

IN THE SENATE

SENATE BILL NO. 1332

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1
2 RELATING TO AMBULANCE SERVICE DISTRICTS; AMENDING SECTION 31-3901, IDAHO
3 CODE, TO REVISE PROVISIONS REGARDING COUNTY AMBULANCE SERVICE; AMEND-
4 ING SECTION 31-3902, IDAHO CODE, TO REVISE PROVISIONS REGARDING A
5 COUNTY AMBULANCE SERVICE FUND; AMENDING SECTION 31-3903, IDAHO CODE, TO
6 REVISE PROVISIONS REGARDING THE POWERS AND DUTIES OF A BOARD OF COUNTY
7 COMMISSIONERS; AMENDING SECTION 31-3904, IDAHO CODE, TO REVISE PRO-
8 VISIONS REGARDING CERTAIN AMBULANCE SERVICE FEES; AMENDING SECTION
9 31-3905, IDAHO CODE, TO REVISE PROVISIONS REGARDING AN AMBULANCE SER-
10 VICE TAX; AMENDING SECTION 31-3906, IDAHO CODE, TO REVISE PROVISIONS
11 REGARDING COOPERATIVE AGREEMENTS FOR AMBULANCE SERVICE; AMENDING SEC-
12 TION 31-3907, IDAHO CODE, TO REVISE PROVISIONS REGARDING A TERMINATED
13 AMBULANCE SERVICE; AMENDING SECTION 31-3908, IDAHO CODE, TO REVISE PRO-
14 VISIONS REGARDING CERTAIN AMBULANCE SERVICE DISTRICTS; AMENDING CHAP-
15 TER 39, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3911,
16 IDAHO CODE, TO PROVIDE FOR THE FORMATION OF CERTAIN AMBULANCE SERVICE
17 DISTRICTS; AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE ADDITION
18 OF A NEW SECTION 31-3912, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING
19 AMBULANCE SERVICE DISTRICT COMMISSIONERS; AMENDING CHAPTER 39, TITLE
20 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3913, IDAHO CODE, TO
21 PROVIDE FOR THE ORGANIZATION OF A BOARD OF AMBULANCE SERVICE DISTRICT
22 COMMISSIONERS; AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE AD-
23 DITION OF A NEW SECTION 31-3914, IDAHO CODE, TO ESTABLISH PROVISIONS
24 REGARDING THE CORPORATE POWERS AND DUTIES OF A BOARD OF AMBULANCE SER-
25 VICE COMMISSIONERS; AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE
26 ADDITION OF A NEW SECTION 31-3915, IDAHO CODE, TO PROVIDE FOR A PROPERTY
27 TAX LEVY AND FOR A LEVY ELECTION; AMENDING CHAPTER 39, TITLE 31, IDAHO
28 CODE, BY THE ADDITION OF A NEW SECTION 31-3916, IDAHO CODE, TO PROVIDE
29 FOR THE DUTIES OF COUNTY COMMISSIONERS REGARDING AN AMBULANCE SERVICE
30 DISTRICT LEVY; AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE ADDI-
31 TION OF A NEW SECTION 31-3917, IDAHO CODE, TO PROVIDE FOR THE HANDLING OF
32 AMBULANCE SERVICE DISTRICT FUNDS; AMENDING CHAPTER 39, TITLE 31, IDAHO
33 CODE, BY THE ADDITION OF A NEW SECTION 31-3918, IDAHO CODE, TO ESTABLISH
34 PROVISIONS REGARDING INDEBTEDNESS OF AN AMBULANCE SERVICE DISTRICT AND
35 TO PROVIDE EXCEPTIONS; AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE
36 ADDITION OF A NEW SECTION 31-3919, IDAHO CODE, TO PROVIDE FOR THE CAR-
37 RYOVER OF AN AMBULANCE SERVICE DISTRICT FUND BALANCE; AMENDING CHAPTER
38 39, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3920, IDAHO
39 CODE, TO PROVIDE FOR THE INCLUSION, ANNEXATION, OR WITHDRAWAL OF AN AREA
40 IN CITIES WITHIN AN AMBULANCE SERVICE DISTRICT; AMENDING CHAPTER 39,
41 TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3921, IDAHO
42 CODE, TO ESTABLISH PROVISIONS REGARDING INTRA-AGENCY AND MUTUAL AID
43 AGREEMENTS; AND AMENDING CHAPTER 39, TITLE 31, IDAHO CODE, BY THE ADDI-
44 TION OF A NEW SECTION 31-3922, IDAHO CODE, TO ESTABLISH PROVISIONS FOR
45 THE DISSOLUTION OF AN AMBULANCE SERVICE DISTRICT.

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

2 SECTION 1. That Section 31-3901, Idaho Code, be, and the same is hereby
3 amended to read as follows:

4 31-3901. AUTHORIZATION TO ESTABLISH AMBULANCE SERVICE -- SPECIAL
5 LEVY. (1) Except as provided in subsection (2) of this section, tThe boards
6 of county commissioners in the several counties are hereby authorized,
7 whenever existing ambulance service is not reasonably available to the in-
8 habitants of the county or any portion thereof, to procure an ambulance and
9 pay for the same out of any funds available and to establish an ambulance ser-
10 vice to serve the areas, ~~which that~~ do not have an existing ambulance service
11 reasonably available, both within and outside the cities and villages in
12 their respective counties, and to levy a special tax not to exceed two_hun-
13 dredths percent (.02%) of the market value for assessment purposes on all
14 taxable property within the county to support the same. Providing ambulance
15 service is a governmental function.

16 (2) A county that provides ambulance service pursuant to subsection (1)
17 of this section prior to July 1, 2020, may continue to operate under the au-
18 thority of this section. However, no board of county commissioners may ex-
19 ercise the powers granted under this section for the first time on and after
20 July 1, 2020.

