

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 343

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO LOCAL GOVERNMENT; AMENDING SECTION 21-806, IDAHO CODE, TO RE-  
VISE PROVISIONS REGARDING REGIONAL AIRPORT AUTHORITY BOARD MEMBERS;  
AMENDING SECTION 22-208, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
COUNTY FAIR BOARD MEMBERS; AMENDING SECTION 22-306, IDAHO CODE, TO RE-  
VISE PROVISIONS REGARDING FAIR DISTRICT DIRECTORS; AMENDING SECTION  
22-2410, IDAHO CODE, TO REVISE PROVISIONS REGARDING WEED CONTROL AD-  
VISORY COMMITTEE MEMBERS; AMENDING SECTION 22-2721, IDAHO CODE, TO  
REVISE PROVISIONS REGARDING SOIL CONSERVATION DISTRICT SUPERVISORS;  
AMENDING SECTION 22-4302, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
WEATHER MODIFICATION DISTRICT TRUSTEES; AMENDING SECTION 25-2604,  
IDAHO CODE, TO REVISE PROVISIONS REGARDING PEST CONTROL DISTRICT COM-  
MISSIONERS; AMENDING SECTION 25-2612, IDAHO CODE, TO REVISE PROVISIONS  
REGARDING ANIMAL DAMAGE CONTROL DISTRICT DIRECTORS; AMENDING SECTION  
27-119, IDAHO CODE, TO REVISE PROVISIONS REGARDING CEMETERY MAINTEN-  
ANCE BOARD COMMISSIONERS; AMENDING SECTION 31-1421, IDAHO CODE, TO  
REVISE PROVISIONS REGARDING FIRE PROTECTION DISTRICT COMMISSIONERS;  
AMENDING SECTION 31-3705, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
JOINT CITY AND COUNTY HOSPITAL BOARD MEMBERS; AMENDING SECTION 31-3914,  
IDAHO CODE, TO REVISE PROVISIONS REGARDING A BOARD OF AMBULANCE SER-  
VICE COMMISSIONERS; AMENDING SECTION 31-4210, IDAHO CODE, TO REVISE  
PROVISIONS REGARDING COUNTY HOUSING AUTHORITY COMMISSIONERS; AMENDING  
SECTION 31-4305, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECREATION  
DISTRICT DIRECTORS; AMENDING SECTION 31-4707, IDAHO CODE, TO REVISE  
PROVISIONS REGARDING MUSEUM BOARD MEMBERS; AMENDING SECTION 31-4904,  
IDAHO CODE, TO REVISE PROVISIONS REGARDING REGIONAL SOLID WASTE OR  
DOMESTIC SEPTAGE DISPOSAL DISTRICT BOARD MEMBERS; AMENDING SECTION  
33-2119, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMMUNITY COLLEGE  
DISTRICT TRUSTEES; AMENDING SECTION 33-2715, IDAHO CODE, TO REVISE PRO-  
VISIONS REGARDING PUBLIC LIBRARY DISTRICT TRUSTEES; AMENDING SECTION  
39-2803, IDAHO CODE, TO REVISE PROVISIONS REGARDING ABATEMENT DISTRICT  
TRUSTEES; AMENDING SECTION 40-2106, IDAHO CODE, TO REVISE PROVISIONS  
REGARDING REGIONAL PUBLIC TRANSPORTATION AUTHORITY BOARD MEMBERS;  
AMENDING SECTION 42-3114, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
FLOOD CONTROL DISTRICT COMMISSIONERS; AMENDING SECTION 42-3209, IDAHO  
CODE, TO REVISE PROVISIONS REGARDING WATER AND SEWER DISTRICT BOARD  
MEMBERS; AMENDING SECTION 42-3707, IDAHO CODE, TO REVISE PROVISIONS  
REGARDING WATERSHED IMPROVEMENT DISTRICT DIRECTORS; AMENDING SEC-  
TION 42-5223, IDAHO CODE, TO REVISE PROVISIONS REGARDING GROUND WATER  
DISTRICT DIRECTORS; AMENDING SECTION 43-319, IDAHO CODE, TO REVISE  
PROVISIONS REGARDING IRRIGATION DISTRICT DIRECTORS; AMENDING SEC-  
TION 50-2006, IDAHO CODE, TO REVISE PROVISIONS REGARDING URBAN RENEWAL  
AGENCY COMMISSIONERS; AMENDING SECTION 67-4909, IDAHO CODE, TO REVISE  
PROVISIONS REGARDING AUDITORIUM DISTRICT BOARD MEMBERS; AMENDING SEC-

1 TION 70-1404, IDAHO CODE, TO REVISE PROVISIONS REGARDING PORT DISTRICT  
2 COMMISSIONERS; PROVIDING APPLICABILITY; AND DECLARING AN EMERGENCY.

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

4 SECTION 1. That Section 21-806, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6 21-806. ELECTION OF BOARD OF TRUSTEES. (1) At the next succeeding pri-  
7 mary election following the creation of any such regional airport author-  
8 ity, the electors of each of the legislative districts within the partici-  
9 pating counties within such region shall elect, on a nonpartisan basis, a  
10 member of the authority's permanent board of trustees, hereinafter referred  
11 to as the board, except that in the northern and north central regions, one  
12 (1) additional board member shall be elected from each such region at large.  
13 At the first such election, members elected from even-numbered legislative  
14 districts, together with the member elected at large from the northern re-  
15 gion and the member elected at large from the north central region, shall be  
16 elected for four (4) year terms of office, and members elected from odd-num-  
17 bered legislative districts shall be elected for two (2) year terms of of-  
18 fice. Thereafter all such members shall be elected for four (4) year terms  
19 of office, and shall serve until their successors are elected and qualified.  
20 The term of office of members so elected shall commence on December 1 of the  
21 year in which they were elected.

22 (2) Notice of the election and the conduct thereof shall be as pre-  
23 scribed in chapter 14, title 34, Idaho Code. As a condition of voting, an  
24 elector shall meet the qualifications prescribed in section 34-402, Idaho  
25 Code, and in addition shall be a resident of the regional airport authority.

26 (3) In any election for member of the board, if after the deadline for  
27 filing a declaration of intent as a write-in candidate, it appears that only  
28 one (1) qualified candidate has been nominated for that office, it shall not  
29 be necessary for the candidate to stand for election and the board shall de-  
30 clare such candidate elected as a member of the board and the secretary of the  
31 district shall immediately make and deliver to such person a certificate of  
32 election.

33 (4) The person receiving the largest number of votes shall be declared  
34 elected. If it be necessary to resolve a tie between two (2) or more persons,  
35 the interim board or the permanent board, as the case may be, shall determine  
36 by lot which thereof shall be declared elected. The clerk of the board shall  
37 promptly notify any person by mail of his election, enclosing a form of oath  
38 to be subscribed by him as herein provided.

39 (5) Elections held pursuant to this section shall coincide with other  
40 elections held by the state of Idaho or any subdivision thereof, or any mu-  
41 nicipality or school district, subject to the provisions of sections 34-106  
42 and 34-1401, Idaho Code.

43 (6) Elections of board members shall, after the first such election, be  
44 held every other year in even-numbered years, and shall be held on such uni-  
45 form day consistent with the provisions of section 34-106, Idaho Code, as the  
46 board shall determine. Vacancies on the board shall be filled by appointment  
47 of remaining members, for the expiration of such term of office. The board  
48 members shall take and subscribe the oath of office required in the case of

1 state officers and said oath shall be filed with the secretary of state. Mem-  
 2 bers shall be reimbursed for actual and necessary expenses incurred in the  
 3 performance of their official duties pursuant to the provisions of section  
 4 59-509(b), Idaho Code. Members shall not be provided with retirement bene-  
 5 fits or health care benefits.

6 SECTION 2. That Section 22-208, Idaho Code, be, and the same is hereby  
 7 amended to read as follows:

8 22-208. EXPENSES OF BOARD MEMBERS. The members of the county fair  
 9 board shall not be paid but shall be reimbursed pursuant to the provisions of  
 10 section 59-509(b), Idaho Code, for their actual and necessary expenses out  
 11 of the funds provided for fair purposes, upon approval of claims for the same  
 12 by the board of county commissioners. Members shall not be provided with  
 13 retirement benefits or health care benefits.

14 SECTION 3. That Section 22-306, Idaho Code, be, and the same is hereby  
 15 amended to read as follows:

16 22-306. COMPENSATION AND MILEAGE OF DIRECTORS. ~~Said directors shall~~  
 17 ~~receive as compensation thirty-five dollars (\$35.00) per diem while actu-~~  
 18 ~~ally engaged in the business of the district and the mileage rate established~~  
 19 ~~by the state board of examiners pursuant to the authority in section 67-2008,~~  
 20 ~~Idaho Code, for state officers, agents and employees for each mile actually~~  
 21 ~~and necessarily traveled while transacting such business. Directors shall~~  
 22 not be paid but shall be reimbursed for actual and necessary expenses pur-  
 23 suant to the provisions of section 59-509(b), Idaho Code. Directors shall  
 24 not be provided with retirement benefits or health care benefits.

