

LEGISLATURE OF THE STATE OF IDAHO
Sixty-eighth Legislature First Regular Session - 2025

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 411

BY STATE AFFAIRS 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; PRO-
VIDING APPLICABILITY; AND DECLARING AN EMERGENCY.

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

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

21-806. ELECTION OF BOARD OF TRUSTEES. (1) At the next succeeding pri-
mary election following the creation of any such regional airport author-
ity, the electors of each of the legislative districts within the partici-
pating counties within such region shall elect, on a nonpartisan basis, a
member of the authority's permanent board of trustees, hereinafter referred

1 to as the board, except that in the northern and north central regions, one
 2 (1) additional board member shall be elected from each such region at large.
 3 At the first such election, members elected from even-numbered legislative
 4 districts, together with the member elected at large from the northern re-
 5 gion and the member elected at large from the north central region, shall be
 6 elected for four (4) year terms of office, and members elected from odd-num-
 7 bered legislative districts shall be elected for two (2) year terms of of-
 8 fice. Thereafter all such members shall be elected for four (4) year terms
 9 of office, and shall serve until their successors are elected and qualified.
 10 The term of office of members so elected shall commence on December 1 of the
 11 year in which they were elected.

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

16 (3) In any election for member of the board, if after the deadline for
 17 filing a declaration of intent as a write-in candidate, it appears that only
 18 one (1) qualified candidate has been nominated for that office, it shall not
 19 be necessary for the candidate to stand for election and the board shall de-
 20 clare such candidate elected as a member of the board and the secretary of the
 21 district shall immediately make and deliver to such person a certificate of
 22 election.

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

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

33 (6) Elections of board members shall, after the first such election, be
 34 held every other year in even-numbered years, and shall be held on such uni-
 35 form day consistent with the provisions of section 34-106, Idaho Code, as the
 36 board shall determine. Vacancies on the board shall be filled by appointment
 37 of remaining members, for the expiration of such term of office. The board
 38 members shall take and subscribe the oath of office required in the case of
 39 state officers and said oath shall be filed with the secretary of state. Mem-
 40 bers shall be reimbursed for actual and necessary expenses incurred in the
 41 performance of their official duties pursuant to the provisions of section
 42 59-509(b), Idaho Code. Members shall not be provided with retirement bene-
 43 fits or health care benefits.

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

46 22-208. EXPENSES OF BOARD MEMBERS. The members of the county fair
 47 board shall not be paid but shall be reimbursed pursuant to the provisions of
 48 section 59-509(b), Idaho Code, for their actual and necessary expenses out
 49 of the funds provided for fair purposes, upon approval of claims for the same

1 by the board of county commissioners. Members shall not be provided with
2 retirement benefits or health care benefits.

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

5 22-306. COMPENSATION AND MILEAGE OF DIRECTORS. ~~Said directors shall~~
6 ~~receive as compensation thirty-five dollars (\$35.00) per diem while actu-~~
7 ~~ally engaged in the business of the district and the mileage rate established~~
8 ~~by the state board of examiners pursuant to the authority in section 67-2008,~~
9 ~~Idaho Code, for state officers, agents and employees for each mile actually~~
10 ~~and necessarily traveled while transacting such business. Directors shall~~
11 not be paid but shall be reimbursed for actual and necessary expenses pur-
12 suant to the provisions of section 59-509(b), Idaho Code. Directors shall
13 not be provided with retirement benefits or health care benefits.

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

16 22-2410. WEED CONTROL ADVISORY COMMITTEES. (1) Control agencies or
17 authorities may appoint persons to a weed control advisory committee, who
18 shall be persons knowledgeable of noxious weeds and the damage done by
19 such weeds. The members of the advisory committee shall be residents of or
20 landowners in one (1) of the counties included in the cooperative weed man-
21 agement area, and shall be appointed for renewable terms of two (2) years.