21 SECTION 2. That Section 31-3902, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 31-3902. COUNTY TREASURERS TO ESTABLISH AMBULANCE SERVICE FUND. The
24 county treasurer of each county in which an ambulance service has been es-
25 tablished pursuant to ~~this act~~ section 31-3901, Idaho Code, prior to July 1,
26 2020, shall establish a fund to be designated as the ambulance service fund,
27 and used exclusively for the purposes of ~~this act~~ section 31-3901, Idaho
28 Code.

29 SECTION 3. That Section 31-3903, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 31-3903. AMBULANCE SERVICE -- POWERS AND DUTIES OF BOARD OF COUNTY
32 COMMISSIONERS. (1) The board of county commissioners shall determine the
33 manner in which said ambulance service shall be operated, ~~and is empowered to~~
34 make expenditures from the ambulance service fund for the purchase or lease
35 of real property and the construction of buildings necessary in connection
36 with said service, to acquire necessary equipment for the operation and
37 maintenance of said service, and to pay necessary salaries.

38 (2) A county that provides ambulance service pursuant to section
39 31-3901, Idaho Code, prior to July 1, 2020, may continue to operate under
40 the authority of this section. However, no board of county commissioners
41 may exercise the powers granted under this section for the first time on and
42 after July 1, 2020.

43 SECTION 4. That Section 31-3904, Idaho Code, be, and the same is hereby
44 amended to read as follows:

1 31-3904. AMBULANCE SERVICE -- FEES. (1) The board of county commis-
2 sioners shall adopt a schedule of fees to be charged for the use of ~~said~~ am-
3 bulance service provided under the authority of section 31-3901, Idaho Code.
4 All such fees shall be collected, accounted for and paid to the county trea-
5 surer for deposit in the ambulance service fund, and shall be used to pay ex-
6 penses as incurred in the maintenance and operation of said ambulance ser-
7 vice.

8 (2) A county that provides ambulance service pursuant to section
9 31-3901, Idaho Code, prior to July 1, 2020, may continue to operate under
10 the authority of this section. However, no board of county commissioners
11 may exercise the powers granted under this section for the first time on and
12 after July 1, 2020.

13 SECTION 5. That Section 31-3905, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 31-3905. AMBULANCE SERVICE -- OPERATION DEPENDENT UPON RESOLUTION OF
16 EACH CITY -- RIGHT TO TAX UNAFFECTED BY NONSERVICE. All cities and villages
17 within the county, upon resolution duly passed and approved and presented to
18 the board of county commissioners, may authorize said ambulance service to
19 operate within the boundaries of said city or village, but the failure of any
20 such governing body to authorize said ambulance service to operate within
21 the limits of said village or city, shall not affect the right of the board of
22 county commissioners to levy the tax ~~as hereinbefore provided~~ authorized un-
23 der section 31-3901, Idaho Code.

24 SECTION 6. That Section 31-3906, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 31-3906. AMBULANCE SERVICE -- ADJACENT COUNTIES AND/OR PRIVATE INDI-
27 VIDUALS AND CORPORATIONS MAY HAVE COOPERATIVE AGREEMENT. The board of county
28 commissioners of any county wherein such ambulance service has been estab-
29 lished pursuant to section 31-3901, Idaho Code, prior to July 1, 2020, is au-
30 thorized, in its discretion and under such terms and conditions as it deems
31 appropriate, to enter into a cooperative agreement with adjacent counties
32 and for private individuals and corporations to provide ambulance service
33 for such county or counties or a portion thereof. All cost of said service
34 shall be apportioned equitably among the participating counties as deter-
35 mined by their respective boards of county commissioners.

36 SECTION 7. That Section 31-3907, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 31-3907. AMBULANCE SERVICE -- TERMINATION OF. Any county having
39 adopted and established an ambulance service ~~as provided in this act,~~
40 pursuant to section 31-3901, Idaho Code, prior to July 1, 2020, may termi-
41 nate the same for good cause by the adoption of a resolution by the board of
42 county commissioners. Upon the termination of said ambulance service, all
43 vehicles and property not necessary for other county purposes shall be sold
44 and the proceeds therefrom paid to the county treasurer to be deposited in
45 the general fund of the county. All moneys on deposit in the ambulance ser-

1 vice fund shall be transferred to the general fund of the county. Provided,
2 however, in the event that an ambulance service district formed pursuant to
3 section 31-3911, Idaho Code, is succeeding the terminated ambulance service
4 by the county, then the board of county commissioners may adopt a resolution
5 providing that the vehicles and property shall instead be transferred to the
6 new ambulance service district.

7 SECTION 8. That Section 31-3908, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 31-3908. AMBULANCE DISTRICT AUTHORIZED -- DISTRICTS FORMED BEFORE
10 JULY 1, 2020. The provisions set forth in this section shall govern an ambu-
11 lance district formed prior to July 1, 2020:

12 (1) The county commissioners of any county shall, upon petition signed
13 by not less than fifty (50) qualified electors of said county, or any por-
14 tion thereof, which may exclude incorporated cities, undertake the follow-
15 ing procedure to determine the advisability of resolving to establish and
16 maintain an ambulance service district within the county as may be desig-
17 nated in the petition.

18 (a) A petition to form an ambulance service district shall be presented
19 to the county clerk and recorder. The petition shall be signed by not
20 less than fifty (50) of the resident real property holders within the
21 proposed district. The petition shall designate the boundaries of the
22 district.

23 (b) The petition shall be filed with the county clerk and recorder of
24 the county in which the signers of the petition are located. Upon the
25 filing of the petition, the county clerk shall examine the petition
26 and certify whether the required number of petitioners have signed the
27 petition. If the number of petition signers is sufficient, the clerk
28 shall transmit the petition to the board of county commissioners.

