

Chapter 440

1979 REPLACEMENT PART

County Hospitals and Nursing Homes; Health Districts; Port Hospitals

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**COUNTY HOSPITALS AND
NURSING HOMES
GENERALLY**

440.010 Construction and operation of county hospitals or nursing homes; tax levy. (1) The county court or the board of county commissioners in any county may erect, maintain and operate a hospital or a nursing home for persons for whom care is not otherwise available if there is no other hospital or nursing home in which space is available in the county.

(2) The county court or board of county commissioners may levy taxes, either annually or serially, upon all taxable property within the county for the purposes set forth in subsection (1) of this section. However, any serial tax so levied shall be subject to the limitations and procedures described in subsection (3) of ORS 440.030. [Amended by 1963 c.607 §1; 1967 c.613 §1]

440.020 Admission of paying patients; disposition of moneys. In addition to providing care at a hospital or nursing home established under ORS 440.010, the county court or the board of county commissioners may admit such persons as may be financially able to pay for all or part of their hospital or nursing home care and treatment to any county-operated hospital or nursing home. The income thus derived shall be used for the maintenance and operation of the hospital or nursing home or for providing care pursuant to ORS 440.030. Any surplus remaining shall be paid into the general fund of the county. [Amended by 1967 c.613 §2]

440.030 Care of patients in counties not having hospital or nursing home; tax levy. (1) The county court or board of county commissioners of any county not maintaining a county hospital or nursing home may provide and pay for hospital or nursing home care and treatment of persons for whom care is not otherwise available in any hospital or nursing home in operation in such county. If there is no hospital or nursing home in the county, the county court or county commissioners may contract with a hospital or nursing home in another county for such hospital or nursing home care and treatment of such persons.

(2) The county court or board of county commissioners may levy an annual tax for the purposes set forth in subsection (1) of this section in an amount not to exceed one-fortieth of one percent (.00025) of the true

cash value of all taxable property within the county, computed in accordance with ORS 308.207.

(3) Notwithstanding subsection (2) of this section, the county court or board of county commissioners, upon approval of a majority of the electors of the county voting at an election held in accordance with ORS 310.330 to 310.400, may levy taxes serially outside the limitation imposed by section 11, Article XI, Constitution of the State of Oregon, for purposes set forth in subsection (1) of this section over such period as is authorized by the electors, but not exceeding 10 years.

(4) If taxes are levied serially under subsection (3) of this section, the amount levied each year shall not exceed the maximum amount permitted under subsection (2) of this section for such year. [Amended by 1963 c.607 §2; 1967 c.613 §4]

440.040 Right of patient to choose between public and private facility. Nothing in ORS 440.010 or 440.030 authorizes a county to deny to a person requiring hospital or nursing home care at county expense the right to choose between a county-operated hospital or nursing home and a private facility in which space is available, either within or outside the county if the cost at such private facility is no greater than at the county hospital or nursing home. [1967 c.613 §3]

**COUNTY HOSPITALS IN
TILLAMOOK, HARNEY,
CURRY, MORROW, WALLOWA
AND JOSEPHINE COUNTIES**

440.110 Operation and maintenance of hospitals in certain counties. The county courts of Tillamook, Harney, Curry, Morrow and Wallowa Counties, respectively, may each establish, acquire, construct, maintain and operate a county hospital for the care of the sick in their respective counties.

440.120 Operation and additions to Josephine County hospital. The county court of Josephine County may continue to operate and maintain the county hospital existing on July 16, 1949, and may establish, acquire, construct, maintain and operate that county hospital and any additions thereto for the care of the sick in Josephine County.

440.130 Powers of the county courts. In executing the powers granted under ORS 440.110 and 440.120, the respective county

courts may:

(1) Purchase or acquire by other means, including the exercise of the power of eminent domain, such lands, buildings and personal property as may be necessary or convenient for the purpose.