25 SECTION 4. That Section 22-2410, Idaho Code, be, and the same is hereby  
 26 amended to read as follows:

27 22-2410. WEED CONTROL ADVISORY COMMITTEES. (1) Control agencies or  
 28 authorities may appoint persons to a weed control advisory committee, who  
 29 shall be persons knowledgeable of noxious weeds and the damage done by  
 30 such weeds. The members of the advisory committee shall be residents of or  
 31 landowners in one (1) of the counties included in the cooperative weed man-  
 32 agement area, and shall be appointed for renewable terms of two (2) years.

33 (2) It shall be the function of each weed control advisory committee to:

34 (a) Assist in planning and carrying out noxious weed control programs  
 35 within or across county, state or federal boundaries as may be provided  
 36 by cooperative agreement among the participating parties for control of  
 37 noxious weeds in cooperative weed management areas; and

38 (b) Act as liaison to other weed control advisory committees; and

39 (c) Provide a forum for public input on matters relating to the control  
 40 of noxious weeds.

41 (3) Members of the advisory committee shall not be paid but may be reim-  
 42 bursed for actual and necessary expenses when on committee business pursuant  
 43 to the provisions of section 59-509(b), Idaho Code. Expense payments may be  
 44 made from the noxious weed fund. Members shall not be provided with retire-  
 45 ment benefits or health care benefits.

1       (4) Advisory committees have no executive powers and act in an advisory  
2 capacity only.

3       SECTION 5. That Section 22-2721, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5       22-2721. ELECTION, APPOINTMENT, QUALIFICATIONS AND TENURE OF SUPER-  
6 VISORS. (1) The governing body of the district shall consist of five (5)  
7 supervisors, elected or appointed as provided in this chapter. Elections  
8 shall be conducted pursuant to the provisions of this section and the uni-  
9 form district election law, chapter 14, title 34, Idaho Code. If at any time  
10 the supervisors of a district deem it necessary, upon majority vote of the  
11 district board, they may increase the number of supervisors to seven (7) or  
12 decrease the number of supervisors to five (5). If increased, the additional  
13 supervisors shall then be appointed as outlined in this section until such  
14 time as regular district elections for two (2) supervisors in each district.  
15 At that time, those districts having seven (7) supervisors shall then elect  
16 four (4) supervisors for four (4) year terms. The two (2) supervisors ap-  
17 pointed by the district shall be persons who are by training and experience  
18 qualified to perform the specialized services that will be required of them  
19 in the performance of their duties. In the event the supervisors of a dis-  
20 trict, upon majority vote of the district board, deem it necessary to reduce  
21 the number of supervisors to five (5), there must either be two (2) vacant  
22 positions on the board or two (2) of the supervisors must first volunteer to  
23 give up their seats. Written notification of the reduction in supervisors,  
24 signed by the district board chairman, shall then be sent to the state soil  
25 and water conservation commission. Such notification shall also be sent  
26 to the secretary of state to ensure only two (2) or three (3) supervisors  
27 shall be on the ballot for the next election cycle. All supervisors shall be  
28 landowners or farmers of the district where they are elected or appointed and  
29 shall be registered to vote in the state of Idaho.

30       (2) Within thirty (30) days after the date of issuance by the secretary  
31 of state of a certificate of organization of a soil conservation district,  
32 nominating petitions may be filed with the state soil and water conservation  
33 commission to nominate candidates for supervisors of each district. The  
34 county clerk shall conduct the election for the district in compliance with  
35 chapter 14, title 34, Idaho Code, and shall be the election official for the  
36 district. The election official shall have authority to extend the time  
37 within which nominating petitions may be filed. Nominating petitions shall  
38 be filed with the secretary of the district, and no such nominating petition  
39 shall be accepted by the election official unless it shall be subscribed  
40 by not less than five (5) persons who are qualified electors owning land  
41 or residing within the boundaries of the district. The election official  
42 shall give due notice of an election to be held, subject to the provisions  
43 of section 34-106, Idaho Code, for the election of three (3) supervisors for  
44 the district. The names of all nominees on behalf of whom such nominating  
45 petitions have been filed within the time herein designated shall appear  
46 upon ballots, with directions to choose three (3) names to indicate the  
47 voter's preference. The three (3) candidates who receive the largest num-  
48 ber, respectively, of the votes cast in such election shall be the elected  
49 supervisors for such district.

1       (3) All elections in districts shall be conducted by the county clerk.  
2 Such election shall be held on the first Tuesday succeeding the first Monday  
3 of November in each even-numbered year. Such elections shall be in compli-  
4 ance with the provisions of chapter 14, title 34, Idaho Code, and shall be  
5 supervised and conducted by the county clerk. The cost of conducting such  
6 elections shall be borne by the county that conducted the election. The  
7 county clerk shall certify to the soil and water conservation district the  
8 names of the elected supervisors. The soil and water conservation district  
9 shall issue certificates of election to each elected supervisor so certi-  
10 fied. The county clerk or county clerks of the county or counties in which  
11 the district is located shall conduct the election for the soil conservation  
12 district, and the county clerk must provide a ballot for the district elec-  
13 tion and must provide a process that allows only qualified electors of the  
14 district to vote in that district's election.

15       (4) In any election for supervisor, if, after the deadline for filing  
16 a declaration of intent as a write-in candidate, it appears that the num-  
17 ber of qualified candidates who have been nominated is equal to the number  
18 of supervisors to be elected, it shall not be necessary for the candidates to  
19 stand for election. The board of supervisors shall declare such candidates  
20 elected as supervisors, and the soil and water conservation district shall  
21 immediately make and deliver to such persons certificates of election.

22       (5) The supervisors shall designate a chairman and may, from time to  
23 time, change such designation. The term of office of each supervisor shall  
24 be four (4) years commencing on the first day of January next following elec-  
25 tion, except that the two (2) supervisors who are first appointed shall be  
26 designated to serve for terms of two (2) years. Vacancies shall be filled for  
27 the unexpired term. The selection of successors to fill an unexpired term  
28 or for a full term shall be made by a vote of the majority of the supervi-  
29 sors duly qualified and acting at the time the vacancy shall arise, and the  
30 supervisors shall certify the name of the appointed supervisor to the state  
31 soil and water conservation commission. In the event supervisors fail to  
32 appoint a replacement within ninety (90) days following a vacancy, and the  
33 vacancy results in the loss of a quorum of the district board, the governor  
34 shall appoint a replacement sufficient to reestablish a quorum of the dis-  
35 trict board. The soil conservation district shall issue a certificate of  
36 such appointment.

37       (6) A quorum shall consist of three (3) supervisors for those districts  
38 with a total of five (5) supervisors and four (4) supervisors for those dis-  
39 tricts with a total of seven (7) supervisors, and the concurrence of a major-  
40 ity in any matter within their duties shall be required for its determina-  
41 tion. A supervisor shall be entitled to expenses, including travel ~~expense~~  
42 expenses, necessarily incurred in the discharge of duties pursuant to the  
43 provisions of section 59-509(b), Idaho Code. A supervisor shall receive no  
44 compensation for services from regular district funds, county funds author-  
45 ized in section 22-2726, Idaho Code, or state funds authorized in section  
46 22-2727, Idaho Code. A supervisor shall not be provided with retirement ben-  
47 efits or health care benefits.

48       (7) In the event the district has a special project, approved by the  
49 state soil and water conservation commission, making project funds avail-  
50 able from federal or other sources, a supervisor may receive compensation

not to exceed thirty-five dollars (\$35.00) per day plus actual and necessary expenses from project funds for services directly related to the project.

(8) The supervisors may employ a secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require and shall determine their qualifications, duties and compensation. The supervisors may call upon the attorney general of the state for such legal services as they may require or may employ their own counsel and legal staff. The supervisors may delegate to their chairman, to one (1) or more supervisors, or to one (1) or more agents or employees such powers and duties as they may deem proper. The supervisors shall furnish to the state soil and water conservation commission, upon request, copies of such ordinances, rules, orders, contracts, forms and other documents as they shall adopt or employ and such other information concerning the supervisors' activities as the commission may require in the performance of the commission's duties under this chapter.

(9) The supervisors shall provide for the execution of surety bonds for all employees and officers entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions and orders issued or adopted; and shall provide for independent financial audits in accordance with the provisions of section 67-450B, Idaho Code. Supervisors shall be subject to recall in accordance with the provisions of chapter 17, title 34, Idaho Code.

