

In connection with such investigation, the Supervisor of Hydraulics from time to time may require reports from each ground water appropriator as to the amount of public ground water being withdrawn and as to the manner and extent of the beneficial use. Such reports shall be in a form prescribed by said Supervisor.

Reports.

SEC. 20. The sum of thirty thousand dollars (\$30,000) is hereby appropriated to the Department of Conservation and Development from the moneys of the General Fund, not otherwise appropriated, to carry out the provisions of this act.

Appropriation.

Passed the House March 3, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 19, 1945.

## CHAPTER 264.

[ H. B. 47. ]

### PUBLIC HOSPITAL DISTRICTS.

AN ACT relating to and authorizing the establishment of Public Hospital Districts, and the consolidation thereof and annexation thereto; providing for the construction, purchase, lease, condemnation and purchase, acquisition, maintenance, conducting, operation, development and regulation by such districts of hospital facilities; providing for the revenue for the operation of such hospitals; and prescribing, defining and regulating the powers, duties and government of such hospital districts.

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

SECTION 1. The purpose of this act is to authorize the establishment of Public Hospital Districts to own and operate hospitals and to supply hospital service for the residents of such districts and other persons.

Public hospital districts.

SEC. 2. Municipal corporations, to be known as Public Hospital Districts, are hereby authorized

and may be established within the State of Washington in counties having less than 25,000 population.

Election  
to form.

SEC. 3. At any general election the Board of County Commissioners of any county of this state may, or on petition of ten per cent (10%) of the qualified electors of such county, based on the total vote cast in the last general county election, shall, by resolution, submit to the voters of such county the proposition of creating a Public Hospital District which shall be coextensive with the limits of such county as now or hereafter established. Such petition shall be filed with the County Auditor, who shall within fifteen (15) days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the County Auditor shall have access to all registration books in the possession of election officers within such county. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten (10) days, when the same shall be returned to the County Auditor, who shall have an additional fifteen (15) days to examine the same and attach his certificate thereto. No person signing such petition shall be allowed to withdraw his name therefrom after the filing of the same with the County Auditor. Whenever such petition shall be certified to as sufficient, the County Auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the Board of County Commissioners, who shall thereupon immediately transmit such proposition to the election board of such county, and it shall be the duty of such county election board to submit such proposition to the voters at the next general election. The notice of the election shall state the boundaries of the proposed Public Hospital District and the object of such election, and shall in other respects conform to the requirements of the law of the State of Washington,

Notice of  
election.

governing the time and manner of holding elections. In submitting the said question to the voters for their approval or rejection, the proposition shall be expressed on said ballot substantially in the following terms:

For Public Hospital District No. ....

Against Public Hospital District No. ....

SEC. 4. Any petition for the formation of a Public Hospital District may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed containing not less than ten per cent of the voters of the proposed district who voted at the last general election, certified by the Auditor in like manner as for a county-wide district, the Board of County Commissioners shall fix a date for a hearing on such petition, and shall publish the petition, without the signatures thereto appended, for two (2) weeks prior to the date of the hearing, together with a notice stating the time of the meeting when such petition will be heard. Such publications required by this act shall be in a newspaper published in the proposed or established Public Hospital District, or, if there be no such newspaper, then in a newspaper published in the county in which such district is situated, and of general circulation in such county. The hearing on such petition may be adjourned from time to time, not exceeding four (4) weeks in all. If upon the final hearing the Board of County Commissioners shall find that any lands have been unjustly or improperly included within the proposed Public Hospital District the said Board shall change and fix the boundary lines in such manner as it shall deem reasonable and just and conducive to the welfare and convenience, and make and enter an order establishing and defining the boundary lines of the proposed Public Hospital District: *Provided,*

Area defined.

Hearing on petition.

Boundary changes.

That no lands shall be included within the boundaries so fixed lying outside the boundaries described in the petition, except upon the written request of the owners of such lands. Thereafter the same procedure shall be followed as prescribed in this act for the formation of a Public Hospital District including an entire county, except that the petition and election shall be confined solely to the lesser Public Hospital District.

Hospital  
District  
Commission-  
ers.

SEC. 5. The provisions of chapter 1, Laws of 1931 relating to elections, vacancies, procedure of the commission and boundaries and consolidation of public utility districts shall govern public hospital districts created under this act, except that Public Hospital District Commissioners shall hold office for the term of six (6) years and until their respective successors are elected and qualified, each term to commence on the second Monday in January in each year following the election thereto. At the same election at which the proposition is submitted to the voters as to whether a Public Hospital District shall be formed, three (3) commissioners shall be elected to hold office, respectively, for the term of two (2), four (4) and six (6) years. All candidates shall be voted upon by the entire Public Hospital District, and the candidate residing in commissioner district number one receiving the highest number of votes in the Public Hospital District shall hold office for the term of six (6) years; and the candidate residing in commissioner district number two receiving the highest number of votes in the Public Hospital District shall hold office for the term of four (4) years; and the candidate residing in commissioner district number three receiving the highest number of votes in the Public Hospital District shall hold office for the term of two (2) years, each of said terms to date from the times specified in this section following the election, but also to include the period intervening

Terms of  
office.

between the election and the beginning of the regular terms specified in this section.

