

CHAPTER 157.

[Senate Bill No. 310.]

PUBLIC HOSPITAL DISTRICTS.

AN ACT relating to public hospital districts; amending section 15, chapter 264, Laws of 1945 and RCW 70.44.050; amending section 6, chapter 264, Laws of 1945, as amended by section 18, chapter 197, Laws of 1949 and RCW 70.44.060; amending section 10, chapter 264, Laws of 1945 and RCW 70.44.160; amending section 16, chapter 264, Laws of 1945 and RCW 70.44.170; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

RCW 70.44.050
amended.

SECTION 1. Section 15, chapter 264, Laws of 1945 and RCW 70.44.050 are each amended to read as follows:

Public hospital
districts. Com-
missioners.
Compensation
—Insurance—
Expenses—
Officers—Rules
—Seal—
Record.

A district may provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding twenty-five dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his own district, or meetings attended by one or more commissioners of two or more districts called to consider business common to them, except that the total compensation paid to such commissioner during any one year shall not exceed six hundred dollars: *Provided*, That commissioners may not be compensated for services performed of a ministerial or professional nature. Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioners with the same coverage. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize

by election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records.

SEC. 2. Section 6, chapter 264, Laws of 1945, as amended by section 18, chapter 197, Laws of 1949 and RCW 70.44.060 are each amended to read as follows:

RCW 70.44.060
amended.

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

Powers and
duties.

(1) To make a survey of existing hospital facilities within and without such district.

(2) To construct, condemn and purchase, purchase, acquire, lease, add to, maintain, operate, develop and regulate, sell and convey all lands, property, property rights, equipment, hospital facilities and systems for the maintenance of hospitals, buildings, structures and any and all other facilities, and to exercise the right of eminent domain to effectuate the foregoing purposes or for the acquisition and damaging of the same or property of any kind appurtenant thereto, and such right of eminent domain shall be exercised and instituted pursuant to a resolution of the commission and conducted in the same manner and by the same procedure as in or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: *Provided*, That no public hospital district shall have the right of eminent domain and the power of condemnation against any hospital clinic or sanatorium operated as a charitable, nonprofit establishment or against a hospital clinic or sanatorium operated by a religious group or organization: *And provided, further*, That no hospital dis-

Public hospital
districts.
Powers and
duties.

trict organized and existing in districts having more than twenty-five thousand population have any of the rights herein enumerated without the prior written consent of all existing hospital facilities within the boundaries of such hospital district.

(3) To lease existing hospital and equipment and/or other property used in connection therewith, and to pay such rental therefor as the commissioners shall deem proper; to provide hospital service for residents of said district in hospitals located outside the boundaries of said district, by contract or in any other manner said commissioners may deem expedient or necessary under the existing conditions; and said hospital district shall have the power to contract with other communities, corporations or individuals for the services provided by said hospital district; and they may further receive in said hospital and furnish proper and adequate services to all persons not residents of said district at such reasonable and fair compensation as may be considered proper: *Provided*, That it must at all times make adequate provision for the needs of the district and residents of said district shall have prior rights to the available facilities of said hospitals, at rates set by the district commissioners.

(4) For the purpose aforesaid, it shall be lawful for any district so organized to take, condemn and purchase, lease, or acquire, any and all property, and property rights, including state and county lands, for any of the purposes aforesaid, and any and all other facilities necessary or convenient, and in connection with the construction, maintenance, and operation of any such hospital.

(5) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the hospitals thereof, and to issue bonds therefor, bearing interest at a rate not exceeding six percent per annum, payable semi-

annually, said bonds not to be sold for less than par and accrued interest; and to assign or sell hospital accounts receivable for collection with or without recourse.

(6) To raise revenue by the levy of an annual tax on all taxable property within such public hospital district not to exceed three mills or such further amount as has been or shall be authorized by a vote of the people: *Provided further*, That the public hospital districts are hereby authorized to levy such a general tax in excess of said three mills when authorized so to do at a special election conducted in accordance with and subject to all of the requirements of the constitution and laws of the state of Washington now in force or hereafter enacted governing the limitation of tax levies commonly known as the forty mill tax limitation. The said board of district commissioners is hereby authorized and empowered to call a special election for the purpose of submitting to the qualified voters of the hospital district a proposition to levy a tax in excess of the three mills herein specifically authorized. The commissioner shall prepare a proposed budget of the contemplated financial transactions for the ensuing year and file the same in the records of the commission on or before the first Monday in September. Notice of the filing of said proposed budget and the date and place of hearing on the same shall be published for at least two consecutive weeks in a newspaper printed and of general circulation in said county. On the first Monday in October the commission shall hold a public hearing on said proposed budget at which any taxpayer may appear and be heard against the whole or any part of the proposed budget. Upon the conclusion of said hearing, the commission shall, by resolution, adopt the budget as finally determined and fix the final amount of expenditures for the ensuing year. Taxes levied by the commis-