(10) The supervisors may invite the legislative body of a municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy that may affect the property, water supply, or other interests of such municipality or county.

SECTION 6. That Section 22-4302, Idaho Code, be, and the same is hereby amended to read as follows:

22-4302. WEATHER MODIFICATION FUND -- CREATION -- ADMINISTRATION. The board of trustees of a weather modification district shall conduct the affairs of the district. The board of trustees shall certify a budget to the board of county commissioners to fund the operations of the district. The budget preparation, hearings and approval shall be the same as required for any county budget. The certification of the budget to the board of county commissioners shall be as required for other taxing districts. The board of county commissioners may levy annually upon all taxable property in the weather modification district, a tax not to exceed four (4) mills, to be collected and paid into the county treasury and apportioned to a fund to be designated the "weather modification" fund, which is hereby created. Such fund shall be used by the district for the gathering of information upon, aiding in or conducting programs for weather control or modification, and such activities related to weather modification programs as are necessary to insure the full benefit of such programs. Moneys in the fund may be paid out only on order of the board of trustees. The board of trustees shall serve without compensation pursuant to the provisions of section 59-509(a), Idaho Code. Moneys in the fund shall not be used to provide retirement benefits or health care benefits for the trustees.

1       SECTION 7. That Section 25-2604, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3       25-2604. CONTROL DISTRICTS. (1) The board of commissioners of any  
4 county in the state may create special control districts in the county for  
5 the control of agricultural pests infesting any such district, may levy an  
6 annual tax, not exceeding two hundredths per cent (.02%) of market value for  
7 assessment purposes of all property within such district, and may appoint  
8 three (3) commissioners to govern the affairs of the pest control district.  
9 Pest control district commissioners shall serve without compensation pur-  
10 suant to the provisions of section 59-509(a), Idaho Code, and shall not be  
11 provided with health care benefits or retirement benefits. The pest control  
12 district, through the authority of the board of commissioners may require  
13 the landowners or their agents in such control district to either control  
14 such agricultural pests on their own lands in such district within a speci-  
15 fied time, or to pay the cost of controlling them if the same are controlled  
16 by agents of the district after failure of the landowner, or his agent, to  
17 perform such duty within the time limited in any notice to such owner, or  
18 agent. Cost of control services performed by employees of a pest control  
19 district shall constitute a lien against the property and any water right  
20 appurtenant thereto at the time of rendition of such service and shall be  
21 collectable as any other taxes. Charges for control services performed by  
22 a control district shall be determined by the board of county commission-  
23 ers but in no case shall charges exceed the actual cost of performing such  
24 service. Such control district may be established in any precinct in the  
25 county.

26       (2) Before the same shall be established, however, it shall be neces-  
27 sary that a petition be filed with the clerk of the board of commissioners re-  
28 questing the creation of the same, which petition shall be signed by at least  
29 twenty-five (25) qualified electors of each precinct included in the pro-  
30 posed control district.

31       (3) The commissioners shall order a public hearing on such petition at  
32 a time and place to be fixed in such order, of which hearing notice shall be  
33 given in such manner as the commissioners may order, which time, however,  
34 shall not be less than fourteen (14) days from the giving of the said notice.  
35 After such hearing, said board may by order create such control district not  
36 less than fourteen (14) days after such hearing, fix its boundaries, pro-  
37 vide for a control program in such district and create the necessary machin-  
38 ery to carry out such program unless a petition of protest has been filed with  
39 the clerk of the board of commissioners. Said petition of protest shall meet  
40 the same requirements as to the number of signers and for the same number of  
41 precincts and for the same district boundaries as petitions in favor previ-  
42 ously filed and shall be filed with the clerk of the board of commissioners  
43 not later than fourteen (14) days following said hearing.

44       (4) In the event that a petition of protest is filed, the board of com-  
45 missioners shall not declare the creation of a control district but shall  
46 call an election, subject to the provisions of section 34-106, Idaho Code,  
47 for the purpose of determining whether or not a control district shall be  
48 created. The cost of conducting the election shall be paid from any county  
49 fund, the use of which for this purpose is not prohibited by statute. The

election shall be conducted in each precinct within the proposed control district according to the provisions of chapter 14, title 34, Idaho Code, and shall require the employment of two (2) election judges and one (1) clerk for each precinct. A qualified elector is any individual who is qualified to vote pursuant to the requirements of section 34-104, Idaho Code.

SECTION 8. That Section 25-2612, Idaho Code, be, and the same is hereby amended to read as follows:

25-2612. ANIMAL DAMAGE CONTROL DISTRICTS. (1) There are hereby established five (5) animal damage control districts in the state of Idaho.

(a) Animal damage control district number 1 shall consist of the counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone.

(b) Animal damage control district number 2 shall consist of the counties of Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington.

(c) Animal damage control district number 3 shall consist of the counties of Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka and Twin Falls.

(d) Animal damage control district number 4 shall consist of the counties of Bannock, Bear Lake, Bingham, Caribou, Franklin, Oneida and Power.

(e) Animal damage control district number 5 shall consist of the counties of Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison and Teton.

(2) A board of directors for each animal damage control district is hereby created. The board of directors of an animal damage control district shall consist of one (1) director appointed by the board of county commissioners from each of the participating counties within the district. Nomination for directors shall be made to the county commissioners by livestock and agriculturally oriented groups which have a vested and economic interest in the animal damage control program, and appointees must have a substantial vested and economic interest in the livestock or other agricultural industry. The length of term shall be two (2) years. A director shall ~~receive such compensation as may be fixed by order of the district animal damage control board, and shall~~ be entitled to expense reimbursement in the same manner as a county employee, ~~compensation and expense~~. Such reimbursement shall be pursuant to section 59-509(b), Idaho Code, and shall be made from the moneys available to the district animal damage control board. A director shall not be provided with retirement benefits or health care benefits.

(3) The board of directors shall meet at least annually. Such meeting shall be called at the direction of the chairman of the board or by a majority of the directors in that district. At said annual meeting, the board of directors shall organize by electing from amongst its members a chairman, a vice chairman, and such other officers as may be necessary. They shall also establish operating rules for the board and approve annual work plans for the animal damage control programs. After the annual meeting, the board of directors shall meet at such times and places as are required by the board's rules.



(4) The board of directors shall have authority to receive and disperse funds from any source for the purpose of controlling predatory animal and other vertebrate pest damage in the district. Any moneys received by the board shall be maintained on deposit in a bank or trust company designated as a state depository, and may be dispersed from such account only over the signature of at least two (2) members of the board.

(5) All contracts and agreements between the board of directors and any agency, unit of government, association, organization or private party shall be reduced to writing, and shall be maintained as a part of the official records of the board.

SECTION 9. That Section 27-119, Idaho Code, be, and the same is hereby amended to read as follows:

27-119. COMPENSATION AND EXPENSES OF CEMETERY MAINTENANCE BOARD COMMISSIONERS. The Pursuant to section 59-509(n), Idaho Code, cemetery maintenance board commissioners may receive compensation of not more than ~~twenty-five dollars (\$25.00)~~ fifty dollars (\$50.00) per day for each day spent engaged in meetings of the board that are properly noticed and posted under the Idaho open meetings law, chapter 2, title 74, Idaho Code, or on district business authorized by the board; provided that no commissioner shall receive per diem payments totaling more than ~~one thousand dollars (\$1,000)~~ one thousand two hundred dollars (\$1,200) during any fiscal year of the district for their services as commissioners. Commissioners also shall receive the amount of their actual and necessary expenses incurred in the performance of their official duties pursuant to section 59-509(n), Idaho Code. The board shall fix the compensation, if any, to be paid to the commissioners and other officers named in this chapter, and of the agents and employees of the board to be paid out of the treasury of the district. Commissioners shall not be provided with retirement benefits or health care benefits.