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

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

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

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

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

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

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

39 22-2721. ELECTION, APPOINTMENT, QUALIFICATIONS AND TENURE OF SUPER-
40 VISORS. (1) The governing body of the district shall consist of five (5)
41 supervisors, elected or appointed as provided in this chapter. Elections
42 shall be conducted pursuant to the provisions of this section and the uni-
43 form district election law, chapter 14, title 34, Idaho Code. If at any time
44 the supervisors of a district deem it necessary, upon majority vote of the
45 district board, they may increase the number of supervisors to seven (7) or

1 decrease the number of supervisors to five (5). If increased, the additional
2 supervisors shall then be appointed as outlined in this section until such
3 time as regular district elections for two (2) supervisors in each district.
4 At that time, those districts having seven (7) supervisors shall then elect
5 four (4) supervisors for four (4) year terms. The two (2) supervisors ap-
6 pointed by the district shall be persons who are by training and experience
7 qualified to perform the specialized services that will be required of them
8 in the performance of their duties. In the event the supervisors of a dis-
9 trict, upon majority vote of the district board, deem it necessary to reduce
10 the number of supervisors to five (5), there must either be two (2) vacant
11 positions on the board or two (2) of the supervisors must first volunteer to
12 give up their seats. Written notification of the reduction in supervisors,
13 signed by the district board chairman, shall then be sent to the state soil
14 and water conservation commission. Such notification shall also be sent
15 to the secretary of state to ensure only two (2) or three (3) supervisors
16 shall be on the ballot for the next election cycle. All supervisors shall be
17 landowners or farmers of the district where they are elected or appointed and
18 shall be registered to vote in the state of Idaho.

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

39 (3) All elections in districts shall be conducted by the county clerk.
40 Such election shall be held on the first Tuesday succeeding the first Monday
41 of November in each even-numbered year. Such elections shall be in compli-
42 ance with the provisions of chapter 14, title 34, Idaho Code, and shall be
43 supervised and conducted by the county clerk. The cost of conducting such
44 elections shall be borne by the county that conducted the election. The
45 county clerk shall certify to the soil and water conservation district the
46 names of the elected supervisors. The soil and water conservation district
47 shall issue certificates of election to each elected supervisor so certi-
48 fied. The county clerk or county clerks of the county or counties in which
49 the district is located shall conduct the election for the soil conservation
50 district, and the county clerk must provide a ballot for the district elec-

tion and must provide a process that allows only qualified electors of the district to vote in that district's election.

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

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

(6) A quorum shall consist of three (3) supervisors for those districts with a total of five (5) supervisors and four (4) supervisors for those districts with a total of seven (7) supervisors, and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall be entitled to expenses, including travel ~~expense~~ expenses, necessarily incurred in the discharge of duties pursuant to the provisions of section 59-509(b), Idaho Code. A supervisor shall receive no compensation for services from regular district funds, county funds authorized in section 22-2726, Idaho Code, or state funds authorized in section 22-2727, Idaho Code. A supervisor shall not be provided with retirement benefits or health care benefits.

(7) In the event the district has a special project, approved by the state soil and water conservation commission, making project funds available 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

1 employ and such other information concerning the supervisors' activities as
 2 the commission may require in the performance of the commission's duties un-
 3 der this chapter.

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

11 (10) The supervisors may invite the legislative body of a municipality
 12 or county located near the territory comprised within the district to desig-
 13 nate a representative to advise and consult with the supervisors of the dis-
 14 trict on all questions of program and policy that may affect the property,
 15 water supply, or other interests of such municipality or county.