(2) Accept gifts, bequests or devises of money or property, either real or personal, for such purposes, and apply them to the benefit of the respective hospitals in accordance with the terms of such gift or in accordance with the limitations placed thereon by the donor and hold, invest and manage the corpus of such gifts and the income therefrom in accordance with the terms thereof.

440.140 Hospital boards; appointment; duties. (1) The county courts of Curry, Harney, Morrow and Tillamook Counties shall each appoint a county hospital board, consisting of five citizens and residents of the respective counties. Each board shall, under the supervision of its county court, operate and manage its respective hospital.

(2) The county court of Josephine County shall appoint a county hospital board, consisting of five citizens and inhabitants of the county. The board shall, under the supervision of the county court, continue the operation and management of the hospital, together with the maintenance thereof and the building of any addition to the hospital building existing on July 16, 1949, or other buildings in connection therewith.

440.150 Hospital boards; terms; vacancies; removals; compensation. (1) The term of office of each member of the hospital boards in Tillamook, Morrow, Harney and Josephine Counties shall be five years. Annually, upon the expiration of the term of one member, a new member shall be appointed. The term of office of each member of the board in Curry County shall be six years, and biennially, upon the expiration of the term of one member, a new member shall be appointed.

(2) The respective county courts may remove any member of their boards for cause and may appoint a successor. Failure of any member of the respective boards to attend three consecutive meetings of the board, unless his absence is excused by formal action of the board, constitutes cause for removal of such member from the respective board.

(3) Appointments to fill vacancies on the respective hospital boards shall be for the unexpired term.

(4) The county courts may fix the per diem of their respective board members while in attendance at the meetings.

440.160 Board officers; appointment and salary of general manager. In the Counties of Tillamook, Harney, Curry, Morrow and Josephine, the hospital board shall:

(1) Elect from among its members a president, vice president and secretary.

(2) Appoint a general manager of the hospital, who shall hold office at its pleasure.

(3) Fix the salaries of the general manager and all other employes within the limit of the appropriation made therefor by the respective county court. Such salaries shall be compensation in full for all services rendered by such employes or general manager to the hospital.

440.170 Duties of hospital board. In the Counties of Tillamook, Harney, Curry, Morrow and Josephine, the hospital board shall:

(1) Have general management and supervision of the hospital and of the grounds, buildings, officers and employes thereof and of all matters relating to the government, discipline, contracts and fiscal concerns thereof.

(2) Make such rules and regulations as it may deem necessary for the government of the hospital, subject to the approval of the respective county court.

(3) Maintain an effective inspection of the hospital and keep itself informed of the affairs and management thereof.

(4) Meet at the hospital at least once each month and at such other times as may be necessary.

(5) Hold its annual meeting at least three weeks prior to the annual budget meeting of the respective county court.

(6) Keep in a book, provided for that purpose, a proper record of its proceedings, which shall be open at all times to the inspection of its members and to the respective county court.

(7) Approve and pay all just bills and accounts, including salaries and wages.

(8) Make to the respective county court annually a detailed report of the operations of

the hospital during the preceding year, together with suitable recommendations as to future operation of the hospital and full and detailed estimates of the appropriations required for the maintenance of the hospital for the ensuing year.

(9) From time to time, furnish to the respective county court such information as to the affairs of the hospital as the county court may require.

(10) Cause to be deposited with the county treasurer concerned all moneys in excess of an operating fund designated by the respective county court.

440.180 Duties of county court of Wallowa County in operating county hospital. The county court of Wallowa County shall:

(1) Employ a general manager of the hospital.

(2) Fix the salaries of the general manager and all other employes within the limit of the appropriation made therefor by the county court. Such salaries shall be compensation in full for all services rendered by such employes or general manager to the hospital.

(3) Have general management and supervision of the hospital and of the grounds, buildings, officers and employes thereof and of all matters relating to the government, discipline, contracts and fiscal concerns thereof.

