
HOUSE BILL 1897

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Bowman, Bray and Ferguson.

Read first time February 14, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to public hospital districts; amending RCW
2 70.44.040, 70.44.045, 70.44.051, and 70.44.053; adding a new section to
3 chapter 70.44 RCW; and repealing RCW 70.44.055 and 70.44.057.

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

5 **Sec. 1.** RCW 70.44.040 and 1990 c 259 s 39 are each amended to read
6 as follows:

7 The provisions of Title 29 RCW relating to elections shall govern
8 public hospital districts, except ~~((that:—(1)))~~ as provided in this
9 chapter.

10 A public hospital district shall be created if the ballot
11 proposition authorizing the creation of a public hospital district is
12 approved by a simple majority vote of the voters of the proposed
13 district who vote on the proposition and the total vote cast upon the
14 proposition ~~((to form a hospital district shall))~~ exceeds forty percent
15 of the total number of votes cast in the ~~((precincts comprising the))~~

1 proposed district at the preceding general ((and)) county election((; and (2) hospital district commissioners shall hold office for the term of six years and until their successors are elected and qualified, each term to commence on the first day in January following the election)).

5 At the election at which the proposition is submitted to the voters as to whether a district shall be formed, three commissioners shall be elected ((to hold office, respectively, for the terms of two, four, and six years. All candidates shall be voted upon by the entire district, and the candidate residing in commissioner district No. 1 receiving the highest number of votes in the hospital district shall hold office for the term of six years; the candidate residing in commissioner district No. 2 receiving the highest number of votes in the hospital district shall hold office for the term of four years; and the candidate residing in commissioner district No. 3 receiving the highest number of votes in the hospital district shall hold office for the term of two years. The first commissioners to be elected shall take office immediately when qualified in accordance with RCW 29.01.135. Each term of the initial commissioners shall date from the time above specified following the organizational election, but shall also include the period intervening between the organizational election and the first day of January following the next district general election: PROVIDED, That in public hospital districts encompassing portions of more than one county, the total vote cast upon the proposition to form the district shall exceed forty percent of the total number of votes cast in each portion of each county lying within the proposed district at the next preceding general county election. The portion of the proposed district located within each county shall constitute a separate commissioner district. There shall be three district commissioners whose terms shall be six years. Each district shall be designated by the name of the county in which it is located. All

1 candidates for commissioners shall be voted upon by the entire
2 district. Not more than one commissioner shall reside in any one
3 district: PROVIDED FURTHER, That in the event there are only two
4 districts then two commissioners may reside in one district. The term
5 of each commissioner shall commence on the first day in January in each
6 year following his election. At the election at which the proposition
7 is submitted to the voters as to whether a district shall be formed,
8 three commissioners shall be elected to hold office, respectively, for
9 the terms of two, four, and six years. The candidate receiving the
10 highest number of votes within the district, as constituted by the
11 election, shall serve a term of six years; the candidate receiving the
12 next highest number of votes shall hold office for a term of four
13 years; and the candidate receiving the next highest number of votes
14 shall hold office for a term of two years: PROVIDED FURTHER, That the
15 holding of each such term of office shall be subject to the residential
16 requirements for district commissioners hereinbefore set forth in this
17 section)). An election to nominate candidates for the initial three
18 commissioner positions shall not be held. The election of the initial
19 commissioners shall be null and void if the district is not authorized
20 to be created.

21 The terms of office of the initial public hospital district
22 commissioners shall be staggered as follows: (1) The winning
23 candidates for commissioner positions number one and two each shall be
24 elected to four-year terms of office, if the election was held in an
25 odd-numbered year, or to three-year terms of office, if the election
26 was held in an even-numbered year; and (2) the winning candidate for
27 commission position number three shall be elected to a two-year term of
28 office, if the election was held in an odd-numbered year, or a one-year
29 term of office, if the election was held in an even-numbered year. The
30 length of such terms of office shall be computed from the first day of

1 January in the year following this election. The term of office of
2 each successor shall be four years.

3 Commissioner districts shall be used for residency purposes only in
4 all public hospital district elections relating to commissioners,
5 unless the district has abandoned the use of commissioner districts.
6 Voters of the entire hospital district may vote at any election to
7 nominate or elect any commissioner. If the proposed public hospital
8 district is county-wide, and the county has three county legislative
9 authority districts, the county legislative authority districts shall
10 be used as hospital commissioner districts. In all other instances,
11 the county auditor of the county in which all or the largest portion of
12 the proposed public hospital district is located shall draw the initial
13 three commissioner districts each of which comprises as nearly as
14 possible one-third of the total population of the proposed public
15 hospital district and number the districts one, two, and three. Each
16 of the three commissioner positions shall be numbered one through three
17 and associated with the district of the same number.

