

commercial bus transportation is not reasonably available to a scout troop.

The lease of the equipment shall be handled by the school directors on the local level. The school directors may establish the criteria for bus use and lease, including, but not limited to, minimum costs, and driver requirements.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and shall take effect immediately.

Passed the Senate April 1, 1969
 Passed the House March 31, 1969
 Approved by the Governor April 8, 1969
 Filed in office of Secretary of State April 8, 1969

CHAPTER 65
 [Engrossed Senate Bill No. 242]
 PUBLIC HOSPITAL DISTRICTS--
 BONDS, INTEREST RATE--DEBT LIMIT

AN ACT Relating to public hospital districts; amending section 6, chapter 264, Laws of 1945, as last amended by section 7, chapter 164, Laws of 1967 and RCW 70.44.060; amending section 12, chapter 264, Laws of 1945, as amended by section 1, chapter 56, Laws of 1955 and RCW 70.44.110; amending section 13, chapter 264, Laws of 1945, and RCW 70.44.120; and amending section 1, chapter 143, Laws of 1917, as last amended by section 4, chapter 107, Laws of 1967, and RCW 39.36.020.

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

Section 1. Section 6, chapter 264, Laws of 1945, as last amended by section 7, chapter 164, Laws of 1967 and RCW 70.44.060 are each amended to read as follows:

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

- (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 con-

vey 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 district 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 fa-

cilities 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)) eight percent per annum, payable semiannually, 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 commission 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 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.

Sec. 2. Section 12, chapter 264, Laws of 1945, as amended by

section 1, chapter 56, Laws of 1955, and RCW 70.44.110 are each amended to read as follows:

Whenever the commission deems it advisable that the district acquire or construct a public hospital, or make additions or betterments thereto, or extensions thereof, it shall provide therefor by resolution, which shall specify and adopt the plan proposed, and declare the estimated cost thereof, and specify the amount of indebtedness, the amount of interest and the time in which all bonds shall be paid, not to exceed thirty years. (~~((If the proposed general indebtedness will bring the indebtedness of the district to an amount exceeding one and one-half percent of the taxable property of the district; the proposition of incurring the indebtedness and the proposed plan shall be submitted to the electors of the district at the next general election held in the district; or at a special election called by the commissioners for that purpose. If a special election is called, it shall be held under the jurisdiction of the county auditor, acting as county supervisor of elections; and the returns of such special election shall be canvassed by the county canvassing board. A special election shall be conducted under the procedure set forth in RCW 29.13.030, 29.13.040 and 29.13.080, as such sections are amended from time to time.))~~ The incurring of such indebtedness shall be subject to the applicable limitations and requirements provided in section 1, chapter 143, Laws of 1917, as last amended by section 4, chapter 107, Laws of 1967, and RCW 39.36.020, as now or hereafter amended. If a proposition to incur any such indebtedness is to be submitted to the electors of the district it may be submitted at any general election or a special election called for that purpose pursuant to the applicable election laws.

Sec. 3. Section 13, chapter 264, Laws of 1945 and RCW 70.44.120 are each amended to read as follows:

~~((Whenever the commission (or majority of the qualified voters of such public hospital district, voting at said election, when it is necessary to submit the same to said voters) shall have adopted a sys-~~

~~tem or plan for any such public hospital, as aforesaid, and shall have authorized indebtedness therefor by a majority vote of the qualified voters of such district voting at said election, general or public hospital bonds may be used as hereinafter provided.~~) All bonds shall be serial in form and maturity and numbered from one upwards consecutively. The various annual maturities shall commence not later than the tenth year after the date of issue of such bonds. The resolution authorizing the issuance of the bonds shall fix the rate of interest the bonds shall bear, said interest not to exceed (~~six~~) ten percent, and the place and dates of the payment of both principal and interest. The bonds shall be signed by the president of the commission, attested by the secretary of the commission, and the seal of the public hospital district shall be affixed to each bond but not to the coupons: PROVIDED, HOWEVER, That said coupons, in lieu of being so signed, may have printed thereon a facsimile of the signatures of such officers.

