

PRC FRAMEWORK - E1
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PRC FRAMEWORK

I. Mission

The mission of a county Property Rights Council (“Council”) is to review county government activities and inter-governmental activities to determine whether the activities may cause adverse impact to private property rights.

In furtherance of this mission, the Council is charged with supplying property rights impact opinion statements to participating county officials in order to help ensure that officials are sufficiently informed of potential harmful private property rights impacts which may accompany their activities.

County based property rights impact review is essential because Federal and State government regulatory frameworks often provide minimal private property rights protection and thereby enable local governments to subordinate private property rights to other goals.

Councilors shall review county activities through the systematic examination of private property protection theories, research, and the underlying legal framework of local government.

II. Education and Research Process

Councilors must commit to continually examine private property rights protection and government failure theories and scholarly perspectives through the information presented by the State Policy Network (SPN) or similar market oriented think tanks. SPN think tanks are policy institutes that conduct research and engage in advocacy to protect private property rights in all of its forms as well as to promote free-markets. See: www.spn.org.

Councilors should use good-judgment when selecting information from think-tanks and choose the resources which best support free-markets and private property rights without compromising scholarly and evidential standards.

Due to the inherent complexity of modern regulation, individual councilors must specialize in relatively narrow areas of local government activity and areas of free-market policy research. Councilors should carefully consider their background knowledge and aptitudes in deciding which areas to specialize.

Councilors should study and advise in all dimensions of policy including regulatory, legislative, and intergovernmental policy in their areas of specialty. Councilors should utilize available legal research tools in order to understand the regulatory framework of proposed or ongoing government activity. Councilors are encouraged to collaborate with other specialists.

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III. Information Transmittal

The Council may transmit property rights impact information in any form acceptable to participating officials. Councilors should consider their audience's background knowledge in their informative endeavors. Councilors may encourage officials to consider free-market information in their activities, but should never demand that public officials arrive at particular conclusions. Councilors are exclusively presenting information for consideration. Therefore, the final decisions must be left to the elected or appointed officials.

The Council should generally review the work-product of its members to ensure it accords with the framework set forth herein. The Council acting as a group must decide how it intends to transmit information to participating officials while balancing efficiency and quality. The Council should consult with participating officials on this matter.

IV. Council and Three-Tiered Federalism

The Council's work promotes property rights respecting bottom-up federalism. The Council assists local governments, geographically closer to the people, in an effort to facilitate ongoing property rights information flow between the people and the local government. The Council also secures private property rights information flow between the people, State, and National governments through its intergovernmental activities.

V. Efficiency-Proprietary Distinction

Private property impact statements do not have to address a pure private property rights issue if a government activity is found wasteful. Inefficiency/wastefulness alone, in some cases, may be considered sufficient to stop or curtail ongoing or potential government intervention. Alternatively if, after researching a property rights impact issue, the Council believes government intervention is not wasteful then the Council should address whether private property rights considerations, alone, override the allegation of superior government efficiency as a justification for intervention. Nevertheless, as stated above, proponents of ongoing or new government intervention should continually carry the burden of proof, and production. Government failure should be presumed worse than market failure.

Ultimately the Council should tend to give the greatest weight to private property rights considerations over others. The Council's primary function is to promote and protect the individual's right to own and control their private property.

VI. Structure

The Council is composed of 7-11 members. The Council shall be provided with at least one designated county official who will help Councilors access county legal and departmental assistance in the course of Councilor research. The Council shall prepare draft bylaws for County Commissioner approval including suggested term limits. The Council shall create systems for public participation in the property rights impact review process. The Board of Commissioners will ensure the Council is supplied with sufficient resources for it to succeed.

VIII. Pilot Program

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This is a pilot program of the Bonner County Board of Commissioners commenced in 2011.

PROPERTY RIGHTS IMPACT REVIEW PROCESS – E2
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The *Property Rights Impact Review* process commences in one of three ways:

1. *Public-to-Department*. The public submits a [property rights proposal](#) to the Department(s) most likely affected by the proposal. In order to determine whether a Department participates, and will accept submission of the proposal, the public should navigate to the "[Departmental involvement](#)" link.
2. *Public-to-PRC*. The public submits a property rights proposal to the PRC directly, and the PRC consequently conducts its own independent review of non-participating departmental activities. After completion of independent review the PRC supplies the results of its research to the department head as well as publishes its research and determinations. (NOTE: The PRC will not accept proposals when an affected department participates. The proposals must be sent to the affected department first);
3. *PRC or Department initiated*. The PRC, a PRC member, or department head, may self-initiate review of its own property rights proposal.

