

SENATE BILL REPORT

SB 6504

As Passed Senate, February 14, 2006

Title: An act relating to prohibiting employees of public hospital districts from serving as commissioners.

Brief Description: Prohibiting public hospital district employees from serving as commissioners.

Sponsors: Senators Berkey and Mulliken.

Brief History:

Committee Activity: Government Operations & Elections: 1/26/06, 1/31/06 [DP].
Passed Senate: 2/14/06, 47-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore.

Staff: Cindy Fazio (786-7405)

Background: Public Hospital District commissioners are responsible for overseeing the hospital district's general policies and organization with respect to the operation of the district. The board of commissioners adopts the necessary general policies to accomplish this. Commissioners are required to take action by motion or resolution.

Hospital district commissioners serve six year terms of office. Only a registered voter who resides in the commissioner district may be a candidate for, or hold, office.

Summary of Bill: A current employee of a public hospital district may not hold office as a commissioner.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This legislation will avoid conflicts of interest. If an employee/commissioner were to recuse himself or herself from voting as a commissioner on matters that would affect his or her position as employee, the board would be effectively reduced by one, leaving an even number and the real possibility of stalemate. This could happen on a number of significant board responsibilities, such as adopting a budget, adjusting services, or adjusting salary ranges. If a district employee were to concurrently serve as commissioner,

the incompatibility tests set forth by the Washington Supreme Court would be met. This situation should not be allowed. There are similar prohibitions in other special and educational districts.

Testimony Against: None.

Who Testified: PRO: Senator Jean Berkey, Prime Sponsor; Dick Goldsmith, Association of Washington Public Hospital Districts.