(4) Make such rules and regulations as it may deem necessary for the government of the hospital, including the admission of patients, which shall apply to all residents of the county, and the charges to be made for hospital services.

(5) Maintain an effective inspection of the hospital and keep itself informed of the affairs and management thereof.

(6) Meet at the hospital at least once each month and at such other times as may be necessary.

(7) Approve all just bills and accounts, including salaries and wages. [Amended by 1967 c.317 §1]

440.190 General managers of county hospitals; powers and duties; bond. (1) The general manager of the county hospital in Tillamook, Harney, Curry, Morrow and Josephine Counties shall be the chief executive officer of the hospital and shall manage the same in accordance with the directions of the

county hospital board and in accordance with the rules and regulations adopted by it and shall be responsible for the internal affairs and discipline of the hospital. The general manager may discharge from the hospital any patient who wilfully or habitually violates the rules thereof.

(2) Before entering upon the discharge of his duties the general manager shall give a bond in such sum as the hospital board may determine to secure the faithful performance of his duties.

440.200 Powers and duties of general manager of Wallowa County hospital; bond. The general manager of the county hospital of Wallowa County shall:

(1) Be the chief executive officer of the hospital and shall manage the same in accordance with the directions of the county court and in accordance with the rules and regulations adopted by it and he shall be responsible for the internal affairs and discipline of the hospital. He may discharge from the hospital any patient who wilfully or habitually violates the rules thereof.

(2) Make to the county court monthly a detailed report of the operations of the hospital during the preceding month.

(3) Annually submit suitable recommendations as to future operation of the hospital and full and detailed estimates of the appropriations required for the maintenance of the hospital for the ensuing year.

(4) From time to time, furnish to the county court such information as to the affairs of the hospital as the county court may require.

(5) Maintain an operation and maintenance bank account designated by the county court for the payment therefrom of all just bills and accounts, including salaries and wages, approved by the county court.

(6) Cause to be deposited with the county treasurer all moneys in excess of the operation and maintenance bank account designated by the county court.

(7) Before entering on the discharge of his duties, give a bond in such sum as the county court determines to secure the faithful performance of his duties. [Amended by 1967 c.317 §2]

440.210 Rates and charges; admission of poor. (1) The hospital board in Tillamook, Harney, Curry, Morrow and Josephine Counties shall:

(a) Fix and establish rates and charges for accommodations and service supplied to patients of each hospital.

(b) Admit to the hospital for care and treatment the poor of the county, in accordance with the rules established therefor by the county court.

(2) The county court of Wallowa County shall:

(a) Fix and establish rates and charges for accommodations and service supplied to patients of its hospital.

(b) Admit to the hospital for care and treatment the poor of the county, in accordance with its rules established therefor.

440.220 County hospital budget; tax levy. (1) The county courts of Tillamook, Harney, Curry, Morrow, Josephine and Wallowa Counties may include in their annual county budgets such sums as in their discretion seem adequate to provide for the acquisition, construction, equipment, maintenance, operation and improvement of their respective hospitals, taking into account the revenue received from the operation of their hospitals.

(2) The listed county courts may levy taxes annually upon all the taxable property of their respective counties to produce such sums.

(3) Notwithstanding subsection (2) of this section, the county court of a listed county may levy taxes serially for purposes set forth in subsection (1) of this section, subject to the limitations and procedures described in subsection (3) of ORS 440.030. [Amended by 1963 c.607 §3]

440.230 Authority to spend funds on hand. (1) The county courts of Tillamook, Harney, Curry, Morrow and Wallowa Counties may expend for the acquisition, construction, operation and maintenance or improvement of their respective county hospitals any moneys on hand or to be realized from the proceeds of any tax authorized or levied for county hospital purposes under ORS 440.220.

(2) The county court of Josephine County may expend for the operation and maintenance of its county hospital and for the acquisition, construction and improvement of the hospital existing on July 16, 1949, or additions thereto, any moneys on hand or to be realized from the proceeds of any tax authorized or levied for county hospital purposes, as

well as the revenues and money derived from the operation of the hospital up to that date.

