

1 **HB 1794 - H AMD 253 adopted 3-18-91**

2 By Representatives Bowman, Bray, Ferguson and Haugen

3 On page 1, strike everything after the enacting clause and  
4 insert the following:

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

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

10 A public hospital district shall be created when the ballot  
11 proposition authorizing the creation of the public hospital  
12 district is approved by a simple majority vote of the voters of the  
13 proposed district who vote on the proposition and the total vote  
14 cast upon the proposition ~~((to form a hospital district shall))~~  
15 exceeds forty percent of the total number of votes cast in the  
16 ~~((precincts comprising the))~~ proposed district at the preceding  
17 general ~~((and))~~ county election ~~((; and (2) hospital district~~  
18 ~~commissioners shall hold office for the term of six years and until~~  
19 ~~their successors are elected and qualified, each term to commence~~  
20 ~~on the first day in January following the election))~~.

21 At the election at which the proposition is submitted to the  
22 voters as to whether a district shall be formed, three  
23 commissioners shall be elected ~~((to hold office, respectively, for~~

1 the terms of two, four, and six years. All candidates shall be  
2 voted upon by the entire district, and the candidate residing in  
3 commissioner district No. 1 receiving the highest number of votes  
4 in the hospital district shall hold office for the term of six  
5 years; the candidate residing in commissioner district No. 2  
6 receiving the highest number of votes in the hospital district  
7 shall hold office for the term of four years; and the candidate  
8 residing in commissioner district No. 3 receiving the highest  
9 number of votes in the hospital district shall hold office for the  
10 term of two years. The first commissioners to be elected shall  
11 take office immediately when qualified in accordance with RCW  
12 29.01.135. Each term of the initial commissioners shall date from  
13 the time above specified following the organizational election, but  
14 shall also include the period intervening between the  
15 organizational election and the first day of January following the  
16 next district general election: PROVIDED, That in public hospital  
17 districts encompassing portions of more than one county, the total  
18 vote cast upon the proposition to form the district shall exceed  
19 forty percent of the total number of votes cast in each portion of  
20 each county lying within the proposed district at the next  
21 preceding general county election. The portion of the proposed  
22 district located within each county shall constitute a separate  
23 commissioner district. There shall be three district commissioners  
24 whose terms shall be six years. Each district shall be designated  
25 by the name of the county in which it is located. All candidates  
26 for commissioners shall be voted upon by the entire district. Not

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

19 The terms of office of the initial public hospital district  
20 commissioners shall be staggered as follows: (1) The winning  
21 candidates for commissioner positions number one and two each shall  
22 be elected to four-year terms of office, if the election was held  
23 in an odd-numbered year, or to three-year terms of office, if the  
24 election was held in an even-numbered year; and (2) the winning  
25 candidate for commission position number three shall be elected to

1 a two-year term of office, if the election was held in an odd-  
2 numbered year, or a one-year term of office, if the election was  
3 held in an even-numbered year. The length of such terms of office  
4 shall be computed from the first day of January in the year  
5 following this election. The term of office of each successor  
6 shall be four years.

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

23 The public hospital district commissioners may redraw  
24 commissioner districts so that each district comprises as nearly as  
25 possible one-third of the total population of the proposed public

1 hospital district.

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

4 The terms of office of each public hospital district commissioner  
5 shall be reduced to four years, except for those commissioners  
6 whose terms of office would have expired on January 1, 1992.  
7 Commencing at the 1991 general election, each person elected as a  
8 public hospital district commissioner shall be elected to a four-  
9 year term of office, except for the staggering of terms and filling  
10 of vacancies.

