

SENATE BILL 5241

State of Washington

52nd Legislature

1991 Regular Session

By Senators Newhouse, Vognild, Hayner, Gaspard, McCaslin and McMullen.

Read first time January 24, 1991. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to public hospital districts; and amending RCW
2 70.44.060.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.44.060 and 1990 c 234 s 2 are each amended to read
5 as follows:

6 All public hospital districts organized under the provisions of
7 this chapter shall have power:

8 (1) To make a survey of existing hospital and other health care
9 facilities within and without such district.

10 (2) To construct, condemn and purchase, purchase, acquire, lease,
11 add to, maintain, operate, develop and regulate, sell and convey all
12 lands, property, property rights, equipment, hospital and other health
13 care facilities and systems for the maintenance of hospitals,
14 buildings, structures, and any and all other facilities, and to
15 exercise the right of eminent domain to effectuate the foregoing

1 purposes or for the acquisition and damaging of the same or property of
2 any kind appurtenant thereto, and such right of eminent domain shall be
3 exercised and instituted pursuant to a resolution of the commission and
4 conducted in the same manner and by the same procedure as in or may be
5 provided by law for the exercise of the power of eminent domain by
6 incorporated cities and towns of the state of Washington in the
7 acquisition of property rights: PROVIDED, That no public hospital
8 district shall have the right of eminent domain and the power of
9 condemnation against any health care facility.

10 (3) To lease existing hospital and other health care facilities and
11 equipment and/or other property used in connection therewith, including
12 ambulances, and to pay such rental therefor as the commissioners shall
13 deem proper; to provide hospital and other health care services for
14 residents of said district by facilities located outside the boundaries
15 of said district, by contract or in any other manner said commissioners
16 may deem expedient or necessary under the existing conditions; and said
17 hospital district shall have the power to contract with other
18 communities, corporations, or individuals for the services provided by
19 said hospital district; and they may further receive in said hospitals
20 and other health care facilities and furnish proper and adequate
21 services to all persons not residents of said district at such
22 reasonable and fair compensation as may be considered proper:
23 PROVIDED, That it must at all times make adequate provision for the
24 needs of the district and residents of said district shall have prior
25 rights to the available hospital and other health care facilities of
26 said district, at rates set by the district commissioners.

27 (4) For the purpose aforesaid, it shall be lawful for any district
28 so organized to take, condemn and purchase, lease, or acquire, any and
29 all property, and property rights, including state and county lands,
30 for any of the purposes aforesaid, and any and all other facilities

1 necessary or convenient, and in connection with the construction,
2 maintenance, and operation of any such hospitals and other health care
3 facilities, subject, however, to the applicable limitations provided in
4 subsection (2) of this section.

5 (5) To contract indebtedness or borrow money for corporate purposes
6 on the credit of the corporation or the revenues of the hospitals
7 thereof, and the revenues of any other facilities or services that the
8 district is or hereafter may be authorized by law to provide, and to
9 issue and sell: (a) Revenue bonds, revenue warrants, or other revenue
10 obligations therefor payable solely out of a special fund or funds into
11 which the district may pledge such amount of the revenues of the
12 hospitals thereof, and the revenues of any other facilities or services
13 that the district is or hereafter may be authorized by law to provide,
14 to pay the same as the commissioners of the district may determine,
15 such revenue bonds, warrants, or other obligations to be issued and
16 sold in the same manner and subject to the same provisions as provided
17 for the issuance of revenue bonds, warrants, or other obligations by
18 cities or towns under the Municipal Revenue Bond Act, chapter 35.41
19 RCW, as may hereafter be amended; (b) general obligation bonds therefor
20 in the manner and form as provided in RCW 70.44.110 and 70.44.130, as
21 may hereafter be amended; or (c) interest-bearing warrants to be drawn
22 on a fund pending deposit in such fund of money sufficient to redeem
23 such warrants and to be issued and paid in such manner and upon such
24 terms and conditions as the board of commissioners may deem to be in
25 the best interest of the district; and to assign or sell hospital
26 accounts receivable, and accounts receivable for the use of other
27 facilities or services that the district is or hereafter may be
28 authorized by law to provide, for collection with or without recourse.
29 General obligation bonds shall be issued and sold in accordance with
30 chapter 39.46 RCW. Revenue bonds, revenue warrants, or other revenue

1 obligations may be issued and sold in accordance with chapter 39.46
2 RCW.

