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ENGROSSED SENATE BILL 5198

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State of Washington

58th Legislature

2003 Regular Session

By Senators Parlette, Winsley, Deccio, Thibaudeau, Keiser, Franklin and Brandland

Read first time 01/17/2003. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to public hospital district recruitment and  
2 training; and amending RCW 70.44.060.

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

4 **Sec. 1.** RCW 70.44.060 and 2001 c 76 s 1 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

1 exercised and instituted pursuant to a resolution of the commission and  
2 conducted in the same manner and by the same procedure as in or may be  
3 provided by law for the exercise of the power of eminent domain by  
4 incorporated cities and towns of the state of Washington in the  
5 acquisition of property rights: PROVIDED, That no public hospital  
6 district shall have the right of eminent domain and the power of  
7 condemnation against any health care facility.

8 (3) To lease existing hospital and other health care facilities and  
9 equipment and/or other property used in connection therewith, including  
10 ambulances, and to pay such rental therefor as the commissioners shall  
11 deem proper; to provide hospital and other health care services for  
12 residents of said district by facilities located outside the boundaries  
13 of said district, by contract or in any other manner said commissioners  
14 may deem expedient or necessary under the existing conditions; and said  
15 hospital district shall have the power to contract with other  
16 communities, corporations, or individuals for the services provided by  
17 said hospital district; and they may further receive in said hospitals  
18 and other health care facilities and furnish proper and adequate  
19 services to all persons not residents of said district at such  
20 reasonable and fair compensation as may be considered proper:  
21 PROVIDED, That it must at all times make adequate provision for the  
22 needs of the district and residents of said district shall have prior  
23 rights to the available hospital and other health care facilities of  
24 said district, at rates set by the district commissioners.

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

33 (5) To contract indebtedness or borrow money for corporate purposes  
34 on the credit of the corporation or the revenues of the hospitals  
35 thereof, and the revenues of any other facilities or services that the  
36 district is or hereafter may be authorized by law to provide, and to  
37 issue and sell: (a) Revenue bonds, revenue warrants, or other revenue  
38 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 limitation provided  
32 for in chapter 84.55 RCW. Public hospital districts are authorized to  
33 levy such a general tax in excess of their regular property taxes when  
34 authorized so to do at a special election conducted in accordance with  
35 and subject to all of the requirements of the Constitution and the laws  
36 of the state of Washington now in force or hereafter enacted governing  
37 the limitation of tax levies. The said board of district commissioners  
38 is authorized and empowered to call a special election for the purpose

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

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

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

34 (9) To pay actual necessary travel expenses and living expenses  
35 incurred while in travel status for (a) qualified physicians or other  
36 health care practitioners who are candidates for medical staff  
37 positions, and (b) other qualified persons who are candidates for  
38 superintendent or other managerial and technical positions, which

1 expenses may include expenses incurred by family members accompanying  
2 the candidate, when the district finds that hospitals or other health  
3 care facilities owned and operated by it are not adequately staffed and  
4 determines that personal interviews with said candidates to be held in  
5 the district are necessary or desirable for the adequate staffing of  
6 said facilities.

7 (10) To (~~make contracts,~~) employ superintendents, attorneys, and  
8 other technical or professional assistants and all other employees; to  
9 make all contracts useful or necessary to carry out the provisions of  
10 this chapter, including, but not limited to, (a) contracts with private  
11 or public institutions for employee retirement programs, and (b)  
12 contracts with current or prospective employees, physicians, or other  
13 health care practitioners providing for the payment or reimbursement by  
14 the public hospital district of health care training or education  
15 expenses, including but not limited to debt obligations, incurred by  
16 current or prospective employees, physicians, or other health care  
17 practitioners in return for their agreement to provide services  
18 beneficial to the public hospital district; to print and publish  
19 information or literature; and to do all other things necessary to  
20 carry out the provisions of this chapter.

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