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HOUSE BILL 2035

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives P. Sullivan, Jarrett, Roach and Anderson

Read first time 02/06/2007. Referred to Committee on Local Government.

1            AN ACT Relating to providing an alternative method for withdrawal  
2 from public hospital districts for smaller cities; and adding a new  
3 section to chapter 70.44 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 70.44 RCW  
6 to read as follows:

7            (1) As an alternative procedure to RCW 70.44.400, territory within  
8 an incorporated city of less than twenty thousand in population may be  
9 withdrawn from a public hospital district in the following manner and  
10 upon the following conditions: The petition for withdrawal shall be in  
11 writing and shall designate the boundaries of the territory proposed to  
12 be withdrawn from the district and shall be signed by at least fifteen  
13 percent of the qualified voters residing within the territory so  
14 designated who are qualified voters on the date of filing such  
15 petition. The proposed area to be withdrawn must comprise all  
16 residents within an incorporated city.

17            (2) The petition for withdrawal shall be filed with the county  
18 auditor of each county in which the district is located, and after the  
19 filing no person having signed the petition shall be allowed to

1 withdraw the person's name therefrom. Within ten days after such  
2 filing, each county auditor shall examine and verify the signatures of  
3 signers residing in the respective county. The petition shall be  
4 transmitted to the auditor of the county in which all or the major  
5 geographic portion of the district is located, who shall certify to the  
6 sufficiency or insufficiency of the signatures. If the area proposed  
7 to be withdrawn is located in more than one county, the auditor of the  
8 county in which the largest geographic portion of the area proposed to  
9 be withdrawn is located shall be the lead auditor and shall immediately  
10 transfer a copy of the petitions to the auditor of each other county in  
11 which the area proposed to be withdrawn is located. Within ten days  
12 after the lead auditor received the petition, the auditors of these  
13 other counties shall certify to the lead auditor: (a) The number of  
14 voters of that county residing in the area proposed to be withdrawn who  
15 voted at the last municipal general election; and (b) the number of  
16 valid signatures on the petition of voters of that county residing in  
17 the area proposed to be withdrawn. The lead auditor shall certify the  
18 sufficiency of the petition after receiving this information. If such  
19 petition is found by such county auditor to contain sufficient  
20 signatures, the petition, together with a certificate of sufficiency  
21 attached thereto, shall be transmitted to the board of commissioners of  
22 the district.

23 (3) Upon receipt by the board of commissioners of a petition and  
24 certificate of sufficiency of the auditor, or if the petition is signed  
25 by landowners and the board of commissioners is satisfied as to the  
26 sufficiency of the signatures, it shall, at a regular or special  
27 meeting, fix a date for a hearing on the petition and give notice that  
28 the petition has been filed, stating the time and place of the meeting  
29 of the board of commissioners at which the petition will be heard and  
30 setting forth the boundaries of the territory proposed to be withdrawn.  
31 The notice shall be published at least once a week for two successive  
32 weeks in a newspaper of general circulation therein, and if no such  
33 newspaper is printed in the county, then in some newspaper of general  
34 circulation in the county and district. Any additional notice of the  
35 hearing may be given as the board of commissioners may by resolution  
36 direct.

37 (4) The petition for withdrawal shall be heard at the time and  
38 place specified in the notice or the hearing may be adjourned from time

1 to time, not exceeding one month in all, and any person may appear at  
2 the hearing and make objections to the withdrawal of the territory or  
3 to the proposed boundary lines thereof. Upon final hearing on the  
4 petition for withdrawal, the board of commissioners shall make and by  
5 resolution either approve or deny the proposed withdrawal.

6 (5) Within ten days after the final hearing the board of  
7 commissioners of the district shall transmit to the county legislative  
8 authority of each county in which the district is located the petition  
9 for withdrawal, together with a copy of the resolution of the board of  
10 commissioners of the district certified by the secretary of the  
11 district to be a true and correct copy of such findings and  
12 recommendations as the same appear on the records of the district.

13 (6) If by resolution the board of commissioners approves a petition  
14 for withdrawal, then the county legislative authority shall by  
15 resolution declare that the territory be withdrawn from that district,  
16 and thereupon the territory shall be withdrawn and excluded from that  
17 district the same as if it had never been included in that district  
18 except for the lien of taxes as hereinafter set forth.

19 (7) If the resolution of the district board of commissioners denies  
20 the petition for withdrawal, then the county legislative authority of  
21 each county in which the district is located shall by resolution cause  
22 a special election to be held not less than thirty days or more than  
23 sixty days from the date of the final hearing of any county legislative  
24 authority upon the petition for withdrawal, at which election the  
25 proposition expressed on the ballots shall be substantially as follows:

26 "Shall the territory established and defined by the district board  
27 of commissioners at its meeting held on the . . . . . (insert date of  
28 final hearing of district board of commissioners upon the petition for  
29 withdrawal) be withdrawn from district . . . . . (naming it).

30 Yes . . . . .   
31 No . . . . .

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