SECTION 10. That Section 31-1421, Idaho Code, be, and the same is hereby amended to read as follows:

31-1421. COMPENSATION AND BENEFITS -- EXPENSES -- LIABILITY. (1) ~~Fire protection district commissioners may receive reasonable compensation for their services as commissioners. The fire protection board shall fix commissioner benefits and compensation for the fiscal year. Compensation for performing district business shall not exceed one hundred dollars (\$100) per day meeting of the fire protection board that is properly noticed and posted pursuant to the Idaho open meetings law, chapter 2, title 74, Idaho Code. If a city, county, state or federal declaration of emergency or disaster exists within the boundaries of the fire protection district, the board may set special compensation for commissioners by a resolution that shall be applied to commissioner compensation only upon a majority vote of the board and shall continue only for as long as the city, county, state or federal declaration of emergency or disaster remains in effect within the boundaries of the fire protection district. District business shall include time spent preparing for and attending regular and special board meetings and meetings of committees established by the board. Additional compensation, if approved by a majority of the fire protection board, may be calculated for commissioners~~

~~who attend county or state agency meetings, educational classes, seminars and other miscellaneous district business. Commissioners may also participate in the district's employee benefit package in the same manner as employees or volunteers. Any proposed commissioner benefits and annual compensation shall be published as a separate line item in the annual budget of the fire protection district. Compensation and reimbursement for actual and necessary expenses incurred in the performance of official duties shall be pursuant to the provisions of section 59-509(q), Idaho Code. Compensation shall be subject to an annual limit of two thousand five hundred dollars (\$2,500). Commissioners shall not be provided with retirement benefits or health care benefits.~~

(2) Actual expenses of commissioners for travel, and other district expenses approved by the board, shall be paid to the commissioners in addition to their annual compensation ~~and benefits~~. The payment for expenses shall be paid from the funds of the fire protection district on either a per diem basis or upon the presentation of itemized receipts to the treasurer.

(3) The board shall fix the annual compensation and benefits to be paid to the other officers, agents and employees of the fire district, which shall be paid out of the treasury of the fire district.

(4) The district shall be liable and responsible for the actions and omissions of the commissioners, officers, agents and employees of the district, when the commissioners, officers, agents and employees are performing their duties within the course and scope of their employment with the district and on behalf of the district.

SECTION 11. That Section 31-3705, Idaho Code, be, and the same is hereby amended to read as follows:

31-3705. APPOINTMENT AND REMOVAL OF BOARD MEMBERS -- OFFICERS -- MEETINGS. (1) In cases where the city and county are jointly operating such hospital, and where a hospital or hospitals are being operated by a joint county-city hospital authority, the members of said hospital board or board of trustees shall be appointed by the board of county commissioners and the city council in such manner as may be agreed between them, and where either county or city is alone operating the jointly owned hospital, by the board of county commissioners of the county or the council of the city which is so operating the same. All members of the board shall be subject to removal at any time by the body appointing them, but unless removed shall hold office until the second Monday in the first month of the hospital's fiscal year next following the date of their appointment and until their successors are appointed and qualified; provided, that members of the board of trustees of a joint county-city hospital authority may be removed only for conviction of a felony, mental incapacity, failure to attend meetings of the board as required in the bylaws of the board, or other good and sufficient cause.

(2) The officers of the hospital board shall be a president, secretary and treasurer and such other officers as the board shall designate, all of whom shall be elected by such board. The president must be a member of the board but the secretary and treasurer need not be. It shall be the duty of the secretary of the board to keep an accurate and complete record of all acts and proceedings of the board. It shall be the duty of the treasurer to have custody of all funds coming into the custody of the board and he shall per-

form such other duties as are herein specified, and he shall give bond in such amount as shall be fixed by the board in the same manner and on the same terms and conditions as required for the official bonds of county officers. All officers of the hospital board shall be subject to removal by said board at any time. The hospital board and any of its officers or members may be paid reasonable per diem compensation for attending a properly noticed and posted meeting of the hospital board, not to exceed one hundred dollars (\$100) per day as provided for in section 59-509(q), Idaho Code, as shall be authorized by the board and/or council authorized to appoint the members of the board. Compensation shall be subject to an annual limit of two thousand five hundred dollars (\$2,500). Members of the board shall not be provided with retirement benefits or health care benefits.

(3) Meetings of the hospital board shall be held at such time and place and under such rules and regulations as the board may establish. A majority of the board shall constitute a quorum for the transaction of business, and a majority vote of the members present at any meeting properly called shall govern as to all questions coming before the meeting.

SECTION 12. That Section 31-3914, Idaho Code, be, and the same is hereby amended to read as follows:

31-3914. CORPORATE POWERS AND DUTIES OF BOARD OF AMBULANCE SERVICE COMMISSIONERS. A board of ambulance service commissioners shall have discretionary powers to manage and conduct the business and affairs of the district. The discretionary powers shall include but not be limited to the following:

- (1) To sue and be sued;
- (2) To purchase, hold, sell, and convey real property, make such contracts, and purchase, hold, sell, and dispose of such personal property as may be necessary or convenient for the purposes of this chapter;
- (3) To levy and apply such taxes for purposes under its exclusive jurisdiction as are authorized by law and to approve the annual district budget by resolution of the board;
- (4) To make and execute all necessary contracts;
- (5) To adopt such rules and resolutions as may be necessary to carry out its duties and responsibilities;
- (6) To hire, pay, promote, discipline, and terminate district employees, contractors, and agents, or to delegate such powers;
- (7) To set compensation and benefit levels for employees, ~~commissioners~~, contractors, and agents; provided, however, that commissioners shall not be paid but shall be reimbursed for actual and necessary expenses pursuant to the provisions of section 59-509(b), Idaho Code, and commissioners shall not be entitled to health care benefits or retirement benefits; and
- (8) To charge and collect reasonable fees for services provided to residents of the ambulance service district or city, in accordance with the provisions of sections 63-1311 and 63-1311A, Idaho Code.

SECTION 13. That Section 31-4210, Idaho Code, be, and the same is hereby amended to read as follows:

1           31-4210. COMMISSIONERS -- APPOINTMENT -- QUALIFICATIONS --  
2 TENURE. (1) When a governing body of a county adopts a resolution as afore-  
3 said, it shall appoint five (5) or seven (7) persons as commissioners of the  
4 authority created for said county. Commissioners of the authority shall  
5 serve terms of five (5) years. If the governing body of a county appoints  
6 five (5) persons as commissioners of the authority, the commissioners who  
7 are first appointed shall be designated to serve for terms of one (1), two  
8 (2), three (3), four (4), and five (5) years, except that all vacancies shall  
9 be filled for the unexpired term. If the governing body of a county appoints  
10 seven (7) persons as commissioners of the authority, the commissioners  
11 who are first appointed shall be designated to serve terms as follows: one  
12 (1) commissioner for a one (1) year term, two (2) commissioners for two  
13 (2) year terms, two (2) commissioners for three (3) year terms, one (1)  
14 commissioner for a four (4) year term and one (1) commissioner for a five  
15 (5) year term, except that all vacancies shall be filled for the unexpired  
16 term. Upon resolution by a governing body of a county, after an authority has  
17 been created with either five (5) or seven (7) commissioners, the number of  
18 commissioners may be increased from five (5) to seven (7) or reduced from  
19 seven (7) to five (5). No commissioner of any authority may be an officer or  
20 employee of the county for which the authority is created. A commissioner  
21 shall hold office until his successor has been appointed and qualified. A  
22 certificate of appointment or reappointment of any commissioner shall be  
23 filed with the clerk and such certificate shall be conclusive evidence of the  
24 due and proper appointment of such commissioner. The service of a housing  
25 assistance recipient appointed as a commissioner pursuant to 42 U.S.C.  
26 section 1437(b) shall be contingent upon his continued receipt of housing  
27 assistance. A commissioner shall receive no compensation for his services  
28 for the authority in any capacity, but he shall be entitled to the necessary  
29 expenses, including travel expenses, incurred in the discharge of his duties  
30 pursuant to section 59-509(b), Idaho Code. A commissioner shall not be  
31 provided with retirement benefits or health care benefits.

32           (2) The powers of each authority shall be vested in the commissioners.  
33 A majority of the appointed commissioners shall constitute a quorum of the  
34 authority for the purpose of conducting its business and exercising its pow-  
35 ers and for all other purposes. Action may be taken by the authority upon  
36 a vote of a majority of the commissioners present. The bylaws of the au-  
37 thority shall designate which of the commissioners appointed shall be the  
38 first chairman and such chairman shall serve in the capacity of chairman un-  
39 til the expiration of his term of office as commissioner. When the office of  
40 the chairman of the authority thereafter becomes vacant, the commissioners  
41 shall select a chairman from their number, a vice chairman, and may employ  
42 a secretary, an executive director who shall serve as an at-will employee  
43 of the commissioners, technical experts and such other officers, agents and  
44 employees, permanent and temporary, as it may require, and shall determine  
45 their qualifications, duties and compensation. For such legal services as  
46 it may require, an authority may call upon the prosecuting attorney of the  
47 county or may employ its own counsel and legal staff. An authority may dele-  
48 gate to one (1) or more of its agents or employees such powers or duties as it  
49 may deem proper.

1 SECTION 14. That Section 31-4305, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 31-4305. DIRECTORS -- QUALIFICATIONS -- VACANCY -- COMPENSATION --  
4 TERM. (1) Each district shall be governed by a board of three (3) directors  
5 who shall manage and conduct the business and affairs of such district and  
6 all powers granted to such district by this chapter shall be exercised by  
7 such board or its duly authorized officers and agents.

