

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 516

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-413, IDAHO CODE,  
2 AS AMENDED BY SECTION 4, CHAPTER 336, LAWS OF 2021, TO PROVIDE FOR THE  
3 ESTABLISHMENT OF A PERSONNEL SYSTEM BY THE DISTRICT HEALTH DIRECTOR AND  
4 TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING  
5 AN EFFECTIVE DATE.  
6

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

8 SECTION 1. That Section 39-413, Idaho Code, as amended by Section 4,  
9 Chapter 336, Laws of 2021, be, and the same is hereby amended to read as fol-  
10 lows:

11 39-413. DISTRICT HEALTH DIRECTOR -- APPOINTMENT -- POWERS AND DU-  
12 TIES. A district health director shall be appointed by the district board and  
13 shall receive compensation as determined by the district board. The direc-  
14 tor shall have and exercise the following powers and duties in addition to  
15 all other powers and duties inherent in the position or delegated to him or  
16 imposed upon him by law or rule, regulation, or ordinance:

17 (1) To be secretary and administrative officer of the district board of  
18 health;

19 (2) To prescribe such rules and regulations, consistent with the re-  
20 quirements of this chapter, as may be necessary for the government of the  
21 district, for the conduct and duties of the district employees, for the  
22 orderly and efficient handling of business, and for the custody, use, and  
23 preservation of the records, papers, books, and property belonging to the  
24 public health district;

25 (3) To administer oaths for all purposes required in the discharge of  
26 his duties;

27 (4) With the approval of the district board, to:

28 (a) Prescribe the positions and the qualifications of all personnel un-  
29 der the district health director on a nonpartisan merit basis in accor-  
30 dance with the objective standards approved by the district board. This  
31 shall be the exclusive responsibility of the district health director,  
32 with the approval of the board, and no state official, elected or other-  
33 wise, or agency shall have any power to disapprove or interfere with the  
34 performance by the director and the board of this duty or to delay such  
35 performance in any way.

36 (b) ~~Fix the rate of pay and appoint, promote, demote, and separate such~~  
37 ~~employees and to perform such other personnel actions as are needed from~~  
38 ~~time to time in conformance with the requirements of chapter 53, title~~  
39 ~~67, Idaho Code. Establish a personnel system to support rates of pay~~  
40 ~~for appointments, promotions, demotions, and separations and to per-~~  
41 ~~form such other personnel actions as are needed. This shall be the ex-~~  
42 ~~clusive responsibility of the district health director, with the ap-~~

1       proval of the board, and no state official, elected or otherwise, or  
2       agency shall have any power to disapprove or interfere with the perfor-  
3       mance by the director and the board of this duty or to delay such perfor-  
4       mance in any way.

5       (c) Create such units and sections as are or may be necessary for the  
6       proper and efficient functioning of the duties herein imposed.

7       SECTION 2. An emergency existing therefor, which emergency is hereby  
8       declared to exist, this act shall be in full force and effect on and after  
9       March 1, 2022.