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

18 22-4302. WEATHER MODIFICATION FUND -- CREATION -- ADMINISTRATION. The
 19 board of trustees of a weather modification district shall conduct the af-
 20 fairs of the district. The board of trustees shall certify a budget to the
 21 board of county commissioners to fund the operations of the district. The
 22 budget preparation, hearings and approval shall be the same as required for
 23 any county budget. The certification of the budget to the board of county
 24 commissioners shall be as required for other taxing districts. The board
 25 of county commissioners may levy annually upon all taxable property in the
 26 weather modification district, a tax not to exceed four (4) mills, to be col-
 27 lected and paid into the county treasury and apportioned to a fund to be des-
 28 ignated the "weather modification" fund, which is hereby created. Such fund
 29 shall be used by the district for the gathering of information upon, aiding
 30 in or conducting programs for weather control or modification, and such ac-
 31 tivities related to weather modification programs as are necessary to insure
 32 the full benefit of such programs. Moneys in the fund may be paid out only
 33 on order of the board of trustees. The board of trustees shall serve without
 34 compensation pursuant to the provisions of section 59-509(a), Idaho Code.
 35 Moneys in the fund shall not be used to provide retirement benefits or health
 36 care benefits for the trustees.

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

39 25-2604. CONTROL DISTRICTS. (1) The board of commissioners of any
 40 county in the state may create special control districts in the county for
 41 the control of agricultural pests infesting any such district, may levy an
 42 annual tax, not exceeding two hundredths per cent (.02%) of market value for
 43 assessment purposes of all property within such district, and may appoint
 44 three (3) commissioners to govern the affairs of the pest control district.
 45 Pest control district commissioners shall serve without compensation pur-
 46 suant to the provisions of section 59-509(a), Idaho Code, and shall not be
 47 provided with health care benefits or retirement benefits. The pest control

1 district, through the authority of the board of commissioners may require
 2 the landowners or their agents in such control district to either control
 3 such agricultural pests on their own lands in such district within a speci-
 4 fied time, or to pay the cost of controlling them if the same are controlled
 5 by agents of the district after failure of the landowner, or his agent, to
 6 perform such duty within the time limited in any notice to such owner, or
 7 agent. Cost of control services performed by employees of a pest control
 8 district shall constitute a lien against the property and any water right
 9 appurtenant thereto at the time of rendition of such service and shall be
 10 collectable as any other taxes. Charges for control services performed by
 11 a control district shall be determined by the board of county commission-
 12 ers but in no case shall charges exceed the actual cost of performing such
 13 service. Such control district may be established in any precinct in the
 14 county.

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

20 (3) The commissioners shall order a public hearing on such petition at
 21 a time and place to be fixed in such order, of which hearing notice shall be
 22 given in such manner as the commissioners may order, which time, however,
 23 shall not be less than fourteen (14) days from the giving of the said notice.
 24 After such hearing, said board may by order create such control district not
 25 less than fourteen (14) days after such hearing, fix its boundaries, pro-
 26 vide for a control program in such district and create the necessary machin-
 27 ery to carry out such program unless a petition of protest has been filed with
 28 the clerk of the board of commissioners. Said petition of protest shall meet
 29 the same requirements as to the number of signers and for the same number of
 30 precincts and for the same district boundaries as petitions in favor previ-
 31 ously filed and shall be filed with the clerk of the board of commissioners
 32 not later than fourteen (14) days following said hearing.

33 (4) In the event that a petition of protest is filed, the board of com-
 34 missioners shall not declare the creation of a control district but shall
 35 call an election, subject to the provisions of section 34-106, Idaho Code,
 36 for the purpose of determining whether or not a control district shall be
 37 created. The cost of conducting the election shall be paid from any county
 38 fund, the use of which for this purpose is not prohibited by statute. The
 39 election shall be conducted in each precinct within the proposed control
 40 district according to the provisions of chapter 14, title 34, Idaho Code,
 41 and shall require the employment of two (2) election judges and one (1) clerk
 42 for each precinct. A qualified elector is any individual who is qualified to
 43 vote pursuant to the requirements of section 34-104, Idaho Code.

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

46 25-2612. ANIMAL DAMAGE CONTROL DISTRICTS. (1) There are hereby estab-
 47 lished 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.