29 (c) Upon receipt of a duly certified petition, the board of county com-
30 missioners shall cause the text of the petition to be published once a
31 week for at least three (3) consecutive weeks in a newspaper of general
32 circulation within the county. With the publication of the petition
33 there shall be published a notice of the time of the meeting of the board
34 of county commissioners when the petition will be considered stating
35 that all persons interested may appear and be heard. No more than five
36 (5) names attached to the petition shall appear in the publication and
37 notice, but the number of signatures shall be stated.

38 At the time of filing the petition, the sponsors thereof shall cause
39 to be deposited with the county clerk a sufficient sum of money to cover
40 the cost of publication of the petition and all necessary notices. If
41 the petition and notices are not published, the deposit shall be re-
42 turned to whomever deposited the funds, and if there is any surplus
43 remaining after paying for the publication as herein provided, it shall
44 be returned to the original depositors, and if a district is created,
45 the fees so expended are an obligation of the district and shall be re-
46 paid by the district to the depositors.

47 (d) At the time set for hearing the petition, the board of county com-
48 missioners shall hear all persons who desire to be heard relative to the
49 creation of an ambulance service district. The board of county commis-

1 sioners may, if they so desire and it appears desirable, adjourn the
 2 meeting for not to exceed thirty (30) days ~~in time~~ to further hear the
 3 petitioners and protestants, if any. After the hearing or hearings, the
 4 board of county commissioners shall adopt a resolution either creating
 5 the proposed ambulance service district or denying the petition. When
 6 the board of county commissioners creates an ambulance service dis-
 7 trict, the board shall adopt a resolution describing the boundaries of
 8 the district.

9 (e) When the board of county commissioners adopts the resolution creat-
 10 ing the ambulance service district, the board shall include in the res-
 11 olution the name of the district, and file a copy of the order creat-
 12 ing the district with the county clerk and recorder, for which the clerk
 13 shall receive a fee of three dollars (\$3.00).

14 (f) Procedures for annexation, deannexation, or dissolution of a dis-
 15 trict created pursuant to this section shall be in substantial compli-
 16 ance with the provisions for public notice and hearing provided herein,
 17 and shall be by resolution adopted by the board of county commissioners.

18 (2) When the board of county commissioners has ordered the creation of
 19 an ambulance service district, pursuant to the provisions of this section,
 20 such district is hereby recognized as a legal taxing district, and providing
 21 ambulance service is a governmental function.

22 (3) The board of county commissioners shall be the governing board of an
 23 ambulance service district created pursuant to this section, and shall exer-
 24 cise the duties and responsibilities provided in chapter 39, title 31, Idaho
 25 Code.

26 (4) In any county where an ambulance service district is created as pro-
 27 vided herein, the board of county commissioners is authorized to levy a spe-
 28 cial tax, not to exceed four-hundredths percent (.04%) of market value for
 29 assessment purposes, except as authorized by paragraph (a) of this subsec-
 30 tion, upon all taxable property within the district for the purposes of the
 31 district, but the levy otherwise authorized in section 31-3901, Idaho Code,
 32 shall not be made on taxable property within the district.

33 (a) In any county where an ambulance service district:

34 (i) Was created as of January 1, 1976;

35 (ii) Had at the time of its creation a market value for assessment
 36 purposes of the district of less than three hundred million dol-
 37 lars (\$300,000,000); and

38 (iii) The service provided by the district is an advanced life sup-
 39 port paramedic unit;

40 the board of county commissioners may submit to the electors within the
 41 district the question of whether the levy authorized in this subsection
 42 ~~(4) of this section~~ may be increased to a levy not to exceed six-hun-
 43 dredths percent (.06%) of market value for assessment purposes upon all
 44 taxable property within the district for the purposes of the district,
 45 if approved by a minimum of two-thirds (2/3) of the qualified electors
 46 of the district voting at an election called for that purpose and held
 47 on the May or November dates provided in section 34-106, Idaho Code, but
 48 the levy otherwise authorized in section 31-3901, Idaho Code, shall not
 49 be made on taxable property within the district.

1 (5) The board of county commissioners is authorized by resolution to
2 create an ambulance district capital improvement account. The board may
3 dedicate all or a portion of the fees and taxes collected pursuant to this
4 chapter to the capital improvement account for the purpose of purchasing
5 necessary buildings, land or equipment for the operation of the district.
6 The board is further authorized to carry over and add to the funds in the
7 account from year to year in order to make the purchases authorized by this
8 subsection.

9 (6) As used in this chapter, "ambulance district" or "ambulance service
10 district" means a political subdivision formed to provide ambulance trans-
11 port, emergency medical services as defined in section 56-1012, Idaho Code,
12 community health emergency medical services as defined in section 56-1012,
13 Idaho Code, and/or other activities necessary to meet the community health
14 needs of the district.

15 SECTION 9. That Chapter 39, Title 31, Idaho Code, be, and the same is
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
17 ignated as Section 31-3911, Idaho Code, and to read as follows:

18 31-3911. AMBULANCE SERVICE DISTRICT -- DISTRICTS FORMED ON AND AFTER
19 JULY 1, 2020. The provisions of sections 31-3911 through 31-3922, Idaho
20 Code, shall govern any ambulance service district formed on and after July
21 1, 2020:

22 (1) A petition to form an ambulance service district must be signed by
23 no fewer than fifty (50) qualified electors within the proposed district.
24 The petition shall designate the boundaries of the proposed district, shall
25 state the name of the proposed district, and shall be accompanied by a map of
26 the proposed district. The petition shall be filed with the county clerk and
27 recorder of the county or counties in which the proposed district lies. Upon
28 the filing of the petition, each county clerk shall examine the petition and
29 certify whether the required number of petitioners have signed the petition.