HEALTH DISTRICTS

440.305 District created coterminous with each district existing on July 2, 1957; districts existing on July 2, 1957, abolished. (1) There hereby is created a health district territorially coterminous with each health district existing on July 2, 1957, if such existing health district was at that time a valid health district but for the fact that the electors of the district were required to have resided in the district for a period of not less than 90 days next preceding an election. In determining the boundaries of health districts created by this subsection, full effect shall be given to annexations effected by health districts prior to November 22, 1957, under ORS 441.205 to 441.410 (1957 Replacement Part).

(2) Health districts created by subsection (1) of this section are subject to and shall be governed by ORS 440.315 to 440.410.

(3) Health districts territorially coterminous with health districts created by subsection (1) of this section hereby are abolished. [Formerly 441.195]

440.310 New district succeeds to and replaces abolished district. Each health district created by subsection (1) of ORS 440.305 shall in all respects be the successor of and replace the territorially coterminous health district abolished by subsection (3) of ORS 440.305. Without limiting the foregoing:

(1) A successor health district is:

(a) The owner of all assets of the succeeded health district, including real and personal property, money, water, water rights and riparian rights.

(b) Successor party to the contracts of the succeeded health district.

(c) Successor party to court proceedings in which the succeeded health district was a party.

(d) Successor obligor and subject to the indebtedness, bonded or otherwise, of the succeeded health district.

(2) A successor health district shall levy and collect any tax lawfully assessed or collect any tax lawfully assessed and levied, as the case may be, by the succeeded health district.

(3) The rules and regulations of the succeeded health district are the rules and regu-

lations of the successor health district until changed under ORS 440.315 to 440.410.

(4) The directors and officers of the succeeded health district are the directors and officers of the successor health district. Each such director and officer on November 22, 1957, shall hold office for a term equal to the unexpired term of his office in the succeeded health district. [Formerly 441.200]

440.315 Definitions for ORS 440.315 to 440.410. As used in ORS 440.315 to 440.410, unless the context requires otherwise:

(1) "County board" means the county court or board of county commissioners, as the case may be, of the county in which a district, or the greater portion of the taxable assessed value thereof, is located.

(2) "County clerk" means the county clerk of the county in which a district, or the greater portion of the taxable assessed value thereof, is located.

(3) "District board" or "board" means the board of directors of a district.

(4) "Health district" or "district" means any district formed pursuant to ORS 440.315 to 440.410.

(5) "Owner" means the holder of the record title to real property or the vendee under a land sale contract, if there is such a contract.

(6) "Voter" means a registered voter of the state who resides in the health district or proposed health district. [Formerly 441.205; 1975 c.701 §1]

440.320 Health districts authorized.

(1) Districts may be incorporated as municipal corporations for the purpose of supplying their inhabitants with facilities for the care of sick and injured persons as provided in ORS 440.315 to 440.410. Such municipal corporations may consist of territory in one or more counties, or of a city with or without unincorporated territory. A city shall not be divided in the formation of a health district.

(2) A health district organized under ORS 440.315 to 440.410 may include within its boundaries all or any part of the territory of a port district organized under ORS chapter 777 if the port district does not then operate a hospital. [Formerly 441.210]

440.325 Board of directors; qualifications; organization; oath. (1) The power and authority given to health districts, except as otherwise provided by ORS 440.315 to

440.410, is vested in and shall be exercised by a board of directors each of whom shall be a registered voter within the district.

(2) Within 10 days after the issuance of the order of formation, the directors of the first board shall meet and organize after first taking and subscribing an oath of office.