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

3 27-119. COMPENSATION AND EXPENSES OF CEMETERY MAINTENANCE BOARD COM-
4 MISSIONERS. ~~The Pursuant to section 59-509(n), Idaho Code, cemetery mainte-~~
5 ~~nance board commissioners may receive compensation of not more than twenty-~~
6 ~~five dollars (\$25.00) fifty dollars (\$50.00) per day for each day spent en-~~
7 ~~gaged in meetings of the board that are properly noticed and posted under~~
8 ~~the Idaho open meetings law, chapter 2, title 74, Idaho Code, or on district~~
9 ~~business authorized by the board; provided that no commissioner shall re-~~
10 ~~ceive per diem payments totaling more than one thousand dollars (\$1,000) one~~
11 ~~thousand two hundred dollars (\$1,200) during any fiscal year of the district~~
12 ~~for their services as commissioners. Commissioners also shall receive the~~
13 ~~amount of their actual and necessary expenses incurred in the performance of~~
14 ~~their official duties pursuant to section 59-509(n), Idaho Code. The board~~
15 ~~shall fix the compensation, if any, to be paid to the commissioners and other~~
16 ~~officers named in this chapter, and of the agents and employees of the board~~
17 ~~to be paid out of the treasury of the district. Commissioners shall not be~~
18 ~~provided with retirement benefits or health care benefits.~~

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

21 31-1421. COMPENSATION AND BENEFITS -- EXPENSES -- LIABILITY. (1) ~~Fire~~
22 ~~protection district commissioners may receive reasonable compensation for~~
23 ~~their services as commissioners. The fire protection board shall fix com-~~
24 ~~missioner benefits and compensation for the fiscal year. Compensation for~~
25 ~~performing district business shall not exceed one hundred dollars (\$100) per~~
26 ~~day meeting of the fire protection board that is properly noticed and posted~~
27 ~~pursuant to the Idaho open meetings law, chapter 2, title 74, Idaho Code. If~~
28 ~~a city, county, state or federal declaration of emergency or disaster exists~~
29 ~~within the boundaries of the fire protection district, the board may set spe-~~
30 ~~cial compensation for commissioners by a resolution that shall be applied to~~
31 ~~commissioner compensation only upon a majority vote of the board and shall~~
32 ~~continue only for as long as the city, county, state or federal declaration~~
33 ~~of emergency or disaster remains in effect within the boundaries of the fire~~
34 ~~protection district. District business shall include time spent preparing~~
35 ~~for and attending regular and special board meetings and meetings of commit-~~
36 ~~tees established by the board. Additional compensation, if approved by a~~
37 ~~majority of the fire protection board, may be calculated for commissioners~~
38 ~~who attend county or state agency meetings, educational classes, seminars~~
39 ~~and other miscellaneous district business. Commissioners may also partic-~~
40 ~~ipate in the district's employee benefit package in the same manner as em-~~
41 ~~ployees or volunteers. Any proposed commissioner benefits and annual com-~~
42 ~~ensation shall be published as a separate line item in the annual budget~~
43 ~~of the fire protection district. Compensation and reimbursement for actual~~
44 ~~and necessary expenses incurred in the performance of official duties shall~~
45 ~~be pursuant to the provisions of section 59-509(q), Idaho Code. Compensa-~~
46 ~~tion shall be subject to an annual limit of two thousand five hundred dollars~~
47 ~~(\$2,500). Commissioners shall not be provided with retirement benefits or~~
48 ~~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 perform 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

1 dollars (\$2,500). Members of the board shall not be provided with retirement
2 benefits or health care benefits.

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

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

10 31-3914. CORPORATE POWERS AND DUTIES OF BOARD OF AMBULANCE SERVICE
11 COMMISSIONERS. A board of ambulance service commissioners shall have dis-
12 cretionary powers to manage and conduct the business and affairs of the
13 district. The discretionary powers shall include but not be limited to the
14 following:

