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**SENATE BILL 6038**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Keiser, Roach, and Benton

AN ACT Relating to the governance structure of a public hospital district; and amending RCW 70.44.053 and 70.44.056.

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

**Sec.**  RCW 70.44.053 and 1997 c 99 s 3 are each amended to read as follows:

(1) At any general or special election which may be called for that purpose the board of public hospital district commissioners may, or on petition of ten percent of the voters based on the total vote cast in the last district general election in the public hospital district shall, by resolution, submit to the voters of the district the proposition increasing the number of commissioners to either five or seven members. The petition or resolution shall specify whether it is proposed to increase the number of commissioners to either five or seven members.

(2) If the board of public hospital district commissioners decide to enter into a contract with another entity and a new entity will be created in which additional members are added to the board, the public hospital district shall, by resolution, submit to the voters of the district the proposition to change the governance structure of the public hospital district with the addition of new members to the board of the public hospital district. The election must be conducted as provided in the general election laws and the election must be at any general or special election which may be called for that purpose. The new governance structure must be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

**Sec.**  RCW 70.44.056 and 1997 c 99 s 5 are each amended to read as follows:

(1)(a) In all existing public hospital districts in which an increase in the number of district commissioners is proposed, the additional commissioner positions shall be deemed to be vacant and the board of commissioners of the public hospital district shall appoint qualified persons to fill those vacancies in accordance with RCW 42.12.070.

(b) Each person who is appointed shall serve until a qualified person is elected at the next general election of the district occurring one hundred twenty days or more after the date of the election at which the voters of the district approved the ballot proposition authorizing the increase in the number of commissioners. If needed, special filing periods shall be authorized as provided in RCW 29.15.170 and 29.15.180 for qualified persons to file for the vacant office. A primary shall be held to nominate candidates if sufficient time exists to hold a primary and more than two candidates file for the vacant office. Otherwise, no primary shall be held and the candidate receiving the greatest number of votes for each position shall be elected. Except for the initial terms of office, persons elected to each of these additional commissioner positions shall be elected to a six-year term. The newly elected commissioners shall assume office as provided in RCW ((~~29.04.170~~)) 29A.60.280.

(c) The initial terms of the new commissioners shall be staggered as follows: ((~~(1)~~)) (i) When the number of commissioners is increased from three to five, the person elected receiving the greatest number of votes shall be elected to a six-year term of office, and the other person shall be elected to a four-year term; ((~~(2)~~)) (ii) when the number of commissioners is increased from three or five to seven, the terms of the new commissioners shall be staggered over the next three district general elections so that two commissioners will be elected at the first district general election following the election where the additional commissioners are elected, two commissioners will be at the second district general election after the election of the additional commissioners, and three commissioners will be elected at the third district general election following the election of the additional commissioners, with the persons elected receiving the greatest number of votes elected to serve the longest terms.

(2)(a) If the board of commissioners increases or changes in size pursuant to RCW 70.44.053(2), each appointment to the board shall be for no more than four years. A person appointed to the board shall not serve more than two four-year terms.

(b) Each person who is appointed shall serve until elected at the next general election of the district. If a person appointed to the board does not receive a majority of the votes cast at the general election then a new person must be appointed.

(c) A person who has previously lost an election to the public hospital district board may not be appointed to the board.

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