

SB 5198 - S AMD 25
By Senator Parlette

ADOPTED 02/26/2003

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 70.44.060 and 2001 c 76 s 1 are each amended to read
4 as follows:

5 All public hospital districts organized under the provisions of
6 this chapter shall have power:

7 (1) To make a survey of existing hospital and other health care
8 facilities within and without such district.

9 (2) To construct, condemn and purchase, purchase, acquire, lease,
10 add to, maintain, operate, develop and regulate, sell and convey all
11 lands, property, property rights, equipment, hospital and other health
12 care facilities and systems for the maintenance of hospitals,
13 buildings, structures, and any and all other facilities, and to
14 exercise the right of eminent domain to effectuate the foregoing
15 purposes or for the acquisition and damaging of the same or property of
16 any kind appurtenant thereto, and such right of eminent domain shall be
17 exercised and instituted pursuant to a resolution of the commission and
18 conducted in the same manner and by the same procedure as in or may be
19 provided by law for the exercise of the power of eminent domain by
20 incorporated cities and towns of the state of Washington in the
21 acquisition of property rights: PROVIDED, That no public hospital
22 district shall have the right of eminent domain and the power of
23 condemnation against any health care facility.

24 (3) To lease existing hospital and other health care facilities and
25 equipment and/or other property used in connection therewith, including
26 ambulances, and to pay such rental therefor as the commissioners shall
27 deem proper; to provide hospital and other health care services for
28 residents of said district by facilities located outside the boundaries
29 of said district, by contract or in any other manner said commissioners
30 may deem expedient or necessary under the existing conditions; and said

1 hospital district shall have the power to contract with other
2 communities, corporations, or individuals for the services provided by
3 said hospital district; and they may further receive in said hospitals
4 and other health care facilities and furnish proper and adequate
5 services to all persons not residents of said district at such
6 reasonable and fair compensation as may be considered proper:
7 PROVIDED, That it must at all times make adequate provision for the
8 needs of the district and residents of said district shall have prior
9 rights to the available hospital and other health care facilities of
10 said district, at rates set by the district commissioners.

11 (4) For the purpose aforesaid, it shall be lawful for any district
12 so organized to take, condemn and purchase, lease, or acquire, any and
13 all property, and property rights, including state and county lands,
14 for any of the purposes aforesaid, and any and all other facilities
15 necessary or convenient, and in connection with the construction,
16 maintenance, and operation of any such hospitals and other health care
17 facilities, subject, however, to the applicable limitations provided in
18 subsection (2) of this section.

19 (5) To contract indebtedness or borrow money for corporate purposes
20 on the credit of the corporation or the revenues of the hospitals
21 thereof, and the revenues of any other facilities or services that the
22 district is or hereafter may be authorized by law to provide, and to
23 issue and sell: (a) Revenue bonds, revenue warrants, or other revenue
24 obligations therefor payable solely out of a special fund or funds into
25 which the district may pledge such amount of the revenues of the
26 hospitals thereof, and the revenues of any other facilities or services
27 that the district is or hereafter may be authorized by law to provide,
28 to pay the same as the commissioners of the district may determine,
29 such revenue bonds, warrants, or other obligations to be issued and
30 sold in the same manner and subject to the same provisions as provided
31 for the issuance of revenue bonds, warrants, or other obligations by
32 cities or towns under the Municipal Revenue Bond Act, chapter 35.41
33 RCW, as may hereafter be amended; (b) general obligation bonds therefor
34 in the manner and form as provided in RCW 70.44.110 and 70.44.130, as
35 may hereafter be amended; or (c) interest-bearing warrants to be drawn
36 on a fund pending deposit in such fund of money sufficient to redeem
37 such warrants and to be issued and paid in such manner and upon such
38 terms and conditions as the board of commissioners may deem to be in

1 the best interest of the district; and to assign or sell hospital
2 accounts receivable, and accounts receivable for the use of other
3 facilities or services that the district is or hereafter may be
4 authorized by law to provide, for collection with or without recourse.
5 General obligation bonds shall be issued and sold in accordance with
6 chapter 39.46 RCW. Revenue bonds, revenue warrants, or other revenue
7 obligations may be issued and sold in accordance with chapter 39.46
8 RCW.

