

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 366

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-411, IDAHO CODE, TO
REVISE PROVISIONS REGARDING THE COMPOSITION OF HEALTH DISTRICT BOARDS;
AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-411, Idaho Code, be, and the same is hereby
amended to read as follows:

39-411. COMPOSITION OF DISTRICT BOARD -- QUALIFICATIONS OF MEMBERS
-- APPOINTMENT AND REMOVAL -- TERMS -- SELECTION OF OFFICERS -- BOARD OF
TRUSTEES OF DISTRICT BOARDS OF HEALTH. (1) For those districts comprised of:

(a) Fewer than eight (8) counties, the district board of health shall
consist of seven (7) members to be appointed by each of the boards of
county commissioners within each district acting jointly, and, and each
board of county commissioners may appoint a county commissioner of such
county as a board member. Any remaining board seats shall be filled in
order as follows:

(i) The boards of county commissioners within each district act-
ing jointly shall appoint a physician licensed by the Idaho state
board of medicine, if available;

(ii) The board of county commissioners for the county that pro-
vides the greatest amount of funding for the district pursuant to
section 39-424, Idaho Code, shall appoint a member to an available
board seat; and

(iii) All remaining board seats shall be filled by the boards of
county commissioners within each district acting jointly.

(b) Eight (8) counties, the district board of health shall consist of
not fewer than eight (8) members nor more than nine (9) members, and each
board of county commissioners may appoint a county commissioner of such
county as a board member. The boards of county commissioners within
each district acting jointly may also appoint a physician licensed by
the Idaho state board of medicine, if available.

(2) (a) Each member of the district board of health shall be a citizen of
the United States, a resident of the state of Idaho and the public health
district for one (1) year immediately last past, and a qualified elec-
tor. ~~One (1) member of the district board, if available to serve, shall~~
~~be a physician licensed by the Idaho state board of medicine.~~ All mem-
bers shall be chosen with due regard to their knowledge and interest in
public health and in promoting the health of the citizens of the state
and the public health district. Representation shall be assured from
rural as well as urban population groups.

1 (b) Any member appointed pursuant to subsection (1) (a) (ii) of this sec-
 2 tion shall be a currently elected county official from the county making
 3 the appointment.

4 (c) Any member appointed pursuant to subsection (1) (a) (iii) of this
 5 section shall be a currently elected county official from a county
 6 within the district.

7 (3) ~~All appointments~~ The appointment of a physician to the district
 8 board, and any appointments to the board pursuant to subsection (1) (a) (iii)
 9 of this section shall be confirmed by a majority vote of all the county com-
 10 missioners of all the counties located within the public health district.
 11 ~~Any member of the district board~~ Board members appointed pursuant to sub-
 12 section (1) (a) (iii) of this section may be removed by majority at least
 13 two-thirds (2/3) vote of all the county commissioners of all the counties
 14 located within the district.

15 (4) The members of the district board of health shall be appointed for
 16 a term of ~~five (5)~~ two (2) years, subject to reappointment; and vacancies on
 17 the board for an unexpired term shall be filled for the balance of the un-
 18 expired term. Notwithstanding any provision of this section as to term of
 19 appointment, if a board member is an appointee for a board of county com-
 20 missioners, and if that board member is an elected county commissioner and
 21 leaves office prior to the expiration of the term on the district board of
 22 health, the board of county commissioners may declare the position vacant
 23 and may appoint another currently elected county commissioner to fill the
 24 unexpired portion of the term of that board member.

25 (5) The members of the district board, each year, shall select a chair-
 26 man, a vice chairman and a trustee. The trustee shall represent the district
 27 board as a member of the board of trustees of the Idaho district boards of
 28 health.

29 (6) The board of trustees of the Idaho district boards of health shall
 30 have authority to allocate appropriations from the legislature to the health
 31 districts. Such authority is limited to the development and administration
 32 of formulas for the allocation of legislative appropriations. Any formula
 33 adopted by the board of trustees must be in use, without alteration, for at
 34 least two (2) years; provided that during the two (2) year period, the for-
 35 mula may be changed if an emergency occurs, the emergency is declared and
 36 there is a unanimous vote of the board of trustees to make the emergency for-
 37 mula change. All proceedings of the board of trustees shall be subject to the
 38 provisions of chapter 2, title 74, Idaho Code.

39 SECTION 2. An emergency existing therefor, which emergency is hereby
 40 declared to exist, this act shall be in full force and effect on and after
 41 July 1, 2025.