3 (6) To raise revenue by the levy of an annual tax on all taxable
4 property within such public hospital district not to exceed fifty cents
5 per thousand dollars of assessed value, and an additional annual tax on
6 all taxable property within such public hospital district not to exceed
7 twenty-five cents per thousand dollars of assessed value, or such
8 further amount as has been or shall be authorized by a vote of the
9 people. Although public hospital districts are authorized to impose
10 two separate regular property tax levies, the levies shall be
11 considered to be a single levy for purposes of the one hundred six
12 percent limitation provided for in chapter 84.55 RCW. Public hospital
13 districts are authorized to levy such a general tax in excess of their
14 regular property taxes when authorized so to do at a special election
15 conducted in accordance with and subject to all of the requirements of
16 the Constitution and the laws of the state of Washington now in force
17 or hereafter enacted governing the limitation of tax levies. The said
18 board of district commissioners is authorized and empowered to call a
19 special election for the purpose of submitting to the qualified voters
20 of the hospital district a proposition or propositions to levy taxes in
21 excess of its regular property taxes. The superintendent shall prepare
22 a proposed budget of the contemplated financial transactions for the
23 ensuing year and file the same in the records of the commission on or
24 before the first Monday in September. Notice of the filing of said
25 proposed budget and the date and place of hearing on the same shall be
26 published for at least two consecutive weeks in a newspaper printed and
27 of general circulation in said county. On the first Monday in October
28 the commission shall hold a public hearing on said proposed budget at
29 which any taxpayer may appear and be heard against the whole or any
30 part of the proposed budget. Upon the conclusion of said hearing, the

1 commission shall, by resolution, adopt the budget as finally determined
2 and fix the final amount of expenditures for the ensuing year. Taxes
3 levied by the commission shall be certified to and collected by the
4 proper county officer of the county in which such public hospital
5 district is located in the same manner as is or may be provided by law
6 for the certification and collection of port district taxes. The
7 commission is authorized, prior to the receipt of taxes raised by levy,
8 to borrow money or issue warrants of the district in anticipation of
9 the revenue to be derived by such district from the levy of taxes for
10 the purpose of such district, and such warrants shall be redeemed from
11 the first money available from such taxes when collected, and such
12 warrants shall not exceed the anticipated revenues of one year, and
13 shall bear interest at a rate or rates as authorized by the commission.

14 (7) To enter into any contract with the United States government or
15 any state, municipality, or other hospital district, or any department
16 of those governing bodies, for carrying out any of the powers
17 authorized by this chapter.

18 (8) To sue and be sued in any court of competent jurisdiction:
19 PROVIDED, That all suits against the public hospital district shall be
20 brought in the county in which the public hospital district is located.

21 (9) To pay actual necessary travel expenses and living expenses
22 incurred while in travel status for (a) qualified physicians who are
23 candidates for medical staff positions, and (b) other qualified persons
24 who are candidates for superintendent or other managerial and technical
25 positions, when the district finds that hospitals or other health care
26 facilities owned and operated by it are not adequately staffed and
27 determines that personal interviews with said candidates to be held in
28 the district are necessary or desirable for the adequate staffing of
29 said facilities.

1 (10) To make contracts, employ superintendents, attorneys, and
2 other technical or professional assistants and all other employees,
3 including chaplains; to make contracts with private or public
4 institutions for employee retirement programs; to print and publish
5 information or literature; and to do all other things necessary to
6 carry out the provisions of this chapter.