- 15 (1) To sue and be sued;
- 16 (2) To purchase, hold, sell, and convey real property, make such con-
17 tracts, and purchase, hold, sell, and dispose of such personal property as
18 may be necessary or convenient for the purposes of this chapter;
- 19 (3) To levy and apply such taxes for purposes under its exclusive juris-
20 diction as are authorized by law and to approve the annual district budget by
21 resolution of the board;
- 22 (4) To make and execute all necessary contracts;
- 23 (5) To adopt such rules and resolutions as may be necessary to carry out
24 its duties and responsibilities;
- 25 (6) To hire, pay, promote, discipline, and terminate district employ-
26 ees, contractors, and agents, or to delegate such powers;
- 27 (7) To set compensation and benefit levels for employees,
28 ~~commissioners~~, contractors, and agents; provided, however, that commis-
29 sioners shall not be paid but shall be reimbursed for actual and necessary
30 expenses pursuant to the provisions of section 59-509(b), Idaho Code, and
31 commissioners shall not be entitled to health care benefits or retirement
32 benefits; and
- 33 (8) To charge and collect reasonable fees for services provided to res-
34 idents of the ambulance service district or city, in accordance with the pro-
35 visions of sections 63-1311 and 63-1311A, Idaho Code.

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

38 31-4210. COMMISSIONERS -- APPOINTMENT -- QUALIFICATIONS --
39 TENURE. (1) When a governing body of a county adopts a resolution as afore-
40 said, it shall appoint five (5) or seven (7) persons as commissioners of the
41 authority created for said county. Commissioners of the authority shall
42 serve terms of five (5) years. If the governing body of a county appoints
43 five (5) persons as commissioners of the authority, the commissioners who
44 are first appointed shall be designated to serve for terms of one (1), two
45 (2), three (3), four (4), and five (5) years, except that all vacancies shall
46 be filled for the unexpired term. If the governing body of a county appoints
47 seven (7) persons as commissioners of the authority, the commissioners

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

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

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

42 31-4305. DIRECTORS -- QUALIFICATIONS -- VACANCY -- COMPENSATION --
 43 TERM. (1) Each district shall be governed by a board of three (3) directors
 44 who shall manage and conduct the business and affairs of such district and
 45 all powers granted to such district by this chapter shall be exercised by
 46 such board or its duly authorized officers and agents.

47 (2) At any time after the creation of the district, the board of direc-
 48 tors may, by resolution duly adopted, increase the size of the board from
 49 three (3) members to five (5) members. The resolution shall provide for the

1 designation of five (5) director's subdistricts. A qualified elector shall
 2 be appointed by the board to each of the newly created director's positions,
 3 one (1) of whom shall serve until the first district election thereafter
 4 held, and one (1) of whom shall serve until the second district election
 5 thereafter held.

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

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

23 31-4707. EXPENSES OF BOARD MEMBERS. The members of the county museum
 24 board shall be paid their actual and necessary expenses out of the funds pro-
 25 vided for museum purposes pursuant to the provisions of section 59-509(b),
 26 Idaho Code, upon approval of claims for the same by the board of county com-
 27 missioners. Board members shall not be provided with retirement benefits or
 28 health care benefits.

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

31 31-4904. DISTRICT BOARD -- QUORUM -- MEETINGS. (1) A district shall be
 32 governed by a board of directors consisting of not less than three (3) mem-
 33 bers, hereinafter referred to as the district board, which shall be vested
 34 with the authority, control and supervision of the district. The district
 35 board shall consist of one (1) commissioner from each participating county,
 36 appointed by the commissioners of the participating county. If the district
 37 includes only two (2) counties, the commissioners of the two (2) partici-
 38 pating counties shall jointly appoint a third member of the district board.
 39 Ex officio, nonvoting members may be appointed by the district board. The
 40 district board shall designate one (1) of its members as president, shall
 41 appoint a treasurer, who need not be a member of the district board, and
 42 shall establish such other officers as it deems necessary. The district
 43 board shall adopt bylaws for its own operation and establish such regular
 44 meeting dates and times as it shall deem necessary. A majority of the voting
 45 members of the district board shall constitute a quorum, and a majority of
 46 the quorum present shall be sufficient to take any action. A member of the
 47 district board shall serve for a two (2) year term and may be reappointed by

the commissioners appointing such member. Any member may be removed by the commissioners who originally appointed such member, at any time and for any reason. Any vacancy shall be filled by the original appointing commissioners. ~~Members of a district board shall serve without compensation, but may be reimbursed for their actual expenses incurred in attending board meetings or conducting other district business under such rules as the district board may adopt.~~ Regular and special meetings of a district board shall be conducted in compliance with chapter 2, title 74, Idaho Code.