Sec. 4. Section 1, chapter 143, Laws of 1917, as last amended by section 4, chapter 107, Laws of 1967, and RCW 39.36.020 are each amended to read as follows:

(1) No taxing district except counties, cities and towns and public hospital districts shall for any purpose become indebted in any manner to an amount exceeding one and one-half percent of the last assessed valuation of the taxable property in such taxing district, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five percent of the last assessed valuation of the taxable property in such taxing district.

(2) Counties, cities, (~~and~~) towns and public hospital districts are limited to an indebtedness amount not exceeding one and one-half percent of the last assessed valuation of the taxable property in such counties, cities, (~~or~~) towns or public hospital districts without the assent of three-fifths of the voters therein voting

at an election to be held for that purpose. In cases requiring such assent counties, cities, ~~((and))~~ towns and public hospital districts are limited to five percent on the value of the taxable property therein (being twice the assessed valuation) as ascertained by the last completed and balanced tax rolls of such counties, cities, ~~((or))~~ towns and public hospital districts for county, city, ~~((or))~~ town or public hospital district purposes.

(3) No part of the indebtedness allowed in this chapter shall be incurred for any purpose other than strictly county, city, town, school district, township, port district, metropolitan park district, or other municipal purposes: PROVIDED, That a city or town, with such assent, may become indebted to a larger amount, but not exceeding five percent additional, determined as herein provided, for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city or town: PROVIDED FURTHER, That any school district may become indebted to a larger amount but not exceeding five percent additional for capital outlays.

Passed the Senate March 26, 1969.

Passed the House March 24, 1969.

Approved by the Governor April 3, 1969, with the exception of section 4 which is vetoed.

Filed in office of Secretary of State April 10, 1969.

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

"...This bill makes a number of amendments to special statutes relating to public hospital districts, particularly to those statutes relating to the indebtedness which may be incurred by these districts. The bill increases the permissible interest rate on bonds issued by public hospital districts, and doubles the amount of bonds which a district may issue with the approval of 60% of the voters.

Section 4 amends RCW 39.36.020, which is the general statute relating to indebtedness of all taxing districts.

Section 3, chapter 142, Laws of 1969, passed at the regular session of the Forty-first Legislature, also amended RCW 39.36.020 in a manner that differs from the amendment contained in section 4 of Senate Bill 242. Fortunately, the object of the amendment contained in section 4 of this bill, which is to double the amount of bonds which a public hospital district

may issue with the approval of 60% of the voters of the district, was accomplished by the amendment of RCW 39.36.020 contained in section 3, chapter 142, Laws of 1969.

The deletion of section 4 of Senate Bill 242 will in no way defeat the purpose of this bill. It will prevent inconsistent amendments to the same section of the law from becoming effective and will therefore preserve the amendments of that section contained in the law passed in the regular session of the Forty-first Legislature.

Except for section 4 which I have vetoed, the remainder of Senate Bill 242 is approved.

CHAPTER 66
[Engrossed House Bill No. 191]
JUSTICE COURTS AND ADMINISTRATION

AN ACT Relating to justice courts and administration; amending section 10, chapter 299, Laws of 1961 as amended by section 5, chapter 110, Laws of 1965 ex. sess., and RCW 3.34.010; amending sections 12, 28, 34 and 43, chapter 299, Laws of 1961 and RCW 3.34.030, 3.38.040, 3.42.040 and 3.46.090; amending section 11, chapter 299, Laws of 1961 and RCW 3.34.020; and adding a new section to chapter 299, Laws of 1961 and to chapter 3.46 RCW.

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

Section 1. Section 10, chapter 299, Laws of 1961 as amended by section 5, chapter 110, Laws of 1965 ex. sess. and RCW 3.34.010 are each amended to read as follows:

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, (~~four~~) two; Chelan, (~~four~~) one; Clallam, one; Clark, four; Columbia, one; Cowlitz, two; Douglas, two; Ferry, two; Franklin, one; Garfield, one; Grant, three; Grays Harbor, four; Island, three; Jefferson, one; King, twenty; ~~Kitsap~~, two; Kittitas, two; Klickitat, two; Lewis, (~~four~~) one; Lincoln, (~~four~~) two; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, (~~two~~) one; Snohomish, (~~six~~) eight; Spokane, seven; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, two; Yakima, six.

Sec. 2. Section 12, chapter 299, Laws of 1961 and RCW 3.34-