

AMENDED IN ASSEMBLY MAY 19, 1998  
AMENDED IN ASSEMBLY MAY 12, 1998  
AMENDED IN ASSEMBLY APRIL 27, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1995**

**Introduced by Assembly Member Leach**  
(Coauthor: Senator Rainey)

February 18, 1998

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An act to ~~amend Section 17050 of, and to add Section 17049.5 to,~~ the Education Code, relating to library services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1995, as amended, Leach. ~~School libraries~~ *Livermore Valley Joint Unified School District: joint-use agreements libraries.*

Existing law authorizes a district to enter into a contract with the county, or other appropriate entity having responsibility for the provision of public library services in which the district is located for the purpose of operating a joint-use library facility at a schoolsite owned by the district.

This bill would, *notwithstanding those provisions*, permit the joint-use contract to be for a joint-use library at a schoolsite owned by the ~~district~~ *Livermore Valley Joint Unified School District* or at a site, within one mile of the schoolsite, owned by the district, the county, or other appropriate entity having responsibility for the provision of public library services in that area, and would declare that it is in the interest of the

state to authorize ~~a school district~~ *the Livermore Valley Joint Unified School District* to enter into such a joint-use arrangement.

*This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17049.5 is added to the  
2 Education Code, to read:

3 17049.5. (a) It is in the interest of the state to  
4 authorize ~~a school district~~ *the Livermore Valley Joint*  
5 *Unified School District* to enter into a joint-use  
6 arrangement with another public entity for operation of  
7 a joint-use library facility located on land, in close  
8 proximity to a schoolsite, owned by the school ~~district or~~  
9 *district or* by the another public agency.

10 ~~SEC. 2. Section 17050 of the Education Code is~~  
11 ~~amended to read:~~

12 ~~17050. (a) A district may enter into a contract with~~  
13 ~~(b) Notwithstanding Section 17050, the Livermore~~  
14 ~~Valley Joint Unified School District may enter into a~~  
15 ~~contract with the county, or other appropriate entity~~  
16 ~~having responsibility for the provision of public library~~  
17 ~~services, in which the district is located for the purpose of~~  
18 ~~operating a joint-use library facility at a schoolsite owned~~  
19 ~~by the district or at a site, within one mile of the schoolsite,~~  
20 ~~owned by the school district, the county, or other~~  
21 ~~appropriate entity having responsibility for the provision~~  
22 ~~of public library services in that area.~~

23 ~~(b) The district~~  
24 ~~(c) The Livermore Valley Joint Unified School District~~  
25 ~~may apply for the lease-purchase of a project which~~  
26 ~~includes a library facility, pursuant to Section 17017,~~  
27 ~~which facility, if constructed, would be of sufficient size~~  
28 ~~to accommodate the requirements of a joint-use library~~



1 for which the district has entered into a contract,  
2 pursuant to subdivision ~~(a)~~:

3 ~~(e)~~ ~~(b)~~.

4 (d) Should the board receive an application for a  
5 project *from the Livermore Valley Joint Unified School*  
6 *District* which includes space for a joint-use library, the  
7 board shall evaluate the application disregarding any  
8 space in the proposed library facility which is beyond the  
9 needs of the district, provided the application contains a  
10 copy of the contract specified in subdivision ~~(a)~~ (b), and  
11 provided that the contract contains at least the following:

12 (1) Agreement that the county or other appropriate  
13 entity shall deposit in the county school lease-purchase  
14 fund, created pursuant to Section 17034, an amount equal  
15 to the total cost of any space in the proposed library  
16 facility which is beyond the needs of the district, prior to  
17 the signing of the construction contract for the project.  
18 The deposit shall not be refundable, except to the extent  
19 that it may prove subsequently to be in excess of the  
20 actual total cost of the space which is beyond the needs  
21 of the district.

22 (2) Agreement between the district and the county or  
23 other appropriate entity regarding staffing,  
24 maintenance, materials acquisition, and other matters  
25 related to the administration and operating costs of the  
26 joint-use facility.

27 (3) Agreement between the district and the county or  
28 other appropriate entity regarding the procedure for  
29 amendment or termination of the contract, including the  
30 disposition of materials housed in the joint-use facility  
31 should termination of the contract occur.

32 ~~(d)~~

33 (e) Any space in a joint-use library which is beyond the  
34 needs of the ~~—district~~ *Livermore Valley Joint Unified*  
35 *School District* shall not be included by the board in any  
36 calculations made for any other purposes provided for in  
37 this article for the period of time that the contract for that  
38 joint-use facility remains in effect. Should the contract be  
39 terminated, the board shall include the additional space



1 in any calculations made after the termination for any  
2 other purposes provided for in this article.

3 *SEC. 2. Due to the unique circumstances concerning*  
4 *the Livermore Valley Joint Unified School District, it is*  
5 *necessary that enhanced flexibility in development of*  
6 *joint-use library facilities be provided, and the*  
7 *Legislature finds and declares that a general statute*  
8 *cannot be made applicable within the meaning of Section*  
9 *16 of Article IV of the California Constitution.*