[Formerly 441.280; 1979 c.520 §1]

440.330 Election of directors; terms of office. (1) Except for the directors first elected, who shall be five in number, whose terms commence at their election, the term of office of each director shall begin on the first day of July following election. The directors first elected shall determine by lot the length of term each shall hold office, with the term of approximately one-half of the directors expiring at 12:01 a.m. of the first day of July following the first regular biennial election following their election and the term of the other half expiring at 12:01 a.m. of the first day of July following the second regular biennial election following their election.

(2) In the event the number of directors is increased by action of the board, the term of office of each director shall begin at 12:01 a.m. of the first day of July following election. These newly elected directors shall determine by lot the length of term each shall hold office, with the term of approximately one-half of the directors expiring at 12:01 a.m. of the first day of July following the next regular biennial election following their election, and the term of approximately one-half of the directors expiring at 12:01 a.m. of the first day of July following the second regular biennial election following their election.

(3) At each regular biennial election following the election at which were elected the first or additional directors, there shall be elected for a term of four years a sufficient number of directors to replace those whose terms expire in the following July. [Formerly 441.285; 1979 c.520 §3]

440.335 Election of officers of board of directors; duties; quorum. (1) The directors shall, at the time of their organization, choose from their number a chairman, a secretary and a treasurer, who shall hold their offices until their successors are elected and qualified.

(2) These officers shall have, respectively, the powers and shall perform the duties usual in such cases and shall be known as the presi-

dent, secretary and treasurer of the health district.

(3) A majority shall constitute a quorum to do business and, in the absence of the chairman, any other member may preside at any meeting. [Formerly 441.290]

440.340 Directors; meetings. The district board shall hold meetings at such time and place within the district as it may, from time to time, determine, but it shall hold at least one regular meeting in each month on a day to be fixed by it, and may hold special meetings under such rules as it may make.

[Formerly 441.295]

440.345 Position numbers for election of directors; procedure; effect. (1) Each office of director of a health district may be designated by number as Position No. 1, Position No. 2 and so forth.

(2) When directed by the board, the secretary of a district shall assign a position number to each office on the board. The number so assigned shall be certified by the secretary to the director in office holding that position. One copy of the certification shall be sent to the Secretary of State, and one copy shall be filed in the records of the district.

(3) In the nomination or election of candidates for or to the office of director, every petition for nomination, declaration of candidacy, certificate of nomination or election, ballot or other document used in connection with the nomination or election shall state the position number of the office to which the candidate aspires, and his name shall appear on the ballot only for the designated position.

(4) Each voter shall have the right to vote for only one candidate for each position on the board, and the candidate for each position receiving the highest number of votes for such position shall be considered nominated or elected as the case may be. [1973 c.284 §2]

440.350 Call of special elections. The board, at any regular meeting, may call a special election of the voters of the district.

[Formerly 441.305]

440.355 [Formerly 441.315; repealed by 1979 c.190 §431]

440.360 Powers of health districts. Any corporation formed under this chapter shall have all the powers necessary to carry out the purposes of ORS 440.315 to 440.410, including, but not confined to, the following:

(1) To sue and be sued.

(2) To contract and be contracted with.

(3) To have and use a corporate seal, and to alter the same at pleasure.

(4) To purchase, possess and dispose of such real and personal property as may be necessary and convenient to carry into effect the objects of the corporation, to enter into agreements to lease any such real and personal property for a term not to exceed 10 years, with or without an option to purchase the property, and to take, hold, possess and dispose of real and personal property, purchased from, or donated by, the United States, or any state, territory, county, city or other municipal corporation or any person, firm, association or private corporation for the purpose of aiding in the objects of the corporation.

(5) To appoint subordinate officers, agents, employes, staff and other personnel as the needs of the corporation may require, and to prescribe their duties and compensation.

(6) To prescribe and maintain a system of records in accordance with accepted standards of hospital administration.

(7) To adopt, amend, carry out and enforce rules and regulations with respect to any or all of the following:

(a) Admission of patients.

(b) Nursing personnel, laboratory personnel, dieticians and other skilled personnel.