The Property Rights Impact Review [flowchart](#) illustrates this process.

All participating departments have previously created a *Property Rights Review Committee (PRRC)*. (NOTE: If a department does not participate, the PRC assembles its own *PRRC counterpart* and conducts an analagous proposal vetting process . The PRRC is composed of at least three individuals:

1. *Department representative*. A department liason who is familiar with departmental regulations and practices. The *Department representative* is the in house expert on daily departmental regulations and operations. The Department representative situates the proposal in the realities of departmental operations to help ensure it would work on the ground as implemented;
2. *PRC liason*. A property rights councilor (or assignee) who is familiar with private property rights issues and free-market principles pertaining to departmental activities. The *PRC liason*, on the PRRC, looks for experts that back the public's proposals. If the *PRC liason* cannot find any experts then he/she contacts the public proponent for assistance in finding an expert; and
3. *PRC paralegal liason*. The *PRC paralegal liason* conducts initial legal research to determine how the proposal could be applied under the existing regulatory framework governing the affected department, or alternatively to determine how the law could be transformed to implement the proposal. The paralegal liason may be a PRC volunteer, a Board of County Commissioner's employee, or a Prosecutor's Office staff member, but must have a firm grasp of free-market and private property rights principles. (Note: The paralegal member must coordinate with a County civil attorney prior to making a final recommendation).

PROPERTY RIGHTS IMPACT REVIEW PROCESS – E2
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The PRRC utilizes the [Property Rights Impact Checklist](#) to assess the proposal. After the PRRC (or PRRC counterpart) meets on the proposal, it makes a recommendation to the affected Department head in the form of a Determination of Significance (DS) or Determination of Non-Significance (DNS). A DS is a positive determination that the proposal (as made or with modifications) would likely significantly promote private property rights, and a DNS is a negative determination.

The affected Department head then accepts, modifies, or rejects the PRRC's DS/DNS recommendation, and transmits its departmental DS/DNS decision to the PRC for full consideration.

If the Departmental decision is a DNS:

1. DNS with PRC Ratification. and the PRC ratifies that decision, then the public may post their reaction to the [PRC Discussion Board](#), to ensure the public has the last word.
2. DNS with PRC Repudiation. and the PRC disagrees with that decision, then the PRC routes its written determination to the Department head for reconsideration.
3. Final Public Comment. and the Department head maintains his/her original position, then the public may post their reactions to the PRC Discussion Board, to ensure they have the last word.

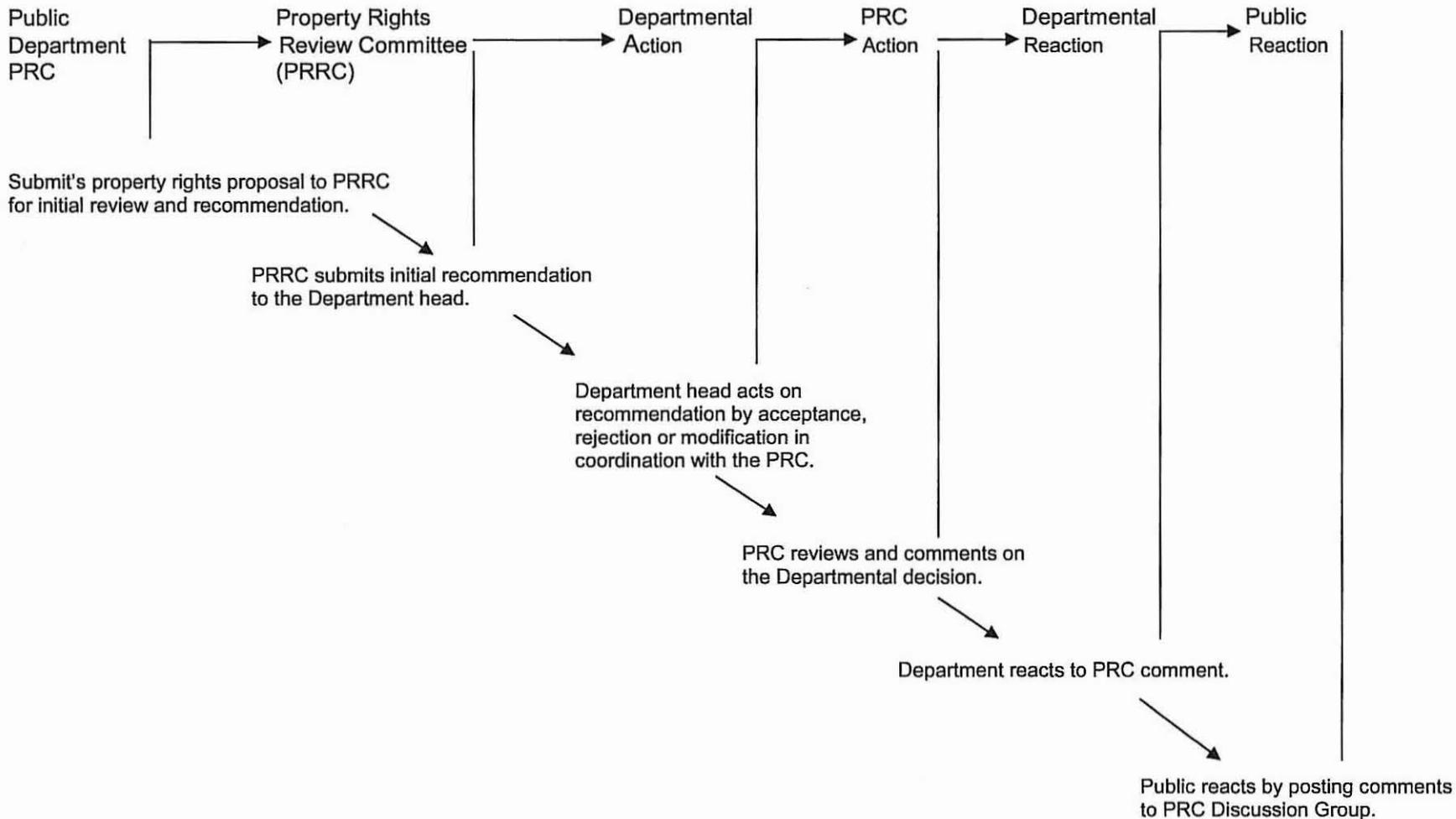
If the Departmental decision is a DS then:

