

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 203

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1421, IDAHO  
2 CODE, TO PROVIDE REQUIREMENTS RELATING TO CONTRACTS ENTERED INTO BY A  
3 BOARD OF FIRE DISTRICT COMMISSIONERS FOR EMPLOYMENT OF OFFICERS, AGENTS  
4 AND EMPLOYEES, TO PROVIDE AN EXCEPTION, TO PROVIDE FOR APPLICABILITY  
5 AND TO MAKE A TECHNICAL CORRECTION.  
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 31-1421, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 31-1421. COMPENSATION AND BENEFITS -- EXPENSES -- LIABILITY -- EM-  
11 PLOYMENT CONTRACTS. (1) Fire district commissioners may receive reasonable  
12 compensation for their services as commissioners. The fire protection  
13 board shall fix commissioner benefits and compensation for the fiscal  
14 year. Compensation for performing district business shall not exceed sev-  
15 enty-five dollars (\$75.00) per day. District business shall include time  
16 spent preparing for and attending regular and special board meetings and  
17 meetings of committees established by the board. Additional compensation,  
18 if approved by a majority of the fire protection board, may be calculated  
19 for commissioners who attend county or state agency meetings, educational  
20 classes, seminars, and other miscellaneous district business. Commission-  
21 ers may also participate in the district's employee benefit package in the  
22 same manner as employees or volunteers. Any proposed commissioner benefits  
23 and annual compensation shall be published as a separate line item in the  
24 annual budget of the fire protection district.

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

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

33 (4) The district shall be liable and responsible for the actions and  
34 omissions of the commissioners, officers, agents and employees of the dis-  
35 trict, when the commissioners, officers, agents and employees are perform-  
36 ing their duties within the course and scope of their employment with the  
37 district, and on behalf of the district.

38 (5) Any contract entered into by a board of fire district commission-  
39 ers for the employment of officers, agents or employees, other than a col-  
40 lectively bargained agreement entered into with an exclusive representative  
41 pursuant to section 44-1804, Idaho Code, may extend for a term not to exceed  
42 two (2) years and shall include an at-will employment provision or clause.

1 The provisions of this subsection shall apply to contracts entered into or  
2 renewed on or after the effective date of this act.