

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 80

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-411, IDAHO CODE,  
2 TO REVISE PROVISIONS REGARDING THE BOARD OF TRUSTEES OF THE DISTRICT  
3 BOARDS OF HEALTH; AND AMENDING SECTION 39-425, IDAHO CODE, TO PROVIDE  
4 FOR APPROPRIATIONS TO THE PUBLIC HEALTH DISTRICTS.  
5

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

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

9 39-411. COMPOSITION OF DISTRICT BOARD -- QUALIFICATIONS OF MEMBERS --  
10 APPOINTMENT AND REMOVAL -- TERMS -- TRUSTEE SELECTED FOR BOARD OF TRUSTEES OF  
11 DISTRICT BOARDS OF HEALTH. For those districts comprised of less than eight  
12 (8) counties, the district board of health shall consist of seven (7) mem-  
13 bers to be appointed by the boards of county commissioners within each dis-  
14 trict acting jointly, and each board of county commissioners may appoint a  
15 board member. For those districts comprised of eight (8) counties, the dis-  
16 trict board of health shall consist of not less than eight (8) members nor  
17 more than nine (9) members and each board of county commissioners may appoint  
18 a board member. Each member of the district board of health shall be a cit-  
19 izen of the United States, a resident of the state of Idaho and the public  
20 health district for one (1) year immediately last past, and a qualified elec-  
21 tor. One (1) member of the district board, if available to serve, shall be  
22 a physician licensed by the Idaho state board of medicine and no more than  
23 one (1) member shall be appointed from any professional or special inter-  
24 est group. All members shall be chosen with due regard to their knowledge  
25 and interest in public health and in promoting the health of the citizens of  
26 the state and the public health district. Representation shall be assured  
27 from rural as well as urban population groups. All appointments to the dis-  
28 trict board shall be confirmed by a majority vote of all the county commis-  
29 sioners of all the counties located within the public health district. Any  
30 member of the district board may be removed by majority vote of all the county  
31 commissioners of all the counties located within the district. The members  
32 of the district board, each year, shall select a chairman, a vice-chairman  
33 and a trustee. The trustee shall represent the district board as a member of  
34 the board of trustees of the Idaho district boards of health. ~~The board of~~  
35 ~~trustees of the Idaho district boards of health shall have authority to allo-~~  
36 ~~cate appropriations from the legislature to the health districts.~~ The board  
37 of trustees shall develop and administer a ~~formula~~ formulae for the alloca-  
38 tion of legislative appropriations to all seven (7) health districts for a  
39 specific purpose excluding general state aid as provided in section 39-425,  
40 Idaho Code.

41 The members of the district board of health shall be appointed for the  
42 purpose of organization as follows: One (1) member to be appointed for a

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

14 SECTION 2. That Section 39-425, Idaho Code, be, and the same is hereby  
 15 amended to read as follows:

16 39-425. GENERAL STATE AID TO DISTRICTS -- PROCEDURES. (1) Every year,  
 17 the districts shall submit a request to the legislature for money to be used  
 18 to match funds contributed by the counties pursuant to section 31-862, Idaho  
 19 Code, for the maintenance and operation of district health departments.  
 20 The matching amount to be included in the request shall be a minimum of  
 21 sixty-seven percent (67%) of the amounts pledged by each county, as adopted  
 22 as part of the budget for the health districts during the budget formula-  
 23 tions, as provided for in section 39-423, Idaho Code. If the determined  
 24 amount of participation by a county would exceed the amount which could be  
 25 raised applying the maximum levy prescribed in section 31-862, Idaho Code,  
 26 that county's participation shall be reduced to the maximum amount which can  
 27 be raised thereby.

28 (2) The foregoing provision shall not limit the legislature from autho-  
 29 rizing or granting additional funds for selected projects in excess of the  
 30 percentage of participation of general aid granted all health districts.

31 (3) General state aid to the various health districts shall be made  
 32 available from state appropriations, and shall be distributed in the follow-  
 33 ing manner:

34 (a) The amount appropriated to the health districts shall be divided  
 35 based upon the formula developed and administered by the board of  
 36 trustees of the Idaho district boards of health among the health dis-  
 37 tricts as follows for the fiscal year 2018 appropriation: Each district  
 38 will receive two-thirds (2/3) of the amount it received from the fiscal  
 39 year 2017 appropriation. Sixty-seven percent (67%) of the remain-  
 40 ing state appropriation will be divided proportionally based on each  
 41 district's share of the statewide county contribution for fiscal year  
 42 2017. Thirty-three percent (33%) of the remaining state appropriation  
 43 shall be divided seventy-five percent (75%) based on population and  
 44 twenty-five percent (25%) based on the number of all persons in poverty  
 45 within each health district.

46 (b) The amount appropriated to the health districts shall be divided  
 47 among the health districts as follows for fiscal year 2019: Each dis-  
 48 trict will receive one-third (1/3) of the amount it received from the  
 49 fiscal year 2018 appropriation. Sixty-seven percent (67%) of the re-

1 maintaining state appropriation will be divided proportionally based on  
 2 each district's share of the statewide county contribution for fiscal  
 3 year 2018. Thirty-three percent (33%) of the remaining state appropri-  
 4 ation shall be divided seventy-five percent (75%) based on population  
 5 and twenty-five percent (25%) based on the number of all persons in  
 6 poverty within each health district.

7 (c) The amount appropriated to the health districts shall be divided  
 8 among the health districts as follows for the fiscal year 2020 appropri-  
 9 ation and beyond:

10 (i) Each district will receive sixty-seven percent (67%) of its  
 11 pledged county contribution for the fiscal year prior to the des-  
 12 ignated appropriation year.

13 (ii) The remaining balance of the state appropriation shall be di-  
 14 vided seventy-five percent (75%) based on population and twenty-  
 15 five percent (25%) based on the number of all persons in poverty  
 16 within each health district.

17 (d) One-half (1/2) of the amount appropriated shall be remitted to the  
 18 public health trust fund on or before July 15; and

19 (ee) The remaining one-half (1/2) of the amount appropriated shall be  
 20 remitted to the public health trust fund on or before January 15.

21 (4) For purposes of subsection (3) of this section, the population for  
 22 each health district will be determined based on the population figures doc-  
 23 umented by the United States census bureau as of April 1 in the calendar year  
 24 in which the appropriation is made by the legislature. The number of all  
 25 persons in poverty in each health district will be determined based on the  
 26 census bureau's "Small Area Income and Poverty Estimates" publication, or a  
 27 successor publication issued by the census bureau as determined by the board  
 28 of trustees, as of April 1 in the calendar year in which the appropriation is  
 29 made by the legislature.

30 (5) The liability of the state of Idaho to the public health districts  
 31 and the public health district fund and its divisions is limited to:

32 (a) The funds actually authorized and granted to the various public  
 33 health districts as provided in subsection (1) of this section; and

34 (b) The funds actually authorized or granted to the various public  
 35 health districts as provided for in subsection (2) of this section; and

36 (c) The funds due the various health districts in payment of legally au-  
 37 thorized contracts and agreements entered into between the departments  
 38 of the state of Idaho and the various public health districts.

39 (56) If revenues to the state treasury are insufficient to fully meet  
 40 appropriations, and reductions in spending authority have been ordered pur-  
 41 suant to law, the amount of moneys to match revenues contributed by the coun-  
 42 ties, pursuant to section 39-423, Idaho Code, which has been appropriated  
 43 pursuant to this section, shall be reduced by the same percentage rate as  
 44 other general account appropriations.