SENATE BILL 6004
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State of Washington   **63rd Legislature**   **2014 Regular Session**

By Senators Hasegawa, Roach, Keiser, and Hobbs

Read first time 01/13/14. Referred to Committee on Governmental Operations.

1   AN ACT Relating to election of public hospital district boards of
2   commissioners; amending RCW 70.44.040 and 70.44.054; and adding a new
3   section to chapter 70.44 RCW.

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

5   **Sec. 1.** RCW 70.44.040 and 2006 c 322 s 1 are each amended to read
6   as follows:
7   (1) The provisions of Title 29A RCW relating to elections ((shall))
8   govern public hospital ((districts)) district elections, except as
9   provided in this chapter.
10   (2) A public hospital district shall be created when the ballot
11   proposition authorizing the creation of the district is approved by a
12   simple majority vote of the voters of the proposed district voting on
13   the proposition and the total vote cast upon the proposition exceeds
14   forty percent of the total number of votes cast in the proposed
15   district at the preceding state general election.
16   (3)(a) A public hospital district initially may be created with
17   three, five, or seven commissioner districts.
18   (b) At the election at which the proposition is submitted to the
19   voters as to whether a district shall be formed, three, five, or seven

1   commissioners shall be elected from either three, five, or seven
2   commissioner districts, or at-large positions, or both, as determined
3   by resolution of the county commissioners of the county or counties in
4   which the proposed public hospital district is located, ((all)) in
5   accordance with RCW 70.44.054. The election of the initial
6   commissioners ((shall be)) is null and void if the district is not
7   authorized ((to be created)) as provided in subsection (2) of this
8   section.

9   (c) No primary ((shall be)) is held. A special filing period
10   ((shall)) must be opened as provided in RCW 29A.24.171 and 29A.24.181.
11   The person receiving the greatest number of votes for ((the))
12   commissioner of each commissioner district or at-large position ((shall
13   be)) is elected as the commissioner of that district or at-large
14   position.

15   (d) The terms of office of the initial public hospital district
16   commissioners ((shall)) must be staggered, with the length of the terms
17   assigned so that the person or persons who are elected receiving the
18   greater number of votes ((being)) are assigned a longer term or terms
19   of office ((and)). Each term of an initial commissioner ((running))
20   runs until a successor assumes office who is elected at one of the next
21   three following district general elections the first of which occurs at
22   least one hundred twenty days after the date of the election where
23   voters approved the ballot proposition creating the district((,)).
24   Elections occur as follows:

25   (((a))) (i) If the public hospital district will have three
26   commissioners, the successor to one initial commissioner ((shall)) must
27   be elected at ((such)) the first following district general election,
28   the successor to one initial commissioner ((shall)) must be elected at
29   the second following district general election, and the successor to
30   one initial commissioner ((shall)) must be elected at the third
31   following district general election;

32   (((b))) (ii) If the public hospital district will have five
33   commissioners, the successor to one initial commissioner ((shall)) must
34   be elected at ((such)) the first following district general election,
35   the successors to two initial commissioners ((shall)) must be elected
36   at the second following district general election, and the successors
37   to two initial commissioners ((shall)) must be elected at the third
38   following district general election;

1   (((e))) (iii) If the public hospital district will have seven
2   commissioners, the successors to two initial commissioners ((shall))
3   must be elected at ((such)) the first following district general
4   election, the successors to two initial commissioners ((shall)) must be
5   elected at the second following district general election, and the
6   successors to three initial commissioners ((shall)) must be elected at
7   the third following district general election.

8   (e) The initial commissioners ((shall)) must take office
9   immediately when they are elected and qualified. The term of office of
10   each successor ((shall be)) is six years. Each commissioner ((shall))
11   serves until a successor is elected and qualified and assumes office in
12   accordance with RCW 29A.20.040.

13   (((2))) (4) Only a registered voter who resides in a commissioner
14   district may be a candidate for, or hold office as, a commissioner
15   ((of)) representing the commissioner district. Voters of the entire
16   public hospital district may vote at a primary or general election to
17   elect a person as a commissioner ((of the)) representing a commissioner
18   district, or to elect a person as an at-large commissioner, unless the
19   public hospital district must establish the election system specified
20   in section 3 of this act.

