
HOUSE BILL 2866

State of Washington

55th Legislature

1998 Regular Session

By Representatives Dyer, Skinner and Backlund

Read first time 01/21/98. Referred to Committee on Health 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
16 purposes or for the acquisition and damaging of the same or property of
17 any kind appurtenant thereto, and such right of eminent domain shall be
18 exercised and instituted pursuant to a resolution of the commission and
19 conducted in the same manner and by the same procedure as in or may be

1 provided by law for the exercise of the power of eminent domain by
2 incorporated cities and towns of the state of Washington in the
3 acquisition of property rights(~~(:—PROVIDED,—That)~~). However, no
4 public hospital district shall have the right of eminent domain and the
5 power of condemnation against any health care facility.

6 (3) To lease existing hospital and other health care facilities and
7 equipment and/or other property used in connection therewith, including
8 ambulances, and to pay such rental therefor as the commissioners shall
9 deem proper; to provide hospital and other health care services for
10 residents of ((~~said~~)) the district by facilities, limited to
11 exclusively health care-related purposes and no ancillary purposes,
12 located outside the boundaries of ((~~said~~)) the district, by contract or
13 in any other manner ((~~said~~)) the commissioners may deem expedient or
14 necessary under the existing conditions; and ((~~said~~)) the hospital
15 district shall have the power to contract with other communities,
16 corporations, or individuals for the services provided by ((~~said~~)) the
17 hospital district; and they may further receive in ((~~said~~)) the
18 hospitals and other health care facilities and furnish proper and
19 adequate services to all persons not residents of ((~~said~~)) the district
20 at such reasonable and fair compensation as may be considered proper(~~(:—~~
21 ~~PROVIDED,—That)~~). However, it must at all times make adequate
22 provision for the needs of the district and residents of ((~~said~~)) the
23 district shall have prior rights to the available hospital and other
24 health care facilities of ((~~said~~)) the district, at rates set by the
25 district commissioners.

26 (4) For the purpose aforesaid, it shall be lawful for any district
27 so organized to take, condemn and purchase, lease, or acquire, any and
28 all property, and property rights, including state and county lands,
29 for any of the purposes aforesaid, and any and all other facilities
30 necessary or convenient, and in connection with the construction,
31 maintenance, and operation of any such hospitals and other health care
32 facilities, subject, however, to the applicable limitations provided in
33 subsection (2) of this section.

34 (5) To contract indebtedness or borrow money for corporate purposes
35 on the credit of the corporation or the revenues of the hospitals
36 thereof, and the revenues of any other facilities or services that the
37 district is or hereafter may be authorized by law to provide, and to
38 issue and sell: (a) Revenue bonds, revenue warrants, or other revenue
39 obligations therefor payable solely out of a special fund or funds into

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

23 (6) To raise revenue by the levy of an annual tax on all taxable
24 property within such public hospital district not to exceed fifty cents
25 per thousand dollars of assessed value, and an additional annual tax on
26 all taxable property within such public hospital district not to exceed
27 twenty-five cents per thousand dollars of assessed value, or such
28 further amount as has been or shall be authorized by a vote of the
29 people. Although public hospital districts are authorized to impose
30 two separate regular property tax levies, the levies shall be
31 considered to be a single levy for purposes of the one hundred six
32 percent limitation provided for in chapter 84.55 RCW. Public hospital
33 districts are authorized to levy such a general tax in excess of their
34 regular property taxes when authorized so to do at a special election
35 conducted in accordance with and subject to all of the requirements of
36 the Constitution and the laws of the state of Washington now in force
37 or hereafter enacted governing the limitation of tax levies. The
38 ((said)) board of district commissioners is authorized and empowered to
39 call a special election for the purpose of submitting to the qualified

1 voters of the hospital district a proposition or propositions to levy
2 taxes in excess of its regular property taxes. The superintendent
3 shall prepare a proposed budget of the contemplated financial
4 transactions for the ensuing year and file the same in the records of
5 the commission on or before the first Monday in September. Notice of
6 the filing of ((said)) the proposed budget and the date and place of
7 hearing on the same shall be published for at least two consecutive
8 weeks in a newspaper printed and of general circulation in ((said)) the
9 county. On the first Monday in October the commission shall hold a
10 public hearing on ((said)) the proposed budget at which any taxpayer
11 may appear and be heard against the whole or any part of the proposed
12 budget. Upon the conclusion of ((said)) the hearing, the commission
13 shall, by resolution, adopt the budget as finally determined and fix
14 the final amount of expenditures for the ensuing year. Taxes levied by
15 the commission shall be certified to and collected by the proper county
16 officer of the county in which such public hospital district is located
17 in the same manner as is or may be provided by law for the
18 certification and collection of port district taxes. The commission is
19 authorized, prior to the receipt of taxes raised by levy, to borrow
20 money or issue warrants of the district in anticipation of the revenue
21 to be derived by such district from the levy of taxes for the purpose
22 of such district, and such warrants shall be redeemed from the first
23 money available from such taxes when collected, and such warrants shall
24 not exceed the anticipated revenues of one year, and shall bear
25 interest at a rate or rates as authorized by the commission.

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

30 (8) To sue and be sued in any court of competent jurisdiction(~~(+~~
31 ~~PROVIDED, That))~~). However, all suits against the public hospital
32 district shall be brought in the county in which the public hospital
33 district is located.

34 (9) To pay actual necessary travel expenses and living expenses
35 incurred while in travel status for (a) qualified physicians who are
36 candidates for medical staff positions, and (b) other qualified persons
37 who are candidates for superintendent or other managerial and technical
38 positions, when the district finds that hospitals or other health care
39 facilities owned and operated by it are not adequately staffed and

1 determines that personal interviews with (~~said~~) the candidates to be
2 held in the district are necessary or desirable for the adequate
3 staffing of (~~said~~) the facilities.

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

--- END ---