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**SUBSTITUTE SENATE BILL 6312**

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**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** Senate Government Operations & Security (originally sponsored by Senators Keiser, Roach, and Hasegawa)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to the core legislative powers of elected  
2 commissioners of a public hospital district; amending RCW 70.44.007;  
3 adding new sections to chapter 70.44 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to clarify the  
6 limits on public hospital districts to delegate the core legislative  
7 powers of the district and its elected board of commissioners to  
8 another decision-making body. As a duly constituted public hospital  
9 district, elected commissioners must maintain and exercise their  
10 authority to carry out core legislative powers, including the power  
11 to approve or reject proposed tax levy measures, the issuance of  
12 bonds, the appointment of the district's superintendent, and the  
13 district's annual budget. The legislature further intends that  
14 elected commissioners for a public hospital district may not delegate  
15 their core legislative powers to another decision-making body without  
16 the approval of the voters in that district.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.44  
18 RCW to read as follows:

19 A public hospital district may not enter into an agreement  
20 delegating any of the core legislative powers of its elected

1 commissioners to another decision-making body unless a proposition to  
2 ratify such an agreement is submitted to the voters of the public  
3 hospital district at the next general election. The text of the  
4 proposition to ratify the agreement, an explanatory statement  
5 describing the measure, and statements for and against the measure  
6 must be included in the local voters' pamphlet as provided in RCW  
7 29A.32.210 through 29A.32.280. The election must be conducted as  
8 provided in Title 29A RCW. The costs of the election must be paid by  
9 the public hospital district and the entity to which the powers have  
10 been delegated. If the agreement is not ratified by a majority of the  
11 votes cast on the proposition, the agreement is terminated.

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

14 (1) For any public hospital district that has entered into an  
15 agreement delegating any of the core legislative powers of its  
16 elected commissioners to another decision-making body prior to the  
17 effective date of this section, a majority vote of approval from the  
18 district's elected commissioners is required for every decision  
19 regarding: (a) The approval of a tax levy; (b) the adoption of the  
20 district's annual budget; (c) the issuance of bonds; or (d) the  
21 appointment or removal of the district's superintendent or the  
22 district's hospital's chief executive or administrative officer. If a  
23 majority of the district's elected commissioners do not vote to  
24 approve the proposed decision, the proposed decision is void unless  
25 it is submitted to and approved by the voters of the district at the  
26 next general election in the manner described in subsection (2) of  
27 this section.

28 (2) The text of the proposition to ratify the decision, an  
29 explanatory statement describing the measure, and statements for and  
30 against the measure must be included in the local voters' pamphlet as  
31 provided in RCW 29A.32.210 through 29A.32.280. The election must be  
32 conducted as provided in Title 29A RCW. The costs of the election  
33 must be paid by the public hospital district and the entity to which  
34 the powers have been delegated. If the decision is not ratified by a  
35 majority of the votes cast on the proposition, the decision is void.

36 **Sec. 4.** RCW 70.44.007 and 1997 c 332 s 15 are each amended to  
37 read as follows:

1       As used in this chapter, the following words have the meanings  
2 indicated:

3       (1) "Core legislative powers" means the power to levy a property  
4 tax, to adopt a budget for the public hospital district in compliance  
5 with RCW 70.44.060(6), to issue bonds, and to appoint or remove the  
6 superintendent of the public hospital district or the district's  
7 hospital's chief executive or administrative officer.

8       (2) "Other health care facilities" means nursing home, extended  
9 care, long-term care, outpatient and rehabilitative facilities,  
10 ambulances, and such other facilities as are appropriate to the  
11 health needs of the population served.

12       (~~(2)~~) (3) "Other health care services" means nursing home,  
13 extended care, long-term care, outpatient, rehabilitative, health  
14 maintenance, and ambulance services and such other services as are  
15 appropriate to the health needs of the population served.

16       (~~(3)~~) (4) "Public hospital district" or "district" means public  
17 health care service district.

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