21   (5) If the proposed public hospital district initially will have
22   three commissioner districts and the public hospital district is
23   countywide, and if the county has three county legislative authority
24   districts, the county legislative authority districts ((shall)) must be
25   used as public hospital district commissioner districts. In all other
26   instances, the county auditor of the county in which all or the largest
27   portion of the proposed public hospital district is located ((shall))
28   must draw the initial public hospital district commissioner districts
29   and designate at-large positions, if appropriate, as provided in RCW
30   70.44.054.   Each of the commissioner positions ((shall)) must be
31   numbered consecutively and associated with the commissioner district or
32   at-large position of the same number.

33   (6) The commissioners of a public hospital district that is not
34   coterminous with the boundaries of a county that has three county
35   legislative authority districts ((shall)) must at the times required in
36   chapter 29A.76 RCW and may from time to time redraw commissioner
37   district boundaries in a manner consistent with chapter 29A.76 RCW.

((~~(3)~~)) (7) No person may hold office as a commissioner while serving as an employee of the public hospital district.

Sec. 2. RCW 70.44.054 and 1997 c 99 s 4 are each amended to read as follows:

(1) In accordance with RCW 70.44.040, only a registered voter who resides in a commissioner district of a public hospital district may be a candidate for, or hold office as, a commissioner representing the commissioner district. Voters of the entire public hospital district may vote at a primary or general election to elect a person as a commissioner representing a commissioner district, or to elect a person as an at-large commissioner, unless the public hospital district must establish the election system specified in section 3 of this act.

(2) If the voters of ((the)) a public hospital district approve ((the)) a ballot proposition authorizing ((the)) an increase in the number of commissioners to either five or seven members, the additional commissioners ((shall)) must be elected at large from the entire public hospital district((; provided that)). However, the board of commissioners of the public hospital district may, by resolution, redistrict the public hospital district into five commissioner districts if the district has five commissioners, or seven commissioner districts if the district has seven commissioners. The board of commissioners ((shall)) must draw the boundaries of each commissioner district to include as nearly as possible equal portions of the total population of the public hospital district.

If the board of commissioners increases the number of commissioner districts as provided in this section, one commissioner ((shall)) must be elected from each commissioner district, and no commissioner may be elected from a commissioner district in which another commissioner resides.

NEW SECTION. **Sec. 3.** A new section is added to chapter 70.44 RCW to read as follows:

(1) The board of commissioners of a public hospital district with a population exceeding two hundred ninety thousand persons must:

(a) Establish commissioner districts within the public hospital district that conform with criteria specified in RCW 29A.76.010; and

1   (b) Provide that each member of the board of commissioners will be
2   nominated in a primary and elected in a general election solely by
3   voters in the member's commissioner district, rather than by voters in
4   the entire public hospital district.

5   (2) A resolution adopted pursuant to subsection (1) of this section
6   may not reduce the term of a commissioner serving in office at the time
7   that the resolution is adopted. Subsequently, elected commissioners
8   must be elected from the commissioner districts in which they reside.
9   One commissioner must be elected from each commissioner district, and
10 no commissioner may be elected from a commissioner district in which
11 another commissioner resides.

12 (3) A public hospital district must comply with subsection (1) of
13 this section within eight months of the effective date of this section
14 if the district's population estimate exceeds two hundred ninety
15 thousand persons as of the effective date of this section.

16 (4) A public hospital district with a population estimate below two
17 hundred ninety thousand persons as of the effective date of this
18 section must comply with subsection (1) of this section by June 1st of
19 the year following release of a population estimate indicating that the
20 district's population has risen to exceed two hundred ninety thousand
21 persons.

22 (5) For purposes of this section, "population estimate" means a
23 population estimate annually compiled for each public hospital district
24 in the state by the office of financial management and posted annually
25 by October 1st on the office's web site.

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