8 (2) At any time after the creation of the district, the board of direc-  
9 tors may, by resolution duly adopted, increase the size of the board from  
10 three (3) members to five (5) members. The resolution shall provide for the  
11 designation of five (5) director's subdistricts. A qualified elector shall  
12 be appointed by the board to each of the newly created director's positions,  
13 one (1) of whom shall serve until the first district election thereafter  
14 held, and one (1) of whom shall serve until the second district election  
15 thereafter held.

16 (3) Every director appointed or elected shall be a qualified elector  
17 and a resident of such district. Not more than one (1) director shall reside  
18 in the same director's subdistrict. Each director shall take and subscribe  
19 an oath of office before assuming any duties, which oath shall be filed in the  
20 records of the board. Any vacancy occurring in the office of director, other  
21 than by expiration of the term of office, shall be filled by appointment by  
22 the board for the unexpired term. The directors shall receive no compensa-  
23 tion for their services as a director but shall be entitled to reimbursement  
24 for the amount of their actual and necessary expenses incurred in the per-  
25 formance of their official duties pursuant to section 59-509(b), Idaho Code.  
26 The directors shall not be provided with retirement benefits or health care  
27 benefits. Following the term of the initial appointment, a director shall be  
28 elected for a term of four (4) years which shall begin on the first day of Jan-  
29 uary of the year following such election and shall continue until a successor  
30 is elected and has qualified.

31 SECTION 15. That Section 31-4707, Idaho Code, be, and the same is hereby  
32 amended to read as follows:

33 31-4707. EXPENSES OF BOARD MEMBERS. The members of the county museum  
34 board shall be paid their actual and necessary expenses out of the funds pro-  
35 vided for museum purposes pursuant to the provisions of section 59-509(b),  
36 Idaho Code, upon approval of claims for the same by the board of county com-  
37 missioners. Board members shall not be provided with retirement benefits or  
38 health care benefits.

39 SECTION 16. That Section 31-4904, Idaho Code, be, and the same is hereby  
40 amended to read as follows:

41 31-4904. DISTRICT BOARD -- QUORUM -- MEETINGS. A district shall be  
42 governed by a board of directors consisting of not less than three (3) mem-  
43 bers, hereinafter referred to as the district board, which shall be vested  
44 with the authority, control and supervision of the district. The district  
45 board shall consist of one (1) commissioner from each participating county,  
46 appointed by the commissioners of the participating county. If the district

1 includes only two (2) counties, the commissioners of the two (2) partici-  
 2 pating counties shall jointly appoint a third member of the district board.  
 3 Ex officio, nonvoting members may be appointed by the district board. The  
 4 district board shall designate one (1) of its members as president, shall  
 5 appoint a treasurer, who need not be a member of the district board, and  
 6 shall establish such other officers as it deems necessary. The district  
 7 board shall adopt bylaws for its own operation and establish such regular  
 8 meeting dates and times as it shall deem necessary. A majority of the voting  
 9 members of the district board shall constitute a quorum, and a majority of  
 10 the quorum present shall be sufficient to take any action. A member of the  
 11 district board shall serve for a two (2) year term and may be reappointed by  
 12 the commissioners appointing such member. Any member may be removed by the  
 13 commissioners who originally appointed such member, at any time and for any  
 14 reason. Any vacancy shall be filled by the original appointing commission-  
 15 ers. Members of a district board shall serve without compensation, but may  
 16 be reimbursed for their actual expenses incurred in attending board meetings  
 17 or conducting other district business under such rules as the district board  
 18 may adopt consistent with the provisions of section 59-509(b), Idaho Code.  
 19 Members shall not be provided with retirement benefits or health care bene-  
 20 fits. Regular and special meetings of a district board shall be conducted in  
 21 compliance with chapter 2, title 74, Idaho Code.

22 SECTION 17. That Section 33-2119, Idaho Code, be, and the same is hereby  
 23 amended to read as follows:

24 33-2119. APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSION-  
 25 ERS. (1) When the board of trustees of a junior college district adopts a  
 26 resolution as set forth in the preceding section, the clerk of said board  
 27 shall promptly transmit a certified copy of said resolution to the governor  
 28 of the state of Idaho, and the governor shall promptly thereafter appoint  
 29 three (3) persons as commissioners of the commission created for said dis-  
 30 trict. The governor shall certify to the clerk of the district the names of  
 31 the persons so appointed, and the clerk shall notify said persons in writing  
 32 of their appointment and the term for which each of them is appointed. The  
 33 commissioners who are first appointed shall be designated to serve for terms  
 34 of one (1), two (2) and three (3) years respectively, from the date of their  
 35 appointment, but thereafter commissioners shall be appointed as aforesaid  
 36 for a term of office of 3 years, except that all vacancies shall be filled for  
 37 the unexpired term. No commissioner may be an officer ~~of~~ or employee of the  
 38 junior college district for which the commission is created. A commissioner  
 39 shall hold office until his successor has been appointed and has qualified.  
 40 A certificate of the appointment or reappointment of any commissioner shall  
 41 be filed with the clerk, and such certificate shall be conclusive evidence of  
 42 the due and proper appointment of such commissioner. A commissioner shall  
 43 receive no compensation for his services for the authority in any capacity,  
 44 but he shall be entitled to the necessary expenses, including travel ex-  
 45 penses, incurred in the discharge of his duties pursuant to the provisions  
 46 of section 59-509(b), Idaho Code. Commissioners shall not be provided with  
 47 retirement benefits or health care benefits.

48 (2) The powers of each commission shall be vested in the commissioners  
 49 thereof in office from time to time. Two (2) commissioners shall consti-

1 tute a quorum of the authority for the purpose of conducting its business  
 2 and exercising its powers and for all other purposes. Action may be taken  
 3 by the authority upon a vote of a majority of the commissioners present.  
 4 The by-laws of the commission shall designate which of the commissioners  
 5 appointed shall be the first chairman, and such chairman shall serve in  
 6 the capacity of chairman until the expiration of his term of office as com-  
 7 missioner. When the office of the chairman thereafter becomes vacant, the  
 8 commissioners shall select a chairman from their number. The commissioners  
 9 shall select from their number a vice-chairman, and may employ a secretary  
 10 (who may be executive director), technical experts and such other officers,  
 11 agents and employees, permanent and temporary, as it may require, and shall  
 12 determine their qualifications, duties and compensation. The persons em-  
 13 ployed by the commission may be employees of the junior college district but  
 14 shall not be trustees of the district. For such legal services as it may  
 15 require, the commission may employ its own counsel. The commission may del-  
 16 egate to one (1) or more of its agents or employees such powers or duties as  
 17 it may deem proper.

18 SECTION 18. That Section 33-2715, Idaho Code, be, and the same is hereby  
 19 amended to read as follows:

20 33-2715. BOARD OF TRUSTEES -- SELECTION -- NUMBER -- QUALIFICATIONS --  
 21 TERM -- OATH -- APPOINTMENT OF FIRST BOARD. (1) Each library district shall  
 22 be governed by a board of trustees of five (5) members elected or appointed as  
 23 provided by law, who at the time of their selection and during their terms of  
 24 office shall be qualified electors of the district and if trustee zones have  
 25 been established under section 33-2718, Idaho Code, shall be a resident of  
 26 the trustee zone. Trustees shall be elected at each trustee election, held  
 27 on the uniform election date in May. The regular term of a trustee shall be  
 28 for four (4) years, or until his successor has been elected and qualified.  
 29 Within ten (10) days after his appointment an appointed trustee shall qual-  
 30 ify and assume the duties of his office. An elected trustee shall qualify and  
 31 assume the duties of his office at the annual meeting. All trustees qualify  
 32 by taking the oath of office required of state officers, to be administered  
 33 by one (1) of the present trustees or by a trustee retiring.

34 (2) Following the initial establishment of a library district, the  
 35 board of county commissioners of the home county within five (5) days shall  
 36 appoint the members of the first board of trustees, who shall serve until the  
 37 next election of trustees held in an odd-numbered year or until their succes-  
 38 sors are elected and qualified in an odd-numbered year. The initial election  
 39 of three (3) trustees shall be for terms of two (2) years, and subsequent reg-  
 40 ular terms shall be for four (4) years. The initial and subsequent election  
 41 of two (2) trustees shall be for terms of four (4) years. Addition of new  
 42 territory to an existing library district shall not be considered an initial  
 43 establishment. The first board of trustees shall be sworn by a member of the  
 44 board of county commissioners of the home county of the district.

45 (3) At its first meeting, and after each trustee election, the board  
 46 shall organize and elect from its membership a chairman and other officers  
 47 necessary to conduct the affairs of the district.