(c) Laboratories, sanitation and other facilities of the hospital and their use.

(d) Admission to and conduct in the hospital of persons desiring to diagnose or treat any disease, injury or other physical or mental condition in such hospitals, or who may, after August 2, 1951, diagnose or treat any disease, injury or other physical or mental condition in such hospitals.

(e) Providing for application for membership and affiliation with any association of hospitals which has for its purpose the elevation of the standards of hospital care and necessary to qualify for such membership and affiliation.

(8) To construct, purchase, acquire by gift or otherwise, equipment and other property in connection therewith and to operate and maintain a hospital or hospitals, nursing home or nursing homes, as defined by subsection (3) of ORS 678.510, and conduct such hospital business or nursing home business within the district.

(9) To provide ambulance service by contracting for such service or by acquiring the equipment and personnel necessary for the operation of such service.

(10) To construct, purchase, equip, operate, and maintain medical offices or clinic facilities within the district.

(11) To contract short-term indebtedness or to borrow temporarily money for any hospital purpose on its credit or on its patient revenues.

(12) To do all other things necessary to carry out the purposes of ORS 440.315 to 440.410. [Formerly 441.320; 1979 c.520 §2]

440.365 Hospitalization charges. A health district shall charge sick and injured persons for the use of its hospital facilities and services rendered in connection therewith and fix and collect the rates therefor. [Formerly 441.325]

440.370 Eminent domain. A health district may exercise within its boundaries the same rights and powers of eminent domain and of purchasing, selling, condemning and appropriating real property, water, water rights and riparian rights, which cities and towns or other corporations have, to be exercised in any manner authorized by law. [Formerly 441.330]

440.375 Authority to issue bonds. (1) For the purpose of carrying into effect the powers granted by ORS 440.315 to 440.410, a health district, when authorized at any properly called election held for that purpose, may borrow money and sell and dispose of general obligation bonds.

(2) The general obligation bonds outstanding at one time shall never exceed in the aggregate two and one-half percent of the true cash value of all taxable property within the district, computed in accordance with ORS 308.207.

(3) Notwithstanding the provisions of subsection (2) of this section, if the district has within its limits a population of 300 or over, it shall be permitted to have bonds outstanding in an amount which shall not exceed in the aggregate 10 percent of the true cash value.

(4) The bonds shall be issued from time to time by the district board in behalf of the health district as authorized by its electors. [Formerly 441.335]

440.380 Bonds; maturity; interest; conditions. (1) The bonds shall mature serially within not to exceed 30 years from issue date, in like manner as bonds issued under ORS 287.008.

(2) The bonds shall bear such rate of interest not exceeding seven percent per annum payable semiannually as the district board shall determine.

(3) The bonds shall be so conditioned that the health district agrees therein to pay to the bearer, at a place named, which may be at the office of the county treasurer of the county in which the proceedings for organization of the district was conducted, the principal sum of the bonds, with interest at the rate named, payable semiannually, in accordance with the tenor and terms of the interest coupons attached. Each bond payable at the office of the county treasurer shall be registered in accordance with ORS 208.200 and signed by the county treasurer. [Formerly 441.345; 1977 c.188 §3]

440.385 Pledge of income and revenues to secure payment of bonds. (1) For the purpose of additionally securing the payment of the principal of and interest on general obligation bonds issued under ORS 440.375, a health district may, by resolution of the district board, which resolution shall constitute part of the contract with the holders of such general obligation bonds, pledge all or any part of the net income or revenue of its properties.

(2) The district board may adopt such a resolution without submitting the question of such pledge to voters of the health district. [Formerly 441.350]

440.390 Advertisement and sale of bonds. All general obligation bonds issued under ORS 440.375 shall be advertised and sold as provided in ORS 287.014 to 287.026 for the sale of city bonds. [Formerly 441.355]

440.395 Tax levies; use; extension; collection; default. (1) Any health district may assess, levy and collect taxes not to exceed one-fourth of one percent (.0025) of the true cash value of all taxable property within the district, computed in accordance with ORS 308.207. The proceeds of such taxes shall be applied by it in carrying out the objects and purposes provided in ORS 440.320.