1. Impact Statement Production. The Department conducts public meetings, workshops, and hearings, with the assistance of the PRC, and produces a Property Rights Impact Statement, and submits it to the PRC for final consideration;
2. Impact Statement Utilization. The Department head then makes a final decision and decides how to best utilize the Property Rights Impact Statement;
3. Final Public Comment. The public may post their reactions on the PRC Discussion Board, to ensure they have the last word.

The elected or appointed Department head has the ultimate decision right to act according to, or contrary to, the Property Rights Impact Statement. The Property Rights Impact Statement is exclusively informational and enables, but does not require, smart decision making.

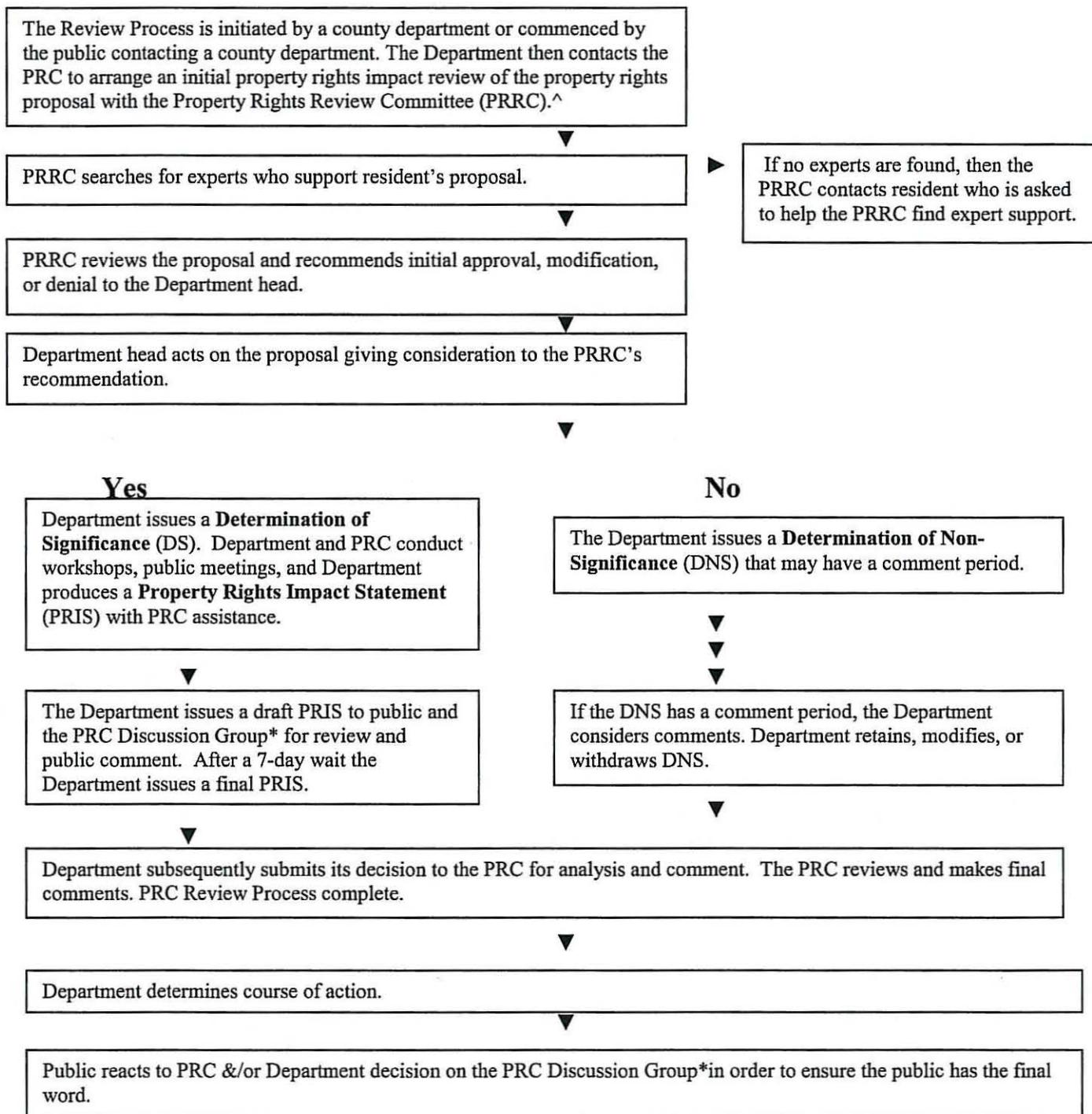
REVIEW PROCESS – LINE GRAPH – E3
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PROPERTY RIGHTS PROPOSAL
VETTING PROCESS



REVIEW PROCESS – FLOWCHART – E4
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PRC Review Process



[^]Each participating department must have a Property Rights Review Committee (PRRC) which is composed of at least one department employee, one PRC councilor, and one paralegal, who meet at least monthly to review public and departmental proposals.

*PRC Discussion Group membership requirements are posted on the Bonner County PRC website.

SCOPE OF PRC ACTIVITIES – E5
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SCOPE OF PRC ACTIVITIES

The PRC Property Rights Impact Review process encapsulates a wide range of property rights topics and does not pre-judge your case for protecting private property.

If you believe you are submitting a proposal that falls within the purview of County powers to engage in "private property rights promotion/protection", then you will be allowed to submit your proposal.

