START\_STATUTE48-5802.  Formation of district; election

A.  A public health services district may be established in a county as provided by this section.

B.  Beginning January 1, 2011, to establish a public health services district the board of supervisors may provide for an election on the formation of the district and shall submit the question to the qualified electors of the county on a date prescribed by section 16‑204. The ballot for the election shall contain the words "district formation, yes" and "district formation, no".  The county shall administer the election as otherwise provided by law.  If a majority of the persons voting on the question approves the question, the district shall be formed to consist of the entire county including the cities and towns that are located in whole or in part in the county. If a district is formed pursuant to this subsection, the county shall not reduce expenditures for public health to an amount that is less than fifty per cent of the county's fiscal year general fund public health expenditures as determined by calculating the average of the fiscal year expenditure amounts for the three fiscal years immediately preceding the year of the election. Costs for financing construction of any building shall not be included in the calculation of expenditures.

C.  Through December 31, 2010, the board of supervisors may establish a district by unanimous vote of the board.  If established by unanimous vote pursuant to this subsection, the district shall be formed to consist of the entire county including the cities and towns that are located in whole or in part in the county. If a district is formed pursuant to this subsection, the county shall not reduce expenditures for public health to an amount that is less than sixty per cent of the county's fiscal year general fund public health expenditures as determined by calculating the average of the fiscal year expenditure amounts for the three fiscal years immediately preceding the year of the district's formation. Costs for financing construction of any building shall not be included in the calculation of expenditures.

D.  If the county does not form a public health services district pursuant to this section, the county shall provide equally public health services to all residents of the county including residents of cities and towns. The county may spend monies for public health services to address a specific public health need that is unique to a particular area or condition. The county shall not reduce expenditures for public health to an amount that is less than fifty per cent of the county's general fund public health expenditures in fiscal year 1998‑1999. Costs for financing construction of any building shall not be included in the calculation of expenditures. Any city or town may provide services to its residents beyond the county's basic level of service and may use any combination of internal municipal departments or any other provider.

E.  A city or town that contributed monies to a county's public health budget in fiscal year 1999‑2000:

1.  In fiscal year 2000‑2001, shall pay to the county one hundred per cent of the city's or town's original public health expenditure.

2.  In fiscal year 2001‑2002, shall pay to the county ninety‑five per cent of the city's or town's original public health expenditure.

3.  If the district is formed pursuant to this section or for any fiscal year after 2001‑2002, shall no longer be obligated to pay monies to the county for public health expenditures.

4.  Shall determine the city's or town's original public health expenditure level by calculating the fiscal year expenditure amount for fiscal year 1999‑2000. Costs for financing construction of any building and payments made for expenditures incurred for any previous fiscal year shall not be included in the calculation of expenditures. END\_STATUTE