(2) A health district, each year, may also assess, levy and collect a special tax upon all such property, real and personal, in an amount sufficient to pay the yearly interest

on bonds theretofore issued by the district and then outstanding, together with any portion of the principal of such bonds maturing within such year. The special tax shall be applied only in payment of interest and principal of bonds issued by the health district, but the district may apply any funds it may have toward the payment of principal and interest of any such bonds.

(3) All taxes needed shall be levied and returned to the county officer whose duty it is to extend the tax roll by the time required by law for city taxes to be levied and returned.

(4) All taxes levied by a health district shall become payable at the same time and be collected by the same officer who collects county taxes. The proceeds of the taxes collected under subsection (1) of this section shall be turned over to the health district according to law. The proceeds of the taxes collected under subsection (2) of this section to pay bonds registered with the county treasurer shall be turned over to the county treasurer of the county in which the proceedings for organization of the district were conducted, to pay principal maturing and interest accruing on the district bonds.

(5) The county officer whose duty it is to extend the county levy shall extend the levy of the health district in the same manner as city taxes are extended.

(6) Property is subject to sale for the non-payment of taxes levied by the health district in like manner and with like effect as in the case of county and state taxes. [Formerly 441.360]

440.400 Expenditure and accounting of district funds. (1) Except as otherwise provided by subsection (3) of this section and subsection (4) of ORS 440.395, all money of a health district shall be deposited in one or more banks or other financial institutions, to be designated by the district board. It shall be withdrawn or paid out only when previously ordered by vote of the board, and upon checks signed as provided by subsection (2) of this section. Receipts or vouchers, showing clearly the nature and items covered by each check drawn, shall be kept on file.

(2) Except for checks issued in accordance with subsection (3) of this section, checks of a district shall be signed:

(a) By the treasurer and countersigned by the chairman, or in the absence or inability of the chairman to act, by the secretary; or

(b) By an administrative employe of the district designated by the board of directors, and countersigned by a director of the district.

(3) The district board may, by resolution:

(a) Set aside specified amounts from money available for operating the district hospital facility; and

(b) Delegate to an administrative officer of the district in charge of the hospital facility the authority to approve specified claims for expenses previously authorized by the board and to issue and sign checks in payment thereof. [Formerly 441.365]

440.405 District records open to inspection; preservation of records. (1) All the proceedings of the district board shall be entered at large in a record book.

(2) All books, maps, plans, documents, correspondence, vouchers, reports and other papers and records pertaining to the business of the health district shall be carefully preserved and shall be open to inspection as public records. [Formerly 441.370]

440.410 Annual audit. An annual audit of the district shall be made by an auditor. A true and complete copy of the auditor's report of such audit shall be filed in the office of the county clerk of the principal county, as defined by ORS 198.705, and shall remain a public record therein. [Formerly 441.375]

PORT HOSPITALS

440.505 Port hospitals; levy of taxes; property exempt from taxation. (1) Municipal corporations designated as ports may construct, maintain and operate hospitals within their respective boundaries, subject to the provisions and limitations upon indebtedness of such municipal corporations imposed by law. However, after June 23, 1967, a port may not construct or acquire a hospital if any part of a health district organized pursuant to ORS 441.205 to 441.410 (1969 Replacement Part) lies within the boundaries of the port.

(2) Should any port district under authority of subsection (1) of this section after August 20, 1957, construct, maintain and operate a hospital or hospital facilities and levy a tax for any indebtedness or other expense incurred therefor, all taxable property in the port district and also within a health district then operating hospital facilities shall be exempt from all taxes levied by a port district for such hospital purposes. [Formerly 441.505]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
October 1, 1979.

Thomas G. Clifford
Legislative Counsel