After you submit your proposal the affected Department(s) or the PRC may conclude that action on the proposal requires inter-governmental communication. Inter-governmental communication may involve State or Federal legislative action, or State/Federal agency communication. If this is the case then the Property Rights Review Committee must include an inter-governmental component, in its review process, explaining the legality and practicality of potential inter-governmental communication.

Please keep in mind that there are legal constraints foreclosing the County from protecting its constituents' property rights against invasion by other local or senior-government entities. Please consider the following when submitting your request:

Bonner County, under the State Constitution and statute, is limited in how it can interpose itself between its constituents and senior-governments, as well as with other local-governments infringing on its constituents property rights. Moreover, absent express Constitutional or statutory authority, the County has no control over State, Federal, and other local governments, even when they impair County constituent's private property rights. This separation of powers does not necessarily pose an insurmountable impediment to County action. For example, a property rights question can be raised when the County donates property to sister local governments or otherwise cooperates. A property rights question can also be raised when the County is offered Federal or State monies. Another potential example is the intergovernmental coordination setting where e.g., the EPA enforces wetland regulations against a County constituent, and the County constituent requests County interposition, and has just cause. See e.g., resources on intergovernmental coordination such as Trademark America or American Stewards of Liberty. Finally, where a proposal is foreclosed by an existing State impediment to County power, e.g., State limitations on preventing county's from imposing certain user-fees, then a County official may contact a State legislator and request legislative change.

The preceding examples are not exhaustive so please submit your proposal, when in doubt, or contact Pam Stout with questions.