Public hospital districts. Powers and duties.

sion shall be certified to and collected by the proper county officer of the county in which such public hospital district is located in the same manner as is or may be provided by law for the certification and collection of port district taxes. The commission is authorized, prior to the receipt of taxes raised by levy, to borrow money or issue warrants of the district in anticipation of the revenue to be derived by such district from the levy of taxes for the purpose of such district, and such warrants shall be redeemed from the first money available from such taxes when collected, and such warrants shall not exceed the anticipated revenues of one year, and shall bear interest at a rate of not to exceed six percent per annum.

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

(8) To sue and be sued in any court of competent jurisdiction: *Provided*, That said public hospital district shall not be liable for negligence for any act of any officer, agent or employee of said district: *And provided*, That all suits against the public hospital district shall be brought in the county in which the public hospital district is located.

(9) To make contracts, employ superintendents, attorneys, and other technical or professional assistants and all other employees; to make contracts with private or public institutions for employee retirement programs; to print and publish information or literature and to do all other things necessary to carry out the provisions of this chapter.

RCW 70.44.160 amended.

SEC. 3. Section 10, chapter 264, Laws of 1945 and RCW 70.44.160 are each amended to read as follows:

Medical management—Hospital standards.

The medical management of patients shall be subject to the approval of the medical staff. All

hospitals operated by a district shall be operated in compliance with the standards set by the American Hospital Association.

SEC. 4. Section 16, chapter 264, Laws of 1945 and RCW 70.44.170 are each amended to read as follows:

RCW 70.44.170
amended.

The treasurer of the county in which a district is situated shall be the treasurer of the district and all funds of the district shall be paid to him as treasurer and shall be disbursed by him on warrants drawn and signed by an auditor to be appointed by the commission or in hospitals of fifty beds or less, such person, which may include the superintendent, as may be designated by the commission, upon order of or vouchers approved by the commission. The county treasurer shall create a fund for any public hospital district, to be known as the public hospital district fund, into which shall be paid all money received by him from the collection of taxes in behalf of such public hospital district, and he shall also maintain such other special funds as may be created by the public hospital commission, into which shall be placed such moneys as the public hospital commission may by its resolution direct. All such public hospital district funds shall be deposited with the county depositories under the same restrictions, contracts and security as is provided by statute for county depositories, and all interest collected on such public hospital funds shall belong to such public hospital district funds.

Treasurer—
Duties—Funds
—Depository.

Sec. 5. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 7, 1965.

Passed the House March 11, 1965.

Approved by the Governor March 23, 1965, with the exception of Section 5 which was vetoed.

Veto message. NOTE: Governor's explanation of partial veto is as follows:

"Section 5 contains the standard emergency clause requiring the act to take effect immediately. Imposition of an emergency clause defeats the right of the people to reject legislative action by referendum, and should be sparingly used. Having carefully considered each section of Senate Bill No. 310, it is clear that no part of the act is necessary for the immediate preservation of public peace, health and safety, or the support of state government and its existing public institutions.

"Section 5 is therefore vetoed. The remainder of Senate Bill No. 310 is approved."

DANIEL J. EVANS,
Governor.

CHAPTER 158.

[Senate Bill No. 50.]

STATE LAW ENFORCEMENT OFFICERS' TRAINING
COMMISSION.

AN ACT relating to state government; establishing a state law enforcement officers' training commission; providing for its organizational structure; defining its power and duties; establishing a law enforcement officers' training fund; and amending section 3, page 421, Laws of 1873 as last amended by section 1, chapter 30, Laws of 1919 and RCW 10.82.070.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. *Definitions.* When used in this act:

(1) The term "commission" means the Washington law enforcement officers' training commission.

(2) The term "municipality" means any county, city or town in this state.

(3) The term "law enforcement officer" means a member of a police force or other organization of a municipality who is responsible for the prevention or detection of crime and the enforcement of the general criminal laws of the state or ordinances of a municipality, but shall not include any person serving as such solely by virtue of his occupying any other office or position, nor shall such term include

Law enforcement officers' training commission. Definitions.