30 (2) Any incorporated city that lies within the boundaries of a proposed
31 ambulance service district must pass a resolution consenting to participa-
32 tion in the ambulance service district before the district may be formed.
33 Copies of the city resolutions must be filed with the county clerk or clerks
34 by the petitioners at the time of filing the petition.

35 (3) At the time of filing the petition, the petitioners shall deposit
36 with the county clerk a sufficient sum of money to cover the cost of publi-
37 cation of the petition and all necessary notices. If the petition and no-
38 tices are not published, the deposit shall be returned to the petitioners,
39 and if there is any surplus remaining after paying for the publication as
40 provided in this section, it shall be returned to the petitioners. If a dis-
41 trict is created, the petitioners shall be reimbursed the amount of their de-
42 posit from the first tax moneys collected by the district.

43 (4) If the provisions of subsections (1), (2), and (3) of this section
44 have been met, the clerk or clerks shall transmit the petition and city
45 resolutions to the board or boards of county commissioners. Upon receipt
46 of a duly certified petition, the board or boards of county commissioners
47 shall cause the text of the petition to be published once a week for at least
48 three (3) consecutive weeks in a newspaper of general circulation within the
49 county or counties. With the publication of the petition, there shall be

1 published a notice of the time of the meeting of the board of county commis-
2 sioners when the petition will be heard and a statement that all persons in-
3 terested may appear and be heard. No more than five (5) names attached to the
4 petition shall appear in the publication and notice, but the number of sig-
5 natures shall be stated. If the district is to be situated in two (2) or more
6 counties, each board of county commissioners shall coordinate the hearing
7 date and the publications of notice so that only one (1) hearing need be held.

8 (5) After hearing and considering any and all testimony, the county
9 commissioners shall make an order denying or granting the petition, with or
10 without modifications. Any order granting the petition shall state the name
11 and fix the boundaries of the proposed district. The boundaries so fixed
12 shall be the boundaries of the district after its organization is completed
13 according to law. A map showing the boundaries of the proposed district as
14 finally fixed and determined by the board or boards of county commissioners
15 shall be prepared and filed in the office of the clerk of the county or coun-
16 ties.

17 (6) Following the issuance of an order by the county commissioners
18 fixing the name and boundaries of the proposed district, the county clerk
19 shall publish notice of an election to be held on the May or November election
20 date set forth in section 34-106, Idaho Code, for the purpose of determining
21 whether or not the proposed district shall be organized. The notice shall
22 state the name and boundaries of the proposed district and shall state that a
23 map showing the boundaries of the proposed district is on file in the clerk's
24 office. The notice shall require the electors to cast ballots that contain
25 the words "... ambulance service district, yes" or "... ambulance service
26 district, no" or words equivalent thereto. The notice shall be published
27 first no less than fifteen (15) days before the election and a second pub-
28 lication no less than five (5) days prior to the election in a newspaper of
29 general circulation within the county. No person shall be entitled to vote
30 at any election held under this section unless he possesses all the qualifi-
31 cations required of electors under the general laws of the state, and he is a
32 resident of the proposed district.

33 (7) If the district is to be situated in two (2) or more counties, the
34 boards of county commissioners shall provide that the election will be held
35 on the same day in each county. The boards of county commissioners shall co-
36 ordinate the canvass of the votes cast and make one (1) joint announcement.

37 (8) (a) If a majority of the votes cast in any county are against the for-
38 mation of the district, the rejection shall void the organization of the
39 district in all counties.

40 (b) If more than one-half (1/2) of the votes cast are in favor of cre-
41 ating the ambulance service district, the board or boards of county
42 commissioners shall order that such territory is duly organized as an
43 ambulance service district under the name designated on the ballot. A
44 certified copy of the order shall be filed for record in the office of
45 the county recorder of each county in which the district is located and
46 shall be transmitted to the governor. From and after the date of filing
47 the order, the organization of the district is complete.

48 SECTION 10. That Chapter 39, Title 31, Idaho Code, be, and the same is
49 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
50 ignated as Section 31-3912, Idaho Code, and to read as follows:

1 31-3912. AMBULANCE SERVICE DISTRICT COMMISSIONERS -- SUBDISTRICTS --
2 TERM OF OFFICE -- VACANCIES. (1) At the meeting of the board of county com-
3 missioners at which the ambulance service district is declared organized,
4 as provided in section 31-3911, Idaho Code, the county commissioners shall
5 divide the ambulance service district into three (3) subdivisions, as nearly
6 equal in population, area, and mileage as practicable, to be known as ambu-
7 lance service commissioner subdistricts 1, 2, and 3. No more than one (1) of
8 the ambulance service district commissioners shall be a resident of the same
9 ambulance service subdistrict. The first commissioners appointed by the
10 board of county commissioners shall serve until the next ambulance service
11 district election, at which time their successors shall be elected. On the
12 first Tuesday following the first Monday of November, of the next odd-num-
13 bered year following the organization of an ambulance service district,
14 three (3) ambulance service district commissioners shall be elected. The
15 term of office for ambulance service commissioners shall commence on the
16 second Monday of January succeeding each general election. Commissioners
17 appointed or elected must be electors residing within the ambulance service
18 district for at least one (1) year immediately preceding their appointment
19 or election. At the first election following organization of an ambulance
20 service district, the commissioner from ambulance service subdistrict 1
21 shall be elected to a term of two (2) years and the commissioners from sub-
22 districts 2 and 3 shall be elected to a term of four (4) years; thereafter,
23 the term of office of all commissioners shall be four (4) years. For com-
24 missioners whose term in office expires in any even-numbered year, such
25 commissioners shall remain in office until the next election in an odd-num-
26 bered year. Such elections and all other elections held under this chapter
27 shall be held in conformity with the general laws of the state including
28 chapter 14, title 34, Idaho Code.