48 (4) Members of the board shall serve without salary but shall receive  
 49 their actual and necessary expenses while engaged in business of the dis-

1     trict pursuant to section 59-509(b), Idaho Code. Members shall not be pro-  
 2     vided with retirement benefits or health care benefits.

3     (5) For the purpose of achieving an orderly transition from terms of six  
 4     (6) years to terms of four (4) years, the following schedule shall be fol-  
 5     lowed:

6     (a) Trustees elected in 2023 or earlier shall serve the remainder of the  
 7     regular six (6) year term for which they were most recently elected; and

8     (b) Trustees elected in 2025 or later shall serve regular terms of four  
 9     (4) years.

10     SECTION 19. That Section 39-2803, Idaho Code, be, and the same is hereby  
 11     amended to read as follows:

12     39-2803. SELECTION OF OFFICIALS OF ABATEMENT DISTRICTS. A board of  
 13     trustees shall be appointed from those residing within the area of the pro-  
 14     posed abatement district to govern the abatement district. The trustees ap-  
 15     pointed shall at the first meeting of each year elect a president, secretary,  
 16     and treasurer to serve during the ensuing year. The officers of the board  
 17     shall be bonded to the extent of five hundred dollars (\$500) to five thousand  
 18     dollars (\$5,000) each as set by the county commissioners. The members of the  
 19     board shall be appointed by the county commissioners of the county they are  
 20     to represent. When two (2) or more counties or portions thereof comprise an  
 21     abatement district, the selection of trustees will be made by mutual agree-  
 22     ment of the county commissioners concerned. A board of trustees may have  
 23     three (3) or five (5) members, as determined by the county commissioners.  
 24     Each trustee shall be a resident property owner and a registered voter.  
 25     Trustees shall be appointed for four (4) years on staggered appointments. To  
 26     initiate the board, at least one (1) member shall be appointed for two (2)  
 27     years, one (1) for three (3) years, and one (1) for four (4) years. Subse-  
 28     quent appointments shall be for four (4) years. Trustees shall serve without  
 29     compensation but will be reimbursed for necessary expenses involved with the  
 30     performance of their official duties pursuant to section 59-509(b), Idaho  
 31     Code. Trustees shall not be provided with retirement benefits or health care  
 32     benefits. The county health officer and the county agent shall be ex officio  
 33     members of the board. Whenever two (2) or more counties or portions thereof  
 34     are included in the district, the health officer and county agent for each  
 35     county shall be ex officio members of the board. The directors or heads of  
 36     the following state departments or their designated representatives shall  
 37     be considered ex officio members of the board and may be called upon for their  
 38     advice and assistance in the handling of abatement problems affecting their  
 39     direct interests: agriculture, fish and game, lands, transportation, water  
 40     resources, and health and welfare.

41     SECTION 20. That Section 40-2106, Idaho Code, be, and the same is hereby  
 42     amended to read as follows:

43     40-2106. AUTHORITY BOARD. (1) Each authority shall have a governing  
 44     board appointed by and serving at the pleasure of the governing bodies of  
 45     counties, incorporated cities and highway districts located wholly or par-  
 46     tially within the authority.



(2) The board initially shall be composed of not less than five (5) members selected as follows: two (2) members representing each board of county commissioners; one (1) member representing highway district commissions wholly or partially contained within the region; two (2) members representing each city with a population of twenty-five thousand (25,000) or more; and one (1) member representing each city with a population of less than twenty-five thousand (25,000). Board composition subsequently may be modified pursuant to subsection (7) of this section.

(3) Board members shall be appointed by resolution of the appointing agency and shall serve at the pleasure of the appointing agency. Board members may be elected officials of the appointing agency or they may be representatives empowered by the agency to act in its best interests. The highway district board member shall be appointed by the board of commissioners of the highway district in counties with a single county-wide highway district or, in counties with more than one (1) highway district, by the board of county commissioners in consultation with all highway district commissions wholly or partially contained within the region.

(4) Ex officio members may be appointed to the authority board by any city or commission or by the board itself and shall serve at the pleasure of the appointing entity.

(5) ~~Board~~ Pursuant to section 59-509(n), Idaho Code, board members may be compensated ~~forty dollars (\$40.00)~~ fifty dollars (\$50.00) for each day in the actual performance of duties, but the total amount to be received as compensation shall not exceed the sum of ~~one thousand dollars (\$1,000)~~ one thousand two hundred dollars (\$1,200) per year. Actual expenses shall be paid in addition to compensation pursuant to section 59-509(n), Idaho Code. The payment for expenses shall be paid from funds of the authority upon presentation of itemized vouchers, signed by the board member and under oath made to the secretary of the authority. Board members shall not be provided with retirement benefits or health care benefits.

(6) The authority shall be liable and responsible for the actions of the board members and employees of the authority when the board members and employees are performing their duties on behalf of the authority.

(7) Composition of the board may be modified from time to time by the board, provided that:

(a) The board adopts by majority vote at a regularly scheduled meeting a statement of intent to revise the board composition and a complete description of the proposed revision; and

(b) The board submits the statement of intent and proposed revision to the chief elected official of each city and commission within the authority for review and comment; and

(c) Each city or commission is provided a minimum of sixty (60) days in which to comment; and

(d) The board adopts a resolution revising the board composition by the affirmative vote of two-thirds (2/3) of all board members at a regularly scheduled meeting.

SECTION 21. That Section 42-3114, Idaho Code, be, and the same is hereby amended to read as follows:

1        42-3114. COMPENSATION OF COMMISSIONERS. The commissioners of the  
 2 district shall fix the compensation they shall each receive for their ser-  
 3 vices, not to exceed the sum of one hundred dollars (\$100) per day pursuant  
 4 to section 59-509(g), Idaho Code, and shall fix the reimbursement they shall  
 5 each receive for their travel and their necessary expenses for each day they  
 6 shall be away from their place of residence and engaged in the business of  
 7 their office, subject to the limits provided in section 67-2008, Idaho Code.  
 8 The commissioners shall present an itemized account under oath on forms  
 9 prescribed by the board. The per diem established pursuant to this section  
 10 shall be limited to the sum of two thousand five hundred dollars (\$2,500) per  
 11 year. The commissioners shall not be provided with retirement benefits or  
 12 health care benefits.

13        SECTION 22. That Section 42-3209, Idaho Code, be, and the same is hereby  
 14 amended to read as follows:

15        42-3209. ORGANIZATION OF BOARD -- ACCOUNTS OF TREASURER -- COMPENSA-  
 16 TION OF MEMBERS -- ANNUAL AUDIT -- REMOVAL OF DIRECTORS. (1) After taking  
 17 oath and filing bonds, the board shall choose one (1) of its members as chair-  
 18 man of the board and president of the district and shall elect a secretary  
 19 and a treasurer of the board and of the district, who may or may not be mem-  
 20 bers of the board. The secretary and the treasurer may be one person. Such  
 21 board shall adopt a seal and the secretary shall keep, in a well-bound book,  
 22 a record of all its proceedings, minutes of all meetings, certificates, con-  
 23 tracts, bonds given by employees and all corporate acts, which shall be open  
 24 to inspection of all owners of real property in the district as well as to all  
 25 other interested parties.

26        (2) The treasurer shall keep strict and accurate accounts of all money  
 27 received by and disbursed for and on behalf of the district in permanent  
 28 records. He shall file with the clerk of the court, at the expense of the  
 29 district, a corporate fidelity bond in an amount not less than five thousand  
 30 dollars (\$5,000), conditioned on the faithful performance of the duties of  
 31 his office.

32        (3) ~~Each~~ Pursuant to section 59-509(n), Idaho Code, each member of the  
 33 board shall receive as compensation for his service a sum not in excess of  
 34 ~~one hundred fifty dollars (\$150)~~ fifty dollars (\$50.00) per meeting, payable  
 35 monthly. A meeting shall be properly noticed and posted pursuant to the  
 36 Idaho open meetings law, chapter 2, title 74, Idaho Code, for the compensa-  
 37 tion provided for in this subsection to apply. Compensation shall be subject  
 38 to a limit of one thousand two hundred dollars (\$1,200) per year. No member  
 39 of the board shall receive any compensation as an employee of the district or  
 40 otherwise, other than that herein provided, and no member of the board shall  
 41 be interested in any contract or transaction with the district except in his  
 42 official representative capacity. No member of the board shall be provided  
 43 with retirement benefits or health care benefits.

44        (4) It shall be the duty of the board of directors to cause an audit to be  
 45 made of all financial affairs of the district during each year ending Novem-  
 46 ber 30 as required in section 67-450B, Idaho Code.