9 (6) To raise revenue by the levy of an annual tax on all taxable
10 property within such public hospital district not to exceed fifty cents
11 per thousand dollars of assessed value, and an additional annual tax on
12 all taxable property within such public hospital district not to exceed
13 twenty-five cents per thousand dollars of assessed value, or such
14 further amount as has been or shall be authorized by a vote of the
15 people. Although public hospital districts are authorized to impose
16 two separate regular property tax levies, the levies shall be
17 considered to be a single levy for purposes of the limitation provided
18 for in chapter 84.55 RCW. Public hospital districts are authorized to
19 levy such a general tax in excess of their regular property taxes when
20 authorized so to do at a special election conducted in accordance with
21 and subject to all of the requirements of the Constitution and the laws
22 of the state of Washington now in force or hereafter enacted governing
23 the limitation of tax levies. The said board of district commissioners
24 is authorized and empowered to call a special election for the purpose
25 of submitting to the qualified voters of the hospital district a
26 proposition or propositions to levy taxes in excess of its regular
27 property taxes. The superintendent shall prepare a proposed budget of
28 the contemplated financial transactions for the ensuing year and file
29 the same in the records of the commission on or before the first day of
30 November. Notice of the filing of said proposed budget and the date
31 and place of hearing on the same shall be published for at least two
32 consecutive weeks, at least one time each week, in a newspaper printed
33 and of general circulation in said county. On or before the fifteenth
34 day of November the commission shall hold a public hearing on said
35 proposed budget at which any taxpayer may appear and be heard against
36 the whole or any part of the proposed budget. Upon the conclusion of
37 said hearing, the commission shall, by resolution, adopt the budget as
38 finally determined and fix the final amount of expenditures for the

1 ensuing year. Taxes levied by the commission shall be certified to and
2 collected by the proper county officer of the county in which such
3 public hospital district is located in the same manner as is or may be
4 provided by law for the certification and collection of port district
5 taxes. The commission is authorized, prior to the receipt of taxes
6 raised by levy, to borrow money or issue warrants of the district in
7 anticipation of the revenue to be derived by such district from the
8 levy of taxes for the purpose of such district, and such warrants shall
9 be redeemed from the first money available from such taxes when
10 collected, and such warrants shall not exceed the anticipated revenues
11 of one year, and shall bear interest at a rate or rates as authorized
12 by the commission.

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

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

20 (9) To pay actual necessary travel expenses and living expenses
21 incurred while in travel status for (a) qualified physicians or other
22 health care practitioners who are candidates for medical staff
23 positions, and (b) other qualified persons who are candidates for
24 superintendent or other managerial and technical positions, which
25 expenses may include expenses incurred by family members accompanying
26 the candidate, when the district finds that hospitals or other health
27 care facilities owned and operated by it are not adequately staffed and
28 determines that personal interviews with said candidates to be held in
29 the district are necessary or desirable for the adequate staffing of
30 said facilities.

31 (10) To (~~make contracts,~~) employ superintendents, attorneys, and
32 other technical or professional assistants and all other employees; to
33 make all contracts useful or necessary to carry out the provisions of
34 this chapter, including, but not limited to, (a) contracts with private
35 or public institutions for employee retirement programs, and (b)
36 contracts with current or prospective employees, physicians, or other
37 health care practitioners providing for the payment or reimbursement by
38 the public hospital district of health care training or education

1 expenses, including but not limited to debt obligations, incurred by
2 current or prospective employees, physicians, or other health care
3 practitioners in return for their agreement to provide services
4 beneficial to the public hospital district; to print and publish
5 information or literature; and to do all other things necessary to
6 carry out the provisions of this chapter."

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7 On page 1, line 2 of the title, after "training;" strike the
8 remainder of the title and insert "and amending RCW 70.44.060."

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