(4) For the purpose of achieving an orderly transition to terms of six~~  
28 ~~(6) years and hold trustee elections in odd-numbered years, the following~~  
29 ~~schedule shall be followed:~~

30 ~~(a) For trustees elected in 2005, their terms shall expire in 2011 and~~  
31 ~~the terms for each of those elected in 2011 shall each be six (6) years~~  
32 ~~and thereafter those terms shall be for six (6) years;~~

33 ~~(b) For trustees elected in 2006, their terms shall expire in 2011 and~~  
34 ~~the terms for each of those elected in 2011 shall each be six (6) years~~  
35 ~~and thereafter those terms shall be for six (6) years;~~

36 ~~(c) For trustees elected in 2007, their terms shall expire in 2013 and~~  
37 ~~the terms for each of those elected in 2013 shall each be six (6) years~~  
38 ~~and thereafter those terms shall be for six (6) years;~~

39 ~~(d) For trustees elected in 2008, their terms shall expire in 2013 and~~  
40 ~~the terms for each of those elected in 2013 shall each be six (6) years~~  
41 ~~and thereafter those terms shall be for six (6) years;~~

42 ~~(e) For trustees elected in 2009, their terms shall expire in 2015 and~~  
43 ~~the terms for each of those elected in 2015 shall each be six (6) years~~  
44 ~~and thereafter those terms shall be for six (6) years;~~

45 ~~(f) For trustees elected in 2010, their terms shall expire in 2015 and~~  
46 ~~the terms for each of those elected in 2015 shall be six (6) years and~~  
47 ~~thereafter those terms shall be for six (6) years.~~

48 SECTION 3. This act shall be in full force and effect on and after Jan-  
49 uary 1, 2025.