SEC. 6. All Public Hospital Districts organized under the provisions of this act shall have power: Power of districts.

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

(b) 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, non-profit establishment or against a hospital clinic or sanatorium operated by a religious group or organization.

(c) To lease existing hospitals 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 Leasing of hospitals.

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.

Powers of district.

(d) For the purposes 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.

(e) To contract indebtedness or borrow money for corporate purposes on the credit of the corporation or the revenues of the public hospitals thereof, and to issue bonds therefor, bearing interest at a rate not exceeding six per cent (6%) per annum, payable semi-annually, said bonds not to be sold for less than par and accrued interest.

Tax levy.

(f) To raise revenue by the levy of an annual tax on all taxable property within such Public Hospital District not to exceed three (3) mills. 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 warrant 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 per cent (6%) per annum.

Powers of  
districts.

(g) 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 act.

(h) 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.

(i) To make contracts, employ superintendents, attorneys and other technical or professional assistance and all other employees; to print and publish information or literature and to do all other things necessary to carry out the provisions of this act.

Superinten-  
dent.

SEC. 7. The Public Hospital District Commission shall appoint a Superintendent, who shall be appointed for an indefinite time and be removable at the will of the Commission. Appointments and removals shall be by resolution, introduced at a regular meeting and adopted at a subsequent regular meeting by a majority vote. He shall receive such salary as the Commission shall fix by resolution.

Inspection  
by Health  
Department.

SEC. 8. The Washington State Department of Health shall be authorized to inspect all premises maintained or operated by any hospital district created hereunder. No district shall construct any building or make any alteration therein without first having obtained the approval of the Washington State Board of Health as to plans of such construction and the site thereof.

Duties of  
Superinten-  
dent.

SEC. 9. The Superintendent shall be the chief administrative officer of the Public District Hospital and shall have control of administrative functions of said hospital. He shall be responsible to the Commission for the efficient administration of all affairs of the hospital. In case of the absence or temporary disability of the Superintendent a competent person shall be appointed by the Commission. The Superintendent shall be entitled to attend all meetings of the Commission and its committees and to take part in the discussion of any matters pertaining to the duties of his department, but shall have no vote.

Medical  
management.

SEC. 10. The medical management shall be subject to approval of the medical staff. All hospitals operated by Public Hospital Districts shall be operated in compliance with the standards set by the Council on Medical Education and Hospitals of the American Medical Association.

SEC. 11. The Public Hospital District Superintendent shall have power, and it shall be his duty:

1. To carry out the orders of the Commission, and to see that all the laws of the state pertaining to



matters within the functions of his department are duly enforced.

2. To keep the Commission fully advised as to the financial condition and needs of the district. To prepare, each year, an estimate for the ensuing fiscal year of the probable expenses of his department, and to recommend to the Commission what development work should be undertaken, and what extensions and additions, if any, should be made, during the ensuing fiscal year, with an estimate of the costs of such development work, extensions and additions. To certify to the Commission all the bills, allowances and pay-rolls, including claims due contractors of public works. To recommend to the Commission salaries of the employees of his office and a scale of salaries or wages to be paid for the different classes of service required by the district.

Powers and duties of Superintendent.

SEC. 12. Whenever the Commission shall deem it advisable that the Public Hospital District purchase, purchase and condemn, acquire, or construct any such public hospital, or make any additions or betterments thereto, or extensions thereof, the Commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and specify the amount of indebtedness, the amount of interest and the time in which all bonds shall be paid, not to exceed thirty (30) years. In the event the proposed general indebtedness to be incurred will bring the indebtedness of the Public Hospital District to an amount exceeding one and one-half per cent ( $1\frac{1}{2}\%$ ) of the taxable property of the Public Hospital District, the proposition of incurring such indebtedness and the proposed plan or system shall be submitted to the qualified electors of said Public Hospital District for their assent at the next general election held in such Public Hospital District.

Issuance of bonds.

Election  
to ratify.

SEC. 13. 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 system 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 per cent (6%), and the place and date 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 coupon: *Provided, however,* That said coupon, in lieu of being so signed, may have printed thereon a fac simile of the signatures of such officers.

Payment  
of bonds.

SEC. 14. The principal and interest of such general bonds shall be paid from the revenues of such Public Hospital District after deducting costs of maintenance, operation, and expenses of the Public Hospital District, and any deficit in the payment of principal and interest of said general bonds shall be paid by levying each year a tax upon the taxable property within the district sufficient to pay said interest and principal of said bonds, which tax shall be due and collectible as any other tax. Said bonds shall be sold in such manner as the Commission shall deem for the best interest of the district. All bonds and warrants issued under the authority of this act shall be legal securities, which may be used by any

bank or trust company for deposit with the State Treasurer, or any County or City Treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys.