29 (2) Any ambulance service commissioner vacancy occurring, other than
30 by the expiration of the term of office, shall be filled by the board of
31 ambulance service commissioners. If a duly elected or appointed ambulance
32 service commissioner resigns, withdraws, becomes disqualified, refuses or,
33 without first providing signed written notice of a temporary vacancy, be-
34 comes otherwise unable to perform the duties of office for longer than ninety
35 (90) days, the board, on satisfactory proof of the vacancy, shall declare the
36 office vacant. The board shall fill any vacancies within sixty (60) days of
37 learning of the vacancy. When a vacancy occurs, the board shall direct the
38 secretary to cause a notice of the vacancy to be published in at least one (1)
39 issue of a newspaper of general circulation within the district. The notice
40 shall include the date and time of the meeting when the board will vote to
41 fill the vacancy and the deadline for qualified elector residents interested
42 in being appointed to the position to submit a written request for appoint-
43 ment to the board. Should the remaining members of the board fail to agree on
44 an individual to fill the vacancy, it shall select the individual by placing
45 the names of all interested persons who received the highest and equal number
46 of votes in a container. The ambulance service commissioner with the most
47 continuous length of service shall draw one (1) name from the container. The
48 person whose name is drawn shall then be appointed to fill the vacancy.

49 (3) If more than fifty percent (50%) of the elected official seats on
50 an ambulance service district board of commissioners are vacant, any remain-

1 ing member of the ambulance service district board of commissioners, or any
2 elector of the ambulance service district, may petition the board of county
3 commissioners of the county or counties in which the subdistrict vacancies
4 are situated to make such appointments as are necessary to fill the vacan-
5 cies on the ambulance service district board of commissioners. The vacan-
6 cies shall be filled by the board or boards of county commissioners within
7 sixty (60) days of receiving a written petition. Any ambulance service com-
8 missioner so appointed shall serve out the remainder of the term for the com-
9 missioner last serving in the vacant seat to be filled and shall be a resident
10 of the same ambulance service commissioner's subdistrict.

11 (4) The board of ambulance service district commissioners may revise
12 subdistricts when they deem it necessary due to significant shifts in popu-
13 lation. The board of ambulance service district commissioners shall revise
14 subdistricts upon any annexation of territory into the district and, in any
15 case, within six (6) months following the end of each decennial United States
16 census reporting year so as to equalize the population, area, and mileage be-
17 tween the subdistricts as nearly as practicable. Of the commissioners com-
18 prising the board, no more than one (1) commissioner shall be a resident of
19 the same ambulance service commissioner's subdistrict. The revision of sub-
20 districts shall not disqualify any elected commissioner from the completion
21 of the term for which he has been duly elected. Notice of revised ambulance
22 service commissioner subdistricts shall be provided to the county clerk of
23 the county or counties in which the changes occur by means of a resolution
24 that includes a map depicting the revised subdistrict boundaries.

25 (5) In any election for ambulance service district commissioner, if,
26 after the deadline for filing a declaration of intent as a write-in candi-
27 date, it appears that only one (1) qualified candidate has been nominated for
28 a subdistrict to be filled, it shall not be necessary for the candidate of
29 that subdistrict to stand for election, and the board of the ambulance ser-
30 vice district commissioners shall declare such candidate elected as commis-
31 sioner, and the secretary of the district shall immediately make and deliver
32 to such person a certificate of election.

33 (6) The results of any election for ambulance service district commis-
34 sioner shall be certified by the county clerk of the county or counties of the
35 district and the results reported to the ambulance service district.

36 SECTION 11. That Chapter 39, Title 31, Idaho Code, be, and the same is
37 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
38 ignated as Section 31-3913, Idaho Code, and to read as follows:

39 31-3913. ORGANIZATION OF BOARD -- MEETINGS -- OFFICERS -- OFFICIAL
40 BONDS. (1) Immediately after qualifying, the board of ambulance service
41 commissioners shall meet and organize as a board and, at that time and when-
42 ever thereafter vacancies in the respective offices may occur, they shall
43 elect a president from their number and shall appoint a secretary and trea-
44 surer, who may also be from their number, all of whom shall hold office at
45 the pleasure of the board or for terms fixed by the board. The offices of
46 secretary and treasurer may be filled by the same person. Certified copies
47 of all such appointments, under the hand of each of the commissioners, shall
48 be forthwith filed with the clerk of the board of county commissioners and
49 with the tax collector of the county.

1 (2) As soon as practicable after the organization of the first board of
2 ambulance service district commissioners, and thereafter when deemed expe-
3 dient or necessary, the board shall designate a day and hour on which regu-
4 lar meetings shall be held and a place for the holding thereof, which shall be
5 within the district. Regular meetings shall be held at least quarterly. The
6 minutes of all meetings must show what bills are submitted, considered, al-
7 lowed, or rejected. The secretary shall make a list of all bills presented,
8 showing to whom payable, for what service or material, when and where used,
9 the amount claimed, allowed or disallowed. Such list shall be acted on by
10 the board. All meetings of the board must be public, and a majority shall
11 constitute a quorum for the transaction of business. All ambulance service
12 districts shall meet the financial audit filing requirements as provided in
13 section 67-450B, Idaho Code. All meetings of ambulance service boards shall
14 be noticed and run in accordance with the open meetings law provided for in
15 chapter 2, title 74, Idaho Code. All records of ambulance service districts
16 shall be available to the public in accordance with the provisions of public
17 records law as provided for in chapter 1, title 74, Idaho Code.