(2) Each member of the district board shall receive as compensation for the member's service a sum not to exceed three hundred dollars (\$300) per meeting, payable monthly. Such compensation shall not exceed four thousand two hundred dollars (\$4,200) per calendar year. Compensation pursuant to this subsection shall apply only with respect to meetings that are properly noticed and posted pursuant to the Idaho open meetings law, chapter 2, title 74, Idaho Code.

(3) In addition to the compensation provided for in subsection (2) of this section, each member of the district board shall be entitled to reimbursement for actual and necessary travel expenses incurred in the performance of the member's duties pursuant to the provisions of section 67-2008, Idaho Code.

(4) No member of the district board shall receive compensation as an employee of the district or otherwise except as provided for in this section. No member of the district board shall have a personal interest in any contract or transaction of the district. Members of the district board shall not be provided with retirement benefits or health care benefits.

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

33-2119. APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSIONERS. (1) When the board of trustees of a junior college district adopts a resolution as set forth in the preceding section, the clerk of said board shall promptly transmit a certified copy of said resolution to the governor of the state of Idaho, and the governor shall promptly thereafter appoint three (3) persons as commissioners of the commission created for said district. The governor shall certify to the clerk of the district the names of the persons so appointed, and the clerk shall notify said persons in writing of their appointment and the term for which each of them is appointed. The commissioners who are first appointed shall be designated to serve for terms of one (1), two (2) and three (3) years respectively, from the date of their appointment, but thereafter commissioners shall be appointed as aforesaid for a term of office of 3 years, except that all vacancies shall be filled for the unexpired term. No commissioner may be an officer ~~of~~ or employee of the junior college district for which the commission is created. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services for the authority in any capacity, but he shall be entitled to the necessary expenses, including travel expenses, incurred in the discharge of his duties pursuant to the provisions

1 of section 59-509(b), Idaho Code. Commissioners shall not be provided with
2 retirement benefits or health care benefits.

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

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

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

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

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

4 (4) Members of the board shall serve without salary but shall receive
5 their actual and necessary expenses while engaged in business of the dis-
6 trict pursuant to section 59-509(b), Idaho Code. Members shall not be pro-
7 vided with retirement benefits or health care benefits.

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

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

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

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

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

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

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

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

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

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

25 (5) Board members may be compensated ~~forty dollars (\$40.00)~~ two hundred
 26 dollars (\$200) for each day in the actual performance of duties properly no-
 27 ticed and posted meeting, but the total amount to be received as compensation
 28 shall not exceed the sum of ~~one thousand dollars (\$1,000) per year~~ one thou-
 29 sand two hundred dollars (\$1,200) per year. Actual expenses shall be paid
 30 in addition to compensation pursuant to section 59-509(n), Idaho Code. The
 31 payment for expenses shall be paid from funds of the authority upon presenta-
 32 tion of itemized vouchers, signed by the board member and under oath made to
 33 the secretary of the authority. Board members shall not be provided with re-
 34 irement benefits or health care benefits.

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

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

40 (a) The board adopts by majority vote at a regularly scheduled meeting
 41 a statement of intent to revise the board composition and a complete de-
 42 scription of the proposed revision; and

43 (b) The board submits the statement of intent and proposed revision to
 44 the chief elected official of each city and commission within the au-
 45 thority for review and comment; and

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

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

1 SECTION 21. APPLICABILITY. Any official already receiving health care
2 or retirement benefits from his or her district prior to the effective date
3 of this act shall continue to receive such benefits, if otherwise eligible,
4 until the end of the plan year, in the case of health care plans, or fiscal
5 year, in the case of retirement benefits.

6 SECTION 22. An emergency existing therefor, which emergency is hereby
7 declared to exist, this act shall be in full force and effect on and after its
8 passage and approval.