

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 241

BY HEALTH AND WELFARE COMMITTEE

AN ACT

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

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

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

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

(a) Fewer than eight (8) counties, the district board of health shall
consist of seven (7) members to be appointed by each of the boards of
county commissioners ~~within each district acting jointly, and, with~~
each board of county commissioners ~~may appoint a~~ appointing at least one
(1) board member.

(b) Eight (8) counties, the district board of health shall consist of
not fewer than eight (8) members nor more than nine (9) members, and each
board of county commissioners may appoint a board member.

(2) Each member of the district board of health shall be a citizen of
the United States, a resident of the state of Idaho and the public health
district for one (1) year immediately last past, ~~and a qualified elector,~~
and, except for a board seat designated for an available physician pursuant
to subsection (3) of this section, a currently elected county official from
the appointing county pursuant to subsection (1) (a) of this section. One (1)
member of the district board, if available to serve, shall be a physician li-
censed by the Idaho state board of medicine. All members shall be chosen with
due regard to their knowledge and interest in public health and in promoting
the health of the citizens of the state and the public health district. Rep-
resentation shall be assured from rural as well as urban population groups.

~~(3) All appointments~~ The appointment of a physician to the district
board shall be confirmed by a majority vote of all the county commissioners
of all the counties located within the public health district. Any member
of the district board may be removed by ~~majority~~ at least two-thirds (2/3)
vote of all the county commissioners of all the counties located within the
district.

(4) The members of the district board of health shall be appointed for
a term of ~~five (5) two (2) years~~, subject to reappointment; and vacancies on
the board for an unexpired term shall be filled for the balance of the un-
expired term. Notwithstanding any provision of this section as to term of
appointment, if a board member is an appointee for a board of county com-
missioners, and if that board member is an elected county commissioner and
leaves office prior to the expiration of the term on the district board of

1 health, the board of county commissioners may declare the position vacant
2 and may appoint another currently elected county commissioner to fill the
3 unexpired portion of the term of that board member.

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

8 (6) The board of trustees of the Idaho district boards of health shall
9 have authority to allocate appropriations from the legislature to the health
10 districts. Such authority is limited to the development and administration
11 of formulas for the allocation of legislative appropriations. Any formula
12 adopted by the board of trustees must be in use, without alteration, for at
13 least two (2) years; provided that during the two (2) year period, the for-
14 mula may be changed if an emergency occurs, the emergency is declared and
15 there is a unanimous vote of the board of trustees to make the emergency for-
16 mula change. All proceedings of the board of trustees shall be subject to the
17 provisions of chapter 2, title 74, Idaho Code.

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