18 (3) The officers of the district shall take and file with the secretary
19 an oath for faithful performance of the duties of the respective offices.
20 The treasurer shall, on his appointment, execute and file with the secretary
21 an official bond in compliance with section 41-2604, Idaho Code, in such an
22 amount as may be fixed by the ambulance service board but in no case less than
23 ten thousand dollars (\$10,000).

24 SECTION 12. That Chapter 39, Title 31, Idaho Code, be, and the same is
25 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
26 ignated as Section 31-3914, Idaho Code, and to read as follows:

27 31-3914. CORPORATE POWERS AND DUTIES OF BOARD OF AMBULANCE SERVICE
28 COMMISSIONERS. A board of ambulance service commissioners shall have dis-
29 cretionary powers to manage and conduct the business and affairs of the
30 district. The discretionary powers shall include but not be limited to the
31 following:

- 32 (1) To sue and be sued;
- 33 (2) To purchase, hold, sell, and convey real property, make such con-
34 tracts, and purchase, hold, sell, and dispose of such personal property as
35 may be necessary or convenient for the purposes of this chapter;
- 36 (3) To levy and apply such taxes for purposes under its exclusive juris-
37 diction as are authorized by law and to approve the annual district budget by
38 resolution of the board;
- 39 (4) To make and execute all necessary contracts;
- 40 (5) To adopt such rules and resolutions as may be necessary to carry out
41 its duties and responsibilities;
- 42 (6) To hire, pay, promote, discipline, and terminate district employ-
43 ees, contractors, and agents, or to delegate such powers;
- 44 (7) To set compensation and benefit levels for employees, commission-
45 ers, contractors, and agents; and
- 46 (8) To charge and collect reasonable fees for services provided to res-
47 idents of the ambulance service district or city, in accordance with the pro-
48 visions of sections 63-1311 and 63-1311A, Idaho Code.

1 SECTION 13. That Chapter 39, Title 31, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 31-3915, Idaho Code, and to read as follows:

4 31-3915. LEVY -- ELECTION. (1) Each year, immediately prior to the an-
5 nual county levy of taxes, the board of commissioners of each ambulance ser-
6 vice district organized under section 31-3911, Idaho Code, may levy a tax
7 upon all the taxable property within the boundaries of such district suf-
8 ficient to defray the cost of equipping and maintaining the district in the
9 amount of four-hundredths percent (.04%) of market value for assessment pur-
10 poses, to be used for the purposes of this chapter and for no other purpose.
11 The levy shall be made by resolution entered upon the minutes of the board of
12 commissioners of the ambulance service district, and it shall be the duty of
13 the secretary of the district, immediately after entry of the resolution in
14 the minutes, to transmit to the county auditor and the county assessor cer-
15 tified copies of the resolution providing for such levy. Said taxes shall be
16 collected as provided by section 63-812, Idaho Code.

17 (2) The board of commissioners of an ambulance service district orga-
18 nized under section 31-3911, Idaho Code, may submit to the electors within
19 the district the question of whether the levy authorized in subsection (1)
20 of this section may be increased to a levy not to exceed six-hundredths per-
21 cent (.06%) of market value for assessment purposes upon all taxable prop-
22 erty within the district for the purposes of the district, if approved by a
23 minimum of two-thirds (2/3) of the qualified electors of the district voting
24 at an election called for that purpose and held on the May or November dates
25 provided in section 34-106, Idaho Code.

26 SECTION 14. That Chapter 39, Title 31, Idaho Code, be, and the same is
27 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
28 ignated as Section 31-3916, Idaho Code, and to read as follows:

29 31-3916. DUTIES OF COUNTY COMMISSIONERS. The board of county commis-
30 sioners, at the time of making the annual county levies, shall make a levy
31 upon all the taxable property not exempt from taxation within each district
32 within the county in the same amount as the levy made by the board of com-
33 missioners of each ambulance service district and shall certify such levy or
34 levies to the county auditor, and said auditor shall extend such levy on the
35 rolls of the county, as other county taxes are extended; such special taxes
36 so levied shall constitute a lien upon the property so assessed and shall be
37 due and payable at the same time and in all respects are to be collected in the
38 same manner as the state and county taxes, except that the tax collector must
39 keep a separate list thereof and must list said tax in his receipt to the tax-
40 payers and must pay to the county treasurer as he pays other taxes, specify to
41 the treasurer what taxes they are and take a separate receipt therefor, and
42 keep separate accounts thereof.

43 SECTION 15. That Chapter 39, Title 31, Idaho Code, be, and the same is
44 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
45 ignated as Section 31-3917, Idaho Code, and to read as follows:

1 31-3917. HANDLING OF DISTRICT FUNDS. (1) The tax receipts collected by
2 the county as provided for in section 31-3916, Idaho Code, and other funds
3 shall immediately be paid over by the county treasurer to the treasurer of
4 the ambulance service district, who shall deposit the same in a bank and be
5 handled in the manner prescribed by the state depository law, and all other
6 funds received by or on behalf of the district shall be deposited by the
7 treasurer to the credit of the district fund and shall be drawn upon voucher
8 and by check bearing the signature of the treasurer and at least one (1)
9 commissioner or, in the event that the treasurer is unavailable, checks may
10 be signed by two (2) commissioners. Upon written resolution of the board,
11 checks may be signed by designated representatives who have been bonded in
12 amounts deemed appropriate by the board.