47        (5) The court having jurisdiction of the district shall have the power  
 48 to remove directors for cause shown, on petition, notice and hearing.

1       SECTION 23. That Section 42-3707, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3       42-3707. APPOINTMENT, QUALIFICATIONS AND TENURE OF DIRECTORS. (1) The  
4 governing body of the district shall consist of three (3) directors elected  
5 or appointed as provided hereinabove. The director appointed by the commis-  
6 sion shall be an owner of land within the district and shall be a person who  
7 by training and experience is qualified to perform the specialized service  
8 which will be required in the performance of his duties hereunder. The term  
9 of office of each director shall be four (4) years, except that the director  
10 first appointed by the state soil and water conservation commission shall be  
11 designated to serve for a term of two (2) years from the date of his appoint-  
12 ment. A director shall hold office until his successor has been elected or  
13 appointed, and has qualified. Vacancies shall be filled for an unexpired  
14 term by a majority of the directors duly qualified and acting at the time the  
15 vacancy shall arise. A majority of the directors shall constitute a quorum  
16 and the concurrence of a majority in any matter within their duties shall be  
17 required for its determination. A director shall receive no compensation  
18 for his service, but shall be entitled to expenses, including traveling ex-  
19 penses necessarily incurred in the discharge of his duties pursuant to sec-  
20 tion 59-509(b), Idaho Code. A director shall not be provided with retirement  
21 benefits or health care benefits.

22       (2) The directors may employ a secretary, technical experts, and such  
23 other employees, permanent and temporary, as they may require, and shall  
24 determine their qualifications, duties, and compensation. The directors  
25 may employ their own counsel and legal staff. The directors may delegate to  
26 their chairman, to one (1) or more directors, or to agents or employees such  
27 powers and duties as they may deem proper and necessary. The directors shall  
28 furnish to the state soil and water conservation commission, upon request,  
29 copies of such documents or other information concerning the directors'  
30 activities as said commission may require in the performance of its duties  
31 under this chapter. The directors shall provide for the keeping of a record  
32 of all proceedings, resolutions, regulations and orders issued or adopted;  
33 shall provide for an annual audit of its accounts, and shall provide for the  
34 execution of surety bonds by any employee or officer who shall be entrusted  
35 with funds or property of the district.

36       SECTION 24. That Section 42-5223, Idaho Code, be, and the same is hereby  
37 amended to read as follows:

38       42-5223. BOARD OF DIRECTORS -- OFFICERS -- MEETINGS -- COMPENSATION --  
39 VACANCIES. (1) The board of directors annually shall elect a chairman from  
40 their number and shall appoint a secretary and a treasurer to hold office at  
41 the pleasure of the board. Upon appointment the treasurer shall execute and  
42 file with the secretary an official bond in such amount as may be fixed by the  
43 board of directors, and shall thereafter from time to time execute and file  
44 such further bonds as may be required by the board in amounts fixed by it,  
45 which amounts shall be at least fifty percent (50%) of the maximum probable  
46 amount of money in the treasurer's hands at any one (1) time. All such offi-  
47 cial bonds shall be executed by a lawfully qualified surety company.

48       (2) The board of directors shall designate an office of the district.

(3) The board of directors shall hold a regular monthly meeting in the district's office on the first Tuesday in every month or such date each month as it shall fix by resolution, and such special meetings as may be required for the proper transaction of business. Special meetings may be held on seventy-two (72) hours' notice of the chairman or a majority of the members. A majority shall constitute a quorum for the transaction of business and the concurrence of a majority of the members shall be necessary to constitute the action of the board. All meetings of the board shall be public and all records of the board shall be open to the inspection of any member water user, or representative thereof during business hours.

(4) ~~The Pursuant to section 59-509(n), Idaho Code, members of the board of directors shall fix the compensation board members shall receive up to fifty dollars (\$50.00) per day for each day spent attending the meetings of the board of directors that are properly noticed and posted under the Idaho open meetings law, chapter 2, title 74, Idaho Code, or while engaged in official business under the order of the board, subject to an annual maximum of one thousand two hundred dollars (\$1,200), together with actual and necessary expenses. The term "actual and necessary expenses" shall include all traveling and lodging expenses necessarily incurred by any director when absent from his residence in the performance of the duties of his office. Board members shall not be provided with retirement benefits or health care benefits.~~ The board shall fix the compensation to be paid to the other officers of the district.

(5) In case of a vacancy in the office of director occurring otherwise than by the expiration of a term, the remaining members of the board of directors shall fill such vacancy by appointing a ground water user who is a member of the district or a representative thereof, possessing full voting qualifications under this chapter and the qualifications of the director whose office has become vacant to serve the remainder of the term.

SECTION 25. That Section 43-319, Idaho Code, be, and the same is hereby amended to read as follows:

43-319. COMPENSATION OF DIRECTORS AND OFFICERS. ~~The members of the board of directors shall fix the compensation~~ board members shall receive up to one hundred dollars (\$100) per day pursuant to section 59-509(q), Idaho Code, for each day spent attending the properly noticed and posted meetings of the board, or while engaged in official business under the order of the board and actual and necessary expenses. The per diem provided for in this section shall be subject to an annual maximum of two thousand five hundred dollars (\$2,500) per year. The term "actual and necessary expenses," shall be deemed to include all traveling expenses and hotel expenses necessarily incurred by any director when absent from his residence in the performance of the duties of his office. Board members shall not be provided with retirement benefits or health care benefits. The board shall fix the compensation to be paid to the other officers named in this title, to be paid out of the treasury of the district: provided, that such board shall, upon the petition of fifty (50) or a majority of the freeholders within such district, submit to the electors, at any general election, a schedule of salaries and fees to be paid hereunder. Such petition must be presented to the board twenty (20) days prior to a general election, and the result of the election shall

1 be determined and declared in all respects as other elections are determined  
2 and declared under this title.

3 SECTION 26. That Section 50-2006, Idaho Code, be, and the same is hereby  
4 amended to read as follows:

5 50-2006. URBAN RENEWAL AGENCY.

6 (1) (a) There is hereby created in each municipality an independent pub-  
7 lic body corporate and politic to be known as the "urban renewal agency"  
8 that was created by resolution as provided in section 50-2005, Idaho  
9 Code, before July 1, 2011, for the municipality; provided, that such  
10 agency shall not transact any business or exercise its powers hereunder  
11 until or unless the local governing body has made the findings pre-  
12 scribed in section 50-2005, Idaho Code.

13 (b) An urban renewal agency created after July 1, 2011, shall not trans-  
14 act any business or exercise its powers provided for in this chapter  
15 until a majority of qualified electors, voting in a citywide or coun-  
16 tywide election, depending on the municipality in which such agency is  
17 created, vote to authorize such agency to transact business and exer-  
18 cise its powers provided for in this chapter. If prior to July 1, 2011,  
19 the local governing body has made the findings prescribed in paragraph  
20 (a) of this subsection, then such agency shall transact business and  
21 shall exercise its powers hereunder and is not subject to the require-  
22 ments of this paragraph.

23 (2) Upon satisfaction of the requirements under subsection (1) of this  
24 section, the urban renewal agency is authorized to transact the business and  
25 exercise the powers hereunder by a board of commissioners to be established  
26 as follows:

27 (a) Unless provided otherwise in this section, the mayor, by and with  
28 the advice and consent of the local governing body, shall appoint a  
29 board of commissioners of the urban renewal agency, which shall consist  
30 of not less than three (3) commissioners nor more than nine (9) commis-  
31 sioners. In the order of appointment, the mayor shall designate the  
32 number of commissioners to be appointed, and the term of each, provided  
33 that the original term of office of no more than two (2) commissioners  
34 shall expire in the same year. The commissioners shall serve for terms  
35 not to exceed five (5) years, from the date of appointment, except that  
36 all vacancies shall be filled for the unexpired term.

37 (b) For inefficiency or neglect of duty or misconduct in office, a com-  
38 missioner may be removed by a majority vote of the local governing body  
39 only after a hearing and after he shall have been given a copy of the  
40 charges at least ten (10) days prior to such hearing and have had an op-  
41 portunity to be heard in person or by counsel. Any commission position  
42 that becomes vacant at a time other than the expiration of a term shall  
43 be filled by the mayor or chair of the board of county commissioners, if  
44 that is the local governing body, by and with the advice and consent of  
45 the local governing body, including the mayor, if applicable, and shall  
46 be filled for the unexpired term.