SEC. 15. The Commissioners shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. 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.

Expenses of  
Commis-  
sioners.

SEC. 16. The County Treasurer of the county in which such district is situated shall be the treasurer of the district, and all funds of the district shall be paid to him as such treasurer and shall only be disbursed by him on warrants drawn and signed by an auditor to be appointed 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 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.

Public  
hospital  
district fund  
created.

Purchase of  
materials  
or work.

SEC. 17. All materials purchased and work ordered, the estimated cost of which is in excess of five thousand dollars (\$5,000), shall be by contract. Before awarding any such contract, the Commission shall cause to be published a notice at least thirty (30) days before the letting of said contract, inviting sealed proposals for such work, plans and specifications which must at the time of the publication of such notice be on file at the office of the Public Hospital District, subject to public inspection: *Provided, however,* That the Commission may at the same time, and as part of the same notice, invite tenders for said work or materials upon plans and specifications to be submitted by bidders. Such notice shall state generally the work to be done, and shall call for proposals for doing the same, to be sealed and filed with the Commission on or before the day and hour named therein. Each bid shall be accompanied by a certified check, payable to the order of the Commission, for a sum not less than five per cent (5%) of the amount of the bid, and no bid shall be considered unless accompanied by such check. At the time and place named, such bids shall be publicly opened and read, and the Commission shall proceed to canvass the bids, and may let such contract to the lowest responsible bidder upon plans and specifications on file, or to the best bidder submitting his own plans and specifications: *Provided, however,* That no contract shall be let in excess of the estimated cost of said materials or work, or if, in the opinion of the Commission, all bids are unsatisfactory, they may reject all of them and readvertise, and in such case all checks shall be returned to the bidders; but if such contract be let, then and in such case all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such materials for doing such work, and a bond to perform such work

furnished, with sureties satisfactory to the Commission, in an amount to be fixed by the Commission, not less than twenty-five per cent (25%) of contract price in any case, between the bidder and Commission, in accordance with the bid. If such bidder fails to enter into said contract in accordance with said bid and furnish such bond within ten (10) days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the Public Hospital District.

SEC. 18. Every contractor and subcontractor performing any work for said Public Hospital Districts within said Public Hospital District shall pay or cause to be paid to its employees on such work or under such contract or subcontract not less than the minimum scale fixed by the resolution of the Commission prior to the notice and call for bids on such work. The Commission in fixing scale of wages shall fix the same as nearly as possible to the current prevailing and going wages within the district for work of like character.

Minimum  
wages on  
contract.

SEC. 19. All funds collected for or allocated for any hospital service, within the area of a Public Hospital District, shall be paid by any county, city, state or Federal department, bureau or institution, to the County Treasurer of the county in which said Public Hospital Districts are located, for the use and benefit of and to the credit of said Public Hospital District.

Use of  
funds.

SEC. 20. After this act becomes effective a special election may be called at any time by the election board prior to the next general election, to create such hospital districts where the petition for the creation of such districts so provide or were ordered by the County Commissioners.

Special  
elections.

SEC. 21. Adjudication of invalidity of any section, clause or part of a section of this act shall not

Partial  
invalidity.

impair or otherwise affect the validity of the act as a whole or any other part thereof. The rule of strict construction shall have no application to this act, but the same shall be liberally construed, in order to carry out the purposes and objects for which this act is intended. When this act comes in conflict with any provisions, limitation or restriction in any other law, this act shall govern and control.

Acts  
repealed.

SEC. 22. This act shall not be deemed or construed to repeal or affect any existing act, or any part thereof, relating to the construction, operation and maintenance of public hospitals, but shall be supplemental thereto and concurrent therewith.

Passed the House February 24, 1945.

Passed the Senate March 7, 1945.

Approved by the Governor March 20, 1945.

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CHAPTER 265.

[ H. B. 185. ]

ELECTIONS—ABSENTEE VOTING—IRRIGATION  
DISTRICTS.

AN ACT to provide for a period of five years for absentee voting in the case of elections to authorize or ratify making of contracts pursuant to the provisions of section 12, page 678, Laws of 1889-90, as last amended by section 6, chapter 129, Laws of 1921 (section 7429, Remington's Revised Statutes, also Pierce's Perpetual Code 679-41), between the United States and any irrigation district comprising 200,000 acres or more, and the procedure with respect to such voting.

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

Absentee  
voting in  
irrigation  
districts.

SECTION 1. For a period ending five years from the effective date of this act, absentee voting shall be permitted, on the terms provided in this act, by any irrigation district of the state comprising two hundred thousand (200,000) acres or more of land in connection with any election that is required by law to