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

13 A vacancy in the office of commissioner shall occur by death,  
14 resignation, removal, conviction of felony, nonattendance at  
15 meetings of the commission for sixty days, unless excused by the  
16 commission, by any statutory disqualification, or by any permanent  
17 disability preventing the proper discharge of ~~((his))~~ the  
18 commissioner's duty ~~((, or by creation of positions pursuant to RCW~~  
19 ~~70.44.051, et seq))~~. A vacancy or vacancies on the board shall be  
20 filled by appointment by the remaining commissioner or  
21 commissioners until the next regular election for commissioners as  
22 provided by RCW 70.44.040: PROVIDED, That if there is only one  
23 remaining commissioner, one vacancy shall be filled by appointment  
24 by the remaining commissioner and the remaining vacancy or  
25 vacancies shall be filled by appointment by the then two

1 commissioners and the appointed commissioners shall serve until the  
2 next regular election for commissioners: PROVIDED FURTHER, That if  
3 there is a vacancy of the entire board, a new board may be  
4 appointed by the board of county commissioners or county council.

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

7 (~~In addition to the procedures enumerated in RCW 70.44.020,~~  
8 ~~70.44.030 and 70.44.035,~~) The board of public hospital district  
9 commissioners in an existing intracounty or intercounty district  
10 may be increased from three members to five or to seven members;  
11 and the board of public hospital district commissioners in any  
12 district created after June 8, 1967 may ((have)) be increased from  
13 three((7)) members to five or seven ((commissioners)) members.

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

16 At any general or special election which may be called for  
17 that purpose the board of public hospital district commissioners  
18 may, or on petition of ten percent of the electors based on the  
19 total vote cast in the last district general election in the public  
20 hospital district shall, by resolution, submit to the voters of the  
21 district the proposition increasing the number of commissioners to  
22 any number authorized in RCW 70.44.051. The petition or resolution  
23 shall specify whether it is proposed to increase the number of  
24 commissioners to either five or seven members.

25 If the voters of the district approve the ballot proposition

1 authorizing the increase in the number of commissioners to either  
2 five or seven members, an election to nominate candidates for the  
3 additional positions shall be held at the next September special  
4 election, occurring in either an even or odd-numbered year, and an  
5 election to elect each additional commissioner shall be held at the  
6 following November election. Candidates shall run for specific  
7 commissioner positions.

8 Where the number of commissioners is increased to five, the  
9 two new commissioner positions shall not be associated with a  
10 commissioner district. The initial new terms shall be staggered so  
11 that the winning candidate receiving the greatest number of votes  
12 shall be elected to a four-year term of office, if the election was  
13 held in an odd-numbered year, or three-year term of office if the  
14 election was held in an odd-numbered year, and the other winning  
15 candidate shall be elected to a two-year term of office, if the  
16 election was held in an odd-numbered year, or a one-year term of  
17 office, if the election was held in an even-numbered year. The two  
18 new elected commissioners shall assume office as provided in RCW  
19 29.04.170. Successors shall be elected to four-year terms of  
20 office.

21 Where the number of commissioners is increased to seven, one  
22 of the new commissioner positions shall be associated with each of  
23 the three commissioner districts, and the initial terms of each of  
24 the three new commissioner positions shall be staggered, so that at  
25 each subsequent district general election one position associated

1 with each of the three commissioner districts is elected to a four-  
2 year term of office. The fourth new commissioner position shall  
3 not be associated with a commissioner district and the winning  
4 candidate shall be elected to a four-year term of office, if the  
5 election was held in an odd-numbered year, or a three-year term of  
6 office, if the election was held in an even-numbered year.  
7 Successors shall be elected to four-year terms of office.

8 "NEW SECTION. Sec. 6. The following acts or parts of acts  
9 are each repealed:

10 a. RCW 70.44.055 and 1967 c 77 s 3; and

11 b. RCW 70.44.057 and 1967 c 77 s 4.

EFFECT: Changes terms of hospital district commissioners from six years to four years, determines whether commissioners should be from a district or at-large when increase of commissioners to five or seven is approved, and clarifies existing statutory language.

**HB 1794** - H AMD

By Representative Bowman

On page 1, line 2 of the title amendment, after "70.44.040" strike "+" and insert ", 70.44.040, 70.44.045, 70.44.051, and 70.44.053; adding a new section to chapter 70.44 RCW; and repealing RCW 70.44.055 and 70.44.057.