PROPERTY RIGHTS PROPOSAL CHECKLIST

PRIOR TO COMPLETING THE CHECKLIST PLEASE *FIRST* CONTACT YOUR COUNTY DEPARTMENT TO SEE IF THEY PARTICIPATE IN THE PRC PROGRAM.

Purpose of checklist:

Participating departments have agreed to work jointly with the Bonner County Property Rights Council (PRC) to consider the public's proposals to protect private property rights. The purpose of this checklist is to provide information to help you, the department, and the PRC understand your proposal to promote private property rights.

Instructions for applicants:

This private property rights checklist asks you to describe some basic information about your proposal. County departments use this checklist to assess your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can. First contact the department you believe is most affected or involved with your proposal and verify they participate in the PRC program. Submit your proposal to the affected department.

You must answer each question accurately and carefully, to the best of your knowledge. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later. If you have problems, the county department designated PRC official can assist you.

Attach any additional information that will help describe your proposal or its potential private property rights effects. The department to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

NOTE: Pure questions of law are not appropriate for the PRC. These questions should be submitted to private legal counsel. The PRC looks at proposals to amend existing law which unnecessarily interfere with private property rights. The PRC also examine proposals for new laws which may unnecessarily interfere with private property rights.

PROPERTY RIGHTS PROPOSAL CHECKLIST

A. BACKGROUND

1. Name of applicant and date: _____
2. Address, email, and phone number: _____

B. GENERAL INFORMATION

1. Please provide a brief description of your idea. _____

2. What County departments would your idea effect? _____
3. Are you willing to assist the PRC in promoting your idea? _____
4. Has your idea been used in other districts or counties? _____
Where: _____
5. As far as you know does your idea involve intergovernmental communication or relationships? _____
6. Are there any private property resources of which you are aware that help demonstrate your proposal e.g., see www.spn.org and its resources¹: _____

7. Is there any other information you would like to include? _____

Signature: _____

¹ FREE-MARKET AND PROPERTY RIGHTS THINK-TANK RESOURCES - There are many organizations that conduct research in areas of public policy and then publish their research and findings. These organizations, commonly known as "Think Tanks" can be an invaluable resource to the concerned citizen. Many of the problems we face are not unique and it is likely that similar problems have been studied by experts in private property rights and free market solutions. Like the books in a library, this research is available to help the citizen make a persuasive argument in favor of their proposal or idea. By using these think tank resources you will be able to say "Here is my idea and here is a list of experts and their research that proves it is a good idea."

LEGAL AUTHORITY – E7
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PRC Legal Authority

I.C. 31-828 empowers county commissioners:

“To do and perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the chief executive authority of the county government.” Idaho Code Ann. § 31-828.

I.C. 31-828 does not give express statutory authority for county commissioners and other county officials to “communicate with the public” in the adoption and implementation of regulations. However, county government communication with the public is a practical necessity as county officials do not regulate & operate in a property rights vacuum. Therefore, constituent communication authority, for commissioners & commissioner controlled departments, may reasonably be inferred & is implied from the “necessary to the full discharge” clause of I.C. 31-828.

County commissioners, commissioner controlled departments, as well as other elected officials, must of necessity receive input from the public on matters affecting their departmental duties as they relate to private property rights (because their actions of necessity affect private property rights). All of these officials consequently have an implied right & duty to communicate with the public on matters affecting private property rights.

The PRC process systematizes an otherwise haphazard and piecemeal process of receiving the public’s property rights complaints, proposals, & other communications.

Systemization is statutorily allowed and indeed required. Since there is a statutory practical necessity for county government officials to receive individualized public contact on property rights questions, then it follows there is a statutory practical necessity for them to receive it in an effective manner. Therefore, a county has the authority to create effective systems of processing, and taking seriously, the public’s property rights input. No further express statutory authority for the PRC is required.

The PRC is a constituent communication channel which receives systematic communication to ensure that the public has a meaningful and effective channel for the public to convey their concerns about the property rights impacts of county government activities. The PRC not only takes & processes these requests, but affirmatively assists the public in understanding the regulatory framework of their proposal as well as assists them in finding property rights experts to back their positions.

Finally, Bonner County’s use of a non-statutory advisory board has precedent in that many Idaho cities and counties have instituted numerous advisory boards on topics of public concern. Property rights are of paramount public concern.

Note: There are statutes unreferenced in this explanation which also support the power to create a PRC.

LEGAL AUTHORITY – E7
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Prosecuting Attorney's Office - Paralegal Program Manager

I.C. 31-2604 requires the Prosecuting Attorney

“To give advice to the board of county commissioners, and other public officers of his county, when requested in all public matters arising in the conduct of the public business entrusted to the care of such officers.” Idaho § 31-2604.