47 (c) By enactment of an ordinance, the local governing body may appoint  
48 and designate, from among its members, members of the board of commis-  
49 sioners of the urban renewal agency, provided that such representation

1 shall be less than a majority of the board of commissioners of the urban  
2 renewal agency of the members of the local governing body on and after  
3 July 1, 2017, in which case all the rights, powers, duties, privileges,  
4 and immunities vested by the urban renewal law of 1965, and as amended,  
5 in an appointed board of commissioners, shall be vested in the local  
6 governing body, which shall, in all respects when acting as an urban re-  
7 newal agency, be acting as an arm of state government, entirely separate  
8 and distinct from the municipality, to achieve, perform, and accomplish  
9 the public purposes prescribed and provided by said urban renewal law of  
10 1965, and as amended.

11 (d) By enactment of an ordinance, the local governing body may termi-  
12 nate the appointed board of commissioners and thereby appoint and des-  
13 ignate itself as the board of commissioners of the urban renewal agency  
14 for not more than one (1) calendar year.

15 (e) By enactment of an ordinance, the local governing body may provide  
16 that the board of commissioners of the urban renewal agency shall be  
17 elected at an election held for such purpose on one (1) of the November  
18 dates provided in section 34-106, Idaho Code, and the ordinance may pro-  
19 vide term limits for the commissioners. In this case, all the rights,  
20 powers, duties, privileges, and immunities vested by the urban renewal  
21 law of 1965, and as amended, in an appointed board of commissioners,  
22 shall be vested in the elected board of commissioners of the urban  
23 renewal agency, which shall, in all respects when acting as an urban re-  
24 newal agency, be acting as an arm of state government, entirely separate  
25 and distinct from the municipality, to achieve, perform, and accomplish  
26 the public purposes prescribed and provided by said urban renewal law  
27 of 1965, and as amended. The provisions of chapter 66, title 67, Idaho  
28 Code, shall apply to elected commissioners, and the county election law  
29 shall apply to the person running for commissioner as if the person were  
30 running for county commissioner. In the event of a vacancy in an elected  
31 commissioner position, the replacement shall be appointed by the mayor  
32 or chair of the board of county commissioners, if that is the local gov-  
33 erning body, by and with the advice and consent of the local governing  
34 body, and shall be filled for the unexpired term.

35 (3) In all instances, a member of the board of commissioners of the ur-  
36 ban renewal agency must be a resident of the county where the urban renewal  
37 agency is located or is doing business.

38 (4) A commissioner shall receive no compensation for his services but  
39 shall be entitled to the necessary expenses, including travel expenses, in-  
40 curred in the discharge of his duties pursuant to section 59-509(b), Idaho  
41 Code. Commissioners shall not be provided with retirement benefits or  
42 health care benefits. Each commissioner shall hold office until his succes-  
43 sor has been appointed and has qualified. A certificate of the appointment  
44 or reappointment of any commissioner shall be filed with the clerk of the  
45 municipality and such certificate shall be conclusive evidence of the due  
46 and proper appointment of such commissioner.

47 (5) (a) The powers of an urban renewal agency shall be exercised by the  
48 commissioners thereof. A majority of the commissioners shall consti-  
49 tute a quorum for the purpose of conducting business and exercising the  
50 powers of the agency and for all other purposes. Action may be taken by

1 the agency upon a vote of a majority of the commissioners present, un-  
 2 less in any case the bylaws shall require a larger number.

3 (b) The commissioners shall elect the chairman, cochairman, or vice  
 4 chairman for a term of one (1) year from among their members. An agency  
 5 may employ an executive director, technical experts, and such other  
 6 agents and employees, permanent and temporary, as it may require, and  
 7 determine their qualifications, duties, and compensation. For such  
 8 legal service as it may require, an agency may employ or retain its own  
 9 counsel and legal staff.

10 (c) An agency authorized to transact business and exercise powers un-  
 11 der this chapter shall file, with the local governing body, on or be-  
 12 fore March 31 of each year a report of its activities for the preced-  
 13 ing calendar year, which report shall include the financial data and au-  
 14 dit reports required under sections 67-1075 and 67-1076, Idaho Code.  
 15 The agency shall be required to hold a public meeting to report these  
 16 findings and take comments from the public. At the time of filing the  
 17 report, the agency shall publish in a newspaper of general circulation  
 18 in the community a notice to the effect that such report has been filed  
 19 with the municipality and the state controller and that the report is  
 20 available for inspection during business hours in the office of the city  
 21 clerk or county recorder, in the office of the agency, and at all times  
 22 on the website of the state controller.

23 (d) An urban renewal agency shall have the same fiscal year as a mu-  
 24 nicipality and shall be subject to the same audit requirements as a mu-  
 25 nicipality. An urban renewal agency shall be required to prepare and  
 26 file with its local governing body an annual financial report and shall  
 27 prepare, approve, and adopt an annual budget for filing with the local  
 28 governing body, for informational purposes. A budget means an annual  
 29 estimate of revenues and expenses for the following fiscal year of the  
 30 agency.

31 (6) An urban renewal agency shall comply with the public records law  
 32 pursuant to chapter 1, title 74, Idaho Code, open meetings law pursuant to  
 33 chapter 2, title 74, Idaho Code, the ethics in government law pursuant to  
 34 chapter 4, title 74, Idaho Code, and the competitive bidding provisions of  
 35 chapter 28, title 67, Idaho Code.

36 (7) Upon dissolution of the urban renewal agency, title to all property  
 37 of the urban renewal agency shall revert to the municipality.

38 SECTION 27. That Section 67-4909, Idaho Code, be, and the same is hereby  
 39 amended to read as follows:

40 67-4909. ORGANIZATION OF BOARD -- ACCOUNTS OF TREASURER -- COMPENSA-  
 41 TION OF MEMBERS -- ANNUAL AUDIT -- REMOVAL OF DIRECTORS. (1) After taking  
 42 oath and filing bonds, the board shall choose one (1) of its members as chair-  
 43 man of the board and president of the district, and shall elect a secretary  
 44 and a treasurer of the board and of the district, who may or may not be members  
 45 of the board. The secretary and the treasurer may be one (1) person. Such  
 46 board shall adopt a seal and the secretary shall keep, in a well-bound book,  
 47 a record of all its proceedings, minutes of all meetings, certificates, con-  
 48 tracts, bonds given by employees and all corporate acts which shall be open  
 49 to inspection to all interested parties.

1       (2) The treasurer shall keep strict and accurate accounts of all money  
 2 received by and disbursed for and on behalf of the district, in permanent  
 3 records. He shall file with the clerk of the court, at the expense of the  
 4 district, a corporate fidelity bond in an amount not less than five thousand  
 5 dollars (\$5,000), conditioned on the faithful performance of the duties of  
 6 his office.

7       (3) Each member of the board shall receive as compensation for his ser-  
 8 vice a sum not in excess of sixty dollars (\$60.00) per annum. No member of the  
 9 board shall receive any compensation as an employee of the district or other-  
 10 wise, other than that herein provided and no member of the board shall be in-  
 11 terested in any contract or transaction with the district except in his offi-  
 12 cial representative capacity. No member of the board shall be provided with  
 13 retirement benefits or health care benefits.

14       (4) It shall be the duty of the board of directors to cause an audit to be  
 15 made of all financial affairs of the district during each year ending Novem-  
 16 ber 30th as required in section 67-450B, Idaho Code.

17       (5) The court having jurisdiction of the district shall have the power  
 18 to remove directors for cause shown, on petition, notice and hearing.

19       SECTION 28. That Section 70-1404, Idaho Code, be, and the same is hereby  
 20 amended to read as follows:

21       70-1404. PER DIEM -- REIMBURSEMENT FOR EXPENSES. There shall be paid  
 22 to each of the port commissioners from the funds of the district, not more  
 23 than fifty dollars (\$50.00) per day for each day spent attending meetings,  
 24 ~~or while engaged of the district that are properly noticed and posted or~~  
 25 engaging in port business authorized by the port commission. The per diem  
 26 provided for in this section shall be pursuant to section 59-509(n), Idaho  
 27 Code, and subject to an annual limit of one thousand two hundred dollars  
 28 (\$1,200). In addition, such commissioners and the agents and employees of  
 29 the district shall be entitled to be reimbursed upon order of the commis-  
 30 sion, from funds of the district, for all reasonable sums expended by them in  
 31 furthering the business of the port subject to the limitations provided for  
 32 in section 59-509(n), Idaho Code. Commissioners shall not be provided with  
 33 retirement benefits or health care benefits.

34       SECTION 29. APPLICABILITY. Any official already receiving health care  
 35 or retirement benefits from his or her district prior to the effective date  
 36 of this act shall continue to receive such benefits, if otherwise eligible,  
 37 until the end of the plan year, in the case of health care plans, or fiscal  
 38 year, in the case of retirement benefits.

39       SECTION 30. An emergency existing therefor, which emergency is hereby  
 40 declared to exist, this act shall be in full force and effect on and after its  
 41 passage and approval.