13 (2) It is hereby made the duty of the treasurer of the ambulance ser-
14 vice district to keep account of the district's funds, to place to the credit
15 of the district all moneys received by him from the collector of taxes or
16 from any other officer charged with the collection of taxes as the proceeds
17 of taxes levied by the ambulance service board of commissioners, or from any
18 other sources, and of all other moneys belonging to the district, and to pay
19 over all moneys belonging to the district on legally drawn warrants or orders
20 of the district officers entitled to draw the same.

21 (3) No checks or warrants shall be signed until it is determined that
22 the payment has been legally authorized, that the money has been duly appro-
23 priated by the board, and that such appropriation has not been exhausted.
24 No checks or warrants shall be drawn in excess of the moneys actually in the
25 district treasury. Warrants may be issued in anticipation of a levy except
26 as otherwise provided in this chapter. The district shall pay warrants pre-
27 sented for payment provided there is money in the treasury for that purpose.

28 (4) All warrants for the payment of an indebtedness of an ambulance ser-
29 vice district that are unpaid due to lack of funds shall bear interest at a
30 rate to be fixed by the ambulance service board of commissioners from the
31 date of the registering of such unpaid warrants with the treasurer. The dol-
32 lar amount of the warrants shall not exceed the revenue provided for the year
33 in which the indebtedness was incurred.

34 SECTION 16. That Chapter 39, Title 31, Idaho Code, be, and the same is
35 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
36 ignated as Section 31-3918, Idaho Code, and to read as follows:

37 31-3918. INDEBTEDNESS PROHIBITED -- EXCEPTIONS. The board of commis-
38 sioners of an ambulance service district organized pursuant to the provi-
39 sions of this chapter shall have no power to incur any debt or liability, ex-
40 cept as otherwise provided in this section:

41 (1) In the first year after organization, the board of a district may,
42 for the purpose of organization, to finance general preliminary expenses
43 of the district or for any other purpose of the ambulance service district
44 law, and before making a tax levy, incur an indebtedness not exceeding in
45 the aggregate a sum equal to one cent (1¢) on each one hundred dollars (\$100)
46 of market value for assessment purposes of all real and personal property
47 within the district.

48 (2)(a) Whenever the board of commissioners of an ambulance service
49 district determines that the interest of said district and the public

1 interest or necessity require incurring an indebtedness exceeding the
2 income and revenue provided for the year for the purposes of acquir-
3 ing, purchasing, constructing, improving and equipping lands, building
4 sites, and buildings, together with the necessary appurtenant facili-
5 ties and equipment, or acquiring and purchasing suitable equipment and
6 apparatus necessary to provide ambulance service, or both, the board
7 shall have the power and authority as provided in this section to issue
8 general obligation coupon bonds not to exceed in the aggregate at any
9 time two percent (2%) of market value for assessment purposes of the
10 real and personal property in said district.

11 (b) Whenever the board of a district shall deem it advisable to issue
12 general obligation coupon bonds, the board shall provide for the is-
13 suance of such bonds by ordinance that shall specify and set forth all
14 the purposes, objects, and things required by section 57-203, Idaho
15 Code, and make provision for the collection of an annual tax sufficient
16 to:

17 (i) Constitute a sinking fund for the payment of the principal
18 thereof within thirty (30) years from the time of contracting said
19 bonded indebtedness; and

20 (ii) To pay the interest on such proposed bonds as it falls due.

21 (c) The aforesaid ordinance shall also provide for holding an elec-
22 tion with the notice in compliance with section 34-1406, Idaho Code.
23 The election shall be conducted in the manner and form, the returns
24 canvassed, and the qualifications of electors of the district voting
25 or offering to vote shall be determined, as provided by the pertinent
26 and applicable provisions of title 34, Idaho Code. The voting at such
27 election must be by ballot and the ballot used shall be substantially as
28 follows: "In favor of issuing bonds for the amount of dollars for
29 the purpose stated in Ordinance No." and "Against issuing bonds
30 for the amount of dollars for the purpose stated in Ordinance No.
31" If at such election two-thirds (2/3) of the qualified electors
32 voting at such election assent to the issuing of such bonds and the in-
33 curring of the indebtedness thereby created for the purposes, objects,
34 and things provided in said Ordinance No., such bonds shall be
35 issued in the manner provided by chapter 2, title 57, Idaho Code, the
36 municipal bond law of the state of Idaho.

37 (d) Bonds issued pursuant to the provisions of this section and the in-
38 come therefrom shall be exempt from taxation.

39 SECTION 17. That Chapter 39, Title 31, Idaho Code, be, and the same is
40 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
41 ignated as Section 31-3919, Idaho Code, and to read as follows:

42 31-3919. CARRY OVER -- FUND BALANCE. The board of commissioners of an
43 ambulance service district may accumulate fund balances at the end of a fis-
44 cal year and carry over those fund balances into the following fiscal year
45 budget for equipping and maintaining the district. As used in this section,
46 "fund balance" means the excess of the assets of a fund over its liabilities
47 and reserves.

1 SECTION 18. That Chapter 39, Title 31, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 31-3920, Idaho Code, and to read as follows:

4 31-3920. INCLUSION, ANNEXATION, OR WITHDRAWAL OF AREA IN CITIES
5 WITHIN AN AMBULANCE SERVICE DISTRICT. Except as otherwise provided in sec-
6 tion 50-224, Idaho Code, any area embraced within the limits of any city may,
7 with the consent of the governing boards of such city and the respective am-
8 bulance service district, expressed by ordinance or resolution, be included
9 within the limits of an ambulance service district, when formed, or be sub-
10 sequently annexed thereto. Any area in any city embraced within the limits
11 of an ambulance service district shall, upon the consent of the governing
12 boards of such city and ambulance service district, expressed by ordinance
13 or resolution, be withdrawn from such ambulance service district.

