
SENATE BILL 5818

State of Washington

60th Legislature

2007 Regular Session

By Senator Roach

Read first time 02/01/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to providing an alternative method for withdrawal
2 from public hospital districts for smaller cities; and adding a new
3 section to chapter 70.44 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.44 RCW
6 to read as follows:

7 (1) As an alternative procedure to RCW 70.44.400, territory within
8 an incorporated city of less than twenty thousand in population may be
9 withdrawn from a public hospital district in the following manner and
10 upon the following conditions: The petition for withdrawal shall be in
11 writing and shall designate the boundaries of the territory proposed to
12 be withdrawn from the district and shall be signed by at least fifteen
13 percent of the qualified voters residing within the territory so
14 designated who are qualified voters on the date of filing such
15 petition. The proposed area to be withdrawn must comprise all
16 residents within an incorporated city.

17 (2) The petition for withdrawal shall be filed with the county
18 auditor of each county in which the district is located, and after the
19 filing no person having signed the petition shall be allowed to

1 withdraw the person's name therefrom. Within ten days after such
2 filing, each county auditor shall examine and verify the signatures of
3 signers residing in the respective county. The petition shall be
4 transmitted to the auditor of the county in which all or the major
5 geographic portion of the district is located, who shall certify to the
6 sufficiency or insufficiency of the signatures. If the area proposed
7 to be withdrawn is located in more than one county, the auditor of the
8 county in which the largest geographic portion of the area proposed to
9 be withdrawn is located shall be the lead auditor and shall immediately
10 transfer a copy of the petitions to the auditor of each other county in
11 which the area proposed to be withdrawn is located. Within ten days
12 after the lead auditor received the petition, the auditors of these
13 other counties shall certify to the lead auditor: (a) The number of
14 voters of that county residing in the area proposed to be withdrawn who
15 voted at the last municipal general election; and (b) the number of
16 valid signatures on the petition of voters of that county residing in
17 the area proposed to be withdrawn. The lead auditor shall certify the
18 sufficiency of the petition after receiving this information. If such
19 petition is found by such county auditor to contain sufficient
20 signatures, the petition, together with a certificate of sufficiency
21 attached thereto, shall be transmitted to the board of commissioners of
22 the district.

23 (3) Upon receipt by the board of commissioners of a petition and
24 certificate of sufficiency of the auditor, or if the petition is signed
25 by landowners and the board of commissioners is satisfied as to the
26 sufficiency of the signatures, it shall, at a regular or special
27 meeting, fix a date for a hearing on the petition and give notice that
28 the petition has been filed, stating the time and place of the meeting
29 of the board of commissioners at which the petition will be heard and
30 setting forth the boundaries of the territory proposed to be withdrawn.
31 The notice shall be published at least once a week for two successive
32 weeks in a newspaper of general circulation therein, and if no such
33 newspaper is printed in the county, then in some newspaper of general
34 circulation in the county and district. Any additional notice of the
35 hearing may be given as the board of commissioners may by resolution
36 direct.

37 (4) The petition for withdrawal shall be heard at the time and
38 place specified in the notice or the hearing may be adjourned from time

1 to time, not exceeding one month in all, and any person may appear at
2 the hearing and make objections to the withdrawal of the territory or
3 to the proposed boundary lines thereof. Upon final hearing on the
4 petition for withdrawal, the board of commissioners shall make and by
5 resolution either approve or deny the proposed withdrawal.

6 (5) Within ten days after the final hearing the board of
7 commissioners of the district shall transmit to the county legislative
8 authority of each county in which the district is located the petition
9 for withdrawal, together with a copy of the resolution of the board of
10 commissioners of the district certified by the secretary of the
11 district to be a true and correct copy of such findings and
12 recommendations as the same appear on the records of the district.

13 (6) If by resolution the board of commissioners approves a petition
14 for withdrawal, then the county legislative authority shall by
15 resolution declare that the territory be withdrawn from that district,
16 and thereupon the territory shall be withdrawn and excluded from that
17 district the same as if it had never been included in that district
18 except for the lien of taxes as hereinafter set forth.

19 (7) If the resolution of the district board of commissioners denies
20 the petition for withdrawal, then the county legislative authority of
21 each county in which the district is located shall by resolution cause
22 a special election to be held not less than thirty days or more than
23 sixty days from the date of the final hearing of any county legislative
24 authority upon the petition for withdrawal, at which election the
25 proposition expressed on the ballots shall be substantially as follows:

26 "Shall the territory established and defined by the district board
27 of commissioners at its meeting held on the (insert date of
28 final hearing of district board of commissioners upon the petition for
29 withdrawal) be withdrawn from district (naming it).

30 Yes
31 No

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