18 The public hospital district commissioners may redraw commissioner
19 districts so that each district comprises as nearly as possible one-
20 third of the total population of the proposed public hospital district.

21 NEW SECTION. Sec. 2. A new section is added to chapter 70.44 RCW
22 to read as follows:

23 The terms of office of each public hospital district commissioner
24 shall be reduced to four years, except for those commissioners whose
25 terms of office would have expired on January 1, 1992. Commencing at
26 the 1991 general election, each person elected as a public hospital
27 district commissioner shall be elected to a four-year term of office,
28 except for the staggering of terms and filling of vacancies.

1 **Sec. 3.** RCW 70.44.045 and 1982 c 84 s 13 are each amended to read
2 as follows:

3 A vacancy in the office of commissioner shall occur by death,
4 resignation, removal, conviction of felony, nonattendance at meetings
5 of the commission for sixty days, unless excused by the commission, by
6 any statutory disqualification, or by any permanent disability
7 preventing the proper discharge of ~~((his))~~ the commissioner's duty~~((
8 or by creation of positions pursuant to RCW 70.44.051, et seq))~~). A
9 vacancy or vacancies on the board shall be filled by appointment by the
10 remaining commissioner or commissioners until the next regular election
11 for commissioners as provided by RCW 70.44.040: PROVIDED, That if
12 there is only one remaining commissioner, one vacancy shall be filled
13 by appointment by the remaining commissioner and the remaining vacancy
14 or vacancies shall be filled by appointment by the then two
15 commissioners and the appointed commissioners shall serve until the
16 next regular election for commissioners: PROVIDED FURTHER, That if
17 there is a vacancy of the entire board, a new board may be appointed by
18 the board of county commissioners or county council.

19 **Sec. 4.** RCW 70.44.051 and 1967 c 77 s 1 are each amended to read
20 as follows:

21 ~~((In addition to the procedures enumerated in RCW 70.44.020,~~
22 ~~70.44.030 and 70.44.035,))~~ The board of public hospital district
23 commissioners in an existing intracounty or intercounty district may be
24 increased from three members to five or to seven members; and the board
25 of public hospital district commissioners in any district created after
26 June 8, 1967 may ~~((have))~~ be increased from three~~((
27 or seven~~ ~~((commissioners))~~ members.

1 **Sec. 5.** RCW 70.44.053 and 1967 c 77 s 2 are each amended to read
2 as follows:

3 At any general or special election which may be called for that
4 purpose the board of public hospital district commissioners may, or on
5 petition of ten percent of the electors based on the total vote cast in
6 the last district general election in the public hospital district
7 shall, by resolution, submit to the voters of the district the
8 proposition increasing the number of commissioners to any number
9 authorized in RCW 70.44.051. The petition or resolution shall specify
10 whether it is proposed to increase the number of commissioners to
11 either five or seven members.

12 If the voters of the district approve the ballot proposition
13 authorizing the increase in the number of commissioners to either five
14 or seven members, an election to nominate candidates for the additional
15 positions shall be held at the next September special election,
16 occurring in either an even or odd-numbered year, and an election to
17 elect each additional commissioner shall be held at the following
18 November election. Candidates shall run for specific commissioner
19 positions.

20 Where the number of commissioners is increased to five, the two new
21 commissioner positions shall not be associated with a commissioner
22 district. The initial new terms shall be staggered so that the winning
23 candidate receiving the greatest number of votes shall be elected to a
24 four-year term of office, if the election was held in an odd-numbered
25 year, or three-year term of office if the election was held in an odd-
26 numbered year, and the other winning candidate shall be elected to a
27 two-year term of office, if the election was held in an odd-numbered
28 year, or a one-year term of office, if the election was held in an
29 even-numbered year. The two new elected commissioners shall assume

1 office as provided in RCW 29.04.170. Successors shall be elected to
2 four-year terms of office.

3 Where the number of commissioners is increased to seven, one of the
4 new commissioner positions shall be associated with each of the three
5 commissioner districts, and the initial terms of each of the three new
6 commissioner positions shall be staggered, so that at each subsequent
7 district general election one position associated with each of the
8 three commissioner districts is elected to a four-year term of office.
9 The fourth new commissioner position shall not be associated with a
10 commissioner district and the winning candidate shall be elected to a
11 four-year term of office, if the election was held in an odd-numbered
12 year, or a three-year term of office, if the election was held in an
13 even-numbered year. Successors shall be elected to four-year terms of
14 office.

15 NEW SECTION. Sec. 6. The following acts or parts of acts are
16 each repealed:

17 (1) RCW 70.44.055 and 1967 c 77 s 3; and

18 (2) RCW 70.44.057 and 1967 c 77 s 4.