14 SECTION 19. That Chapter 39, Title 31, Idaho Code, be, and the same is
15 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
16 ignated as Section 31-3921, Idaho Code, and to read as follows:

17 31-3921. INTRA-AGENCY AND MUTUAL AID AGREEMENTS. Ambulance service
18 districts shall have all of the powers given to political subdivisions of
19 the state of Idaho as set forth in section 67-2339, Idaho Code, and sections
20 67-2326 through 67-2333, Idaho Code, inclusive, to enter into intra-agency
21 and mutual aid agreements with other political subdivisions and municipal-
22 ities in Idaho, and in other states, for the purposes of protecting life and
23 for all other purposes of this chapter. Any ambulance service district or
24 county ambulance service responding to a call for emergency assistance to
25 persons or property not situated within the taxing authority of the ambu-
26 lance service district or county is authorized to charge a reasonable fee
27 for services provided to residents located within the ambulance service dis-
28 trict or county in accordance with the requirements and procedures contained
29 in sections 63-1311 and 63-1311A, Idaho Code.

30 SECTION 20. That Chapter 39, Title 31, Idaho Code, be, and the same is
31 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
32 ignated as Section 31-3922, Idaho Code, and to read as follows:

33 31-3922. DISSOLUTION. Dissolution of any ambulance service district
34 organized under the provisions of section 31-3911, Idaho Code, may be initi-
35 ated by a petition signed by at least twenty-five percent (25%) of the quali-
36 fied electors within the ambulance service district, requesting dissolution
37 of the ambulance service district, in the following manner:

38 (1) The petition shall first be presented to the board of county commis-
39 sioners of each county in which the ambulance service district is situated,
40 signed by the requisite number of qualified electors, which petition shall
41 clearly designate the boundaries of the ambulance service district and shall
42 state the name of the district and shall be accompanied by a map thereof. The
43 petition, together with all maps and other papers filed therewith, shall, at
44 proper hours, be open to public inspection in the office of the clerk of the
45 board of county commissioners between the date of said filing and the date of
46 the election on the question of districts as provided in this section. The

1 petition may be in one (1) or in several papers. When such petition is pre-
2 sented to the board of county commissioners and filed in the office of the
3 clerk of the board, the said board shall set a time for hearing of such peti-
4 tion, which time shall not be less than four (4) nor more than six (6) weeks
5 from the date of the presenting and filing of said petition. A notice of the
6 time of such hearing shall be published by said board, once a week for three
7 (3) successive weeks previous to the time set for such hearing, in a news-
8 paper published within the county in which said district is situated. Said
9 notice shall give the boundaries of the ambulance service district and shall
10 state that a petition has been filed to dissolve the same and that, on the
11 date fixed for the hearing, any taxpayer within the district may appear at
12 the hearing and testify and present exhibits upon any issue pertaining to the
13 proposed dissolution of the ambulance service district or may object to or
14 support the proposed dissolution.

15 (2) After hearing and considering any and all testimony and other ev-
16 idence made either in favor of or in opposition to the dissolution of the
17 ambulance service district, if the board of county commissioners makes a
18 sufficient factual finding that the majority of the residents of the ambu-
19 lance service district will receive no benefit by continuing the existence
20 of the ambulance service district, the county commissioners shall make an
21 order granting the petition, with or without modification. If the board
22 of county commissioners, after hearing and considering all testimony and
23 other evidence either in favor of or in opposition to the dissolution of the
24 ambulance service district, cannot make a sufficient factual finding that
25 the majority of the residents of the ambulance service district will receive
26 no benefit by continuing the existence of the ambulance service district,
27 the county commissioners shall make an order denying the petition. After
28 the county commissioners have entered their order approving or denying such
29 petition, the clerk of the board of county commissioners shall cause to be
30 published a notice of election to be held in such proposed ambulance service
31 district for the purpose of determining whether or not the same shall be dis-
32 solved. Such notice shall plainly and clearly designate the boundaries of
33 the ambulance service district, its name, and that the election is to be held
34 to decide the question of whether the ambulance service district shall be
35 maintained or dissolved. Such notice shall be published once each week in a
36 newspaper published within the county for three (3) successive publications
37 prior to such election.

38 (3) Such notice shall require the electors to cast ballots that shall
39 contain the words "... ambulance service district dissolved, yes" or "...
40 ambulance service district dissolved, no" or words equivalent thereto. No
41 person shall be entitled to vote at any election held under the provisions
42 of this chapter unless he shall possess all the qualifications required of
43 electors under the general laws of the state and be a resident of the dis-
44 trict.

45 (4) If a majority of the electors voting at such election shall vote to
46 dissolve the ambulance service district, the board of county commissioners
47 shall, after certifying the results of such election, enter an order upon the
48 minutes of its official proceedings dissolving said ambulance service dis-
49 trict, and such district shall thereupon be dissolved.

1 (5) The property of such district shall remain the property of the
2 county in which such district is located and any money remaining in the fund
3 of such district shall be expended in the maintenance and repair of the high-
4 ways of such district, whether such highways at the time of the dissolution
5 are in the incorporated territory or in unincorporated territory.

6 (6) If the district is situated in two (2) or more counties, each board
7 of county commissioners shall coordinate the hearing date and the publica-
8 tions of notice so that only one (1) hearing need be held. Unless other-
9 wise agreed to by each board of county commissioners involved, the hearing
10 shall be held at the administrative offices of the district, and the boards
11 of county commissioners are hereby specifically authorized to act in a joint
12 manner for such purposes. If an election is called, the boards of county com-
13 missioners shall provide that the election be held on the same day in each
14 county, and the boards of county commissioners shall coordinate the canvass
15 of the votes cast and make one (1) joint announcement. If a majority of votes
16 in any county are against the dissolution of the district, such rejection
17 shall void the dissolution of the district in all counties.