

IN THE SENATE

SENATE BILL NO. 1400

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO APPOINTEES TO DISTRICT BOARDS OF HEALTH; AMENDING SECTION
2 39-411, IDAHO CODE, TO PROVIDE THAT IF A BOARD MEMBER OF A PUBLIC HEALTH
3 DISTRICT IS AN APPOINTEE FOR A BOARD OF COUNTY COMMISSIONERS, AND IF
4 THAT BOARD MEMBER IS AN ELECTED COUNTY COMMISSIONER AND LEAVES OFFICE
5 PRIOR TO THE EXPIRATION OF THE TERM ON THE DISTRICT BOARD OF HEALTH,
6 THE BOARD OF COUNTY COMMISSIONERS MAY DECLARE THE POSITION VACANT AND
7 MAY APPOINT ANOTHER CURRENTLY ELECTED COUNTY COMMISSIONER TO FILL THE
8 UNEXPIRED PORTION OF THE TERM OF THAT BOARD MEMBER; AND DECLARING AN
9 EMERGENCY.
10

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

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

14 39-411. COMPOSITION OF DISTRICT BOARD -- QUALIFICATIONS OF MEMBERS --
15 APPOINTMENT AND REMOVAL -- TERMS -- TRUSTEE SELECTED FOR BOARD OF TRUSTEES OF
16 DISTRICT BOARDS OF HEALTH. For those districts comprised of less than eight
17 (8) counties, the district board of health shall consist of seven (7) members
18 to be appointed by the boards of county commissioners within each district
19 acting jointly, and each board of county commissioners may appoint a board
20 member. For those districts comprised of eight (8) counties, the district
21 board of health shall consist of not less than eight (8) members nor more
22 than nine (9) members and each board of county commissioners may appoint a
23 board member. Each member of the district board of health shall be a citizen
24 of the United States, a resident of the state of Idaho and the public health
25 district for one (1) year immediately last past, and a qualified elector.
26 One (1) member of the district board, if available to serve, shall be a
27 physician licensed by the Idaho state board of medicine and no more than
28 one (1) member shall be appointed from any professional or special interest
29 group. All members shall be chosen with due regard to their knowledge and
30 interest in public health and in promoting the health of the citizens of the
31 state and the public health district. Representation shall be assured from
32 rural as well as urban population groups. All appointments to the district
33 board shall be confirmed by a majority vote of all the county commissioners
34 of all the counties located within the public health district. Any member
35 of the district board may be removed by majority vote of all the county
36 commissioners of all the counties located within the district. The members
37 of the district board, each year, shall select a chairman, a vice-chairman
38 and a trustee. The trustee shall represent the district board as a member
39 of the board of trustees of the Idaho district boards of health. The board
40 of trustees of the Idaho district boards of health shall have authority to
41 allocate appropriations from the legislature to the health districts. The

1 board of trustees shall develop and administer a formula for the allocation
2 of legislative appropriations.

3 The members of the district board of health shall be appointed for the
4 purpose of organization as follows: One (1) member to be appointed for a
5 term of one (1) year, one (1) for two (2) years, one (1) for three (3) years,
6 two (2) for four (4) years and two (2) for five (5) years. Each succeeding
7 vacancy shall be filled by the boards of county commissioners within the
8 district acting jointly and with confirmation as herein described for a term
9 of five (5) years, subject to reappointment; and vacancies on the board for
10 an unexpired term shall be filled for the balance of the unexpired term.
11 Notwithstanding any provision of this section as to term of appointment, if
12 a board member is an appointee for a board of county commissioners, and if
13 that board member is an elected county commissioner and leaves office prior
14 to the expiration of the term on the district board of health, the board of
15 county commissioners may declare the position vacant and may appoint another
16 currently elected county commissioner to fill the unexpired portion of the
17 term of that board member.

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 its
20 passage and approval.