As stated above, the PRC is a Board of Commissioner's created advisory board mandated by Idaho law. I.C. 31-2604 requires the Prosecuting Attorney to provide necessary legal advice to the Board of Commissioner's and to ensure its advisory boards and Board controlled departments have adequate legal advice.

The PRC has more intensive legal research needs than most advisory boards and therefore it is necessary for adequate legal resources to be placed at its disposal. The Paralegal Program Manager was created to minimize the costs of legal research and to only employ County civil legal council when necessary. This position saves tax payer money by minimizing legal advice costs.

The County Prosecutor must, under Idaho law, ensure adequate legal advice is provided to the PRC.

NOTE: Arguments maintaining that the PRC is optional or that the PRC should be singled out for exclusion from Prosecuting Attorney legal advice, would contravene state law.

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**PROPERTY RIGHTS REVIEW COMMITTEE (PRRC)
CHECKLIST & FINDINGS**

DETERMINATION OF SIGNIFICANCE/NON-SIGNIFICANCE (DS/DNS)

Purpose of PRRC checklist:

Participating departments have agreed to work jointly with the Bonner County Property Rights Council (PRC) to consider the public's proposals to protect private property rights. The department should appoint a departmental lead contact to meet with the PRC liason, and PRC paralegal liason. This group should jointly review proposals to determine whether they would have a probable significant impact on promoting private property rights.

Instructions for PRRC:

This private property rights checklist describes basic information about the public's proposal. A department representative should coordinate with the PRC paralegal assistant: pstout@co.bonner.id.us to calendar and conduct a meeting to review proposals as they come through. All PRRC participants should come prepared to discuss free-market resources which might support the proposal as stated or modified.

Checklist

- 1 List any private property rights information (regulatory or free-market resources) that have been prepared, or will be prepared, directly related to this proposal:

- 2 Are there any private property resources of which you are aware that help substantiate the public's proposal e.g., see www.spn.org and its resources¹ (If not the PRRC shall contact submitter for assistance in finding expert support):

- 3 Are there diverse/multiple private property rights perspectives that pertain to the proposal?

¹ FREE-MARKET AND PROPERTY RIGHTS THINK-TANK RESOURCES - There are many organizations that conduct research in areas of public policy and then publish their research and findings. These organizations, commonly known as "Think Tanks" can be an invaluable resource to the concerned citizen. Many of the problems we face are not unique and it is likely that similar problems have been studied by experts in private property rights and free market solutions. Like the books in a library, this research is available to help the citizen make a persuasive argument in favor of their proposal or idea. By using these think tank resources you will be able to say "Here is my idea and here is a list of experts and their research that proves it is a good idea."

PROPERTY RIGHTS REVIEW COMMITTEE CHECKLIST – E8

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4. Are other jurisdictions implementing similar proposals? If yes, explain:

5. List any available knowledgeable persons who could assist the department/PRC in researching the proposal, if known:

6. Give complete description or re-description of the proposal:

7. Identify the County department most substantially affected by the proposal. Give sufficient information to understand the precise nature of why the proposed private property rights proposal affects the identified County department, including county codes, state, or national regulations?

8. Does the proposal involve inter-governmental communication? If so what units of government? For example does your proposal require State or Federal legislative changes, or does it require County interaction with Federal or State agencies.

9. Recommendation. PRRC submits its recommendation to the Department head, in writing, with its proposed determination of significance or non-significance (**DS/DNS**). PRRC must provide a written explanation to the Department head. The Department head acts on the proposal issuing its own modified DS/DNS. If the Department heads decision is a DS, then a Property Rights Impact Statement (PRIS) is produced by the department and submitted to the PRC for final comment. If the Department heads decision is a DNS, that decision is also submitted to the PRC for final comment. Final decisions are transmitted to the submitter and are made available to the general public.

10. The Department head decides to take or omit action on the PRIS or DNS.

Date Completed:

CONSTITUENT INSTRUCTIONS – E9
BYLAW INCORPORATED

BONNER COUNTY BOARD OF COMMISSIONERS
PROPERTY RIGHTS COUNCIL VOLUNTEER CERTIFICATION PROCESS
***ORIENTATION REQUIRED PRIOR TO DISCUSSION GROUP ACCESS**
LEVEL 1 – PRC-Constituent Certification

Dear _____,

Thank you for your interest in participating in Bonner County's Property Right's Council ("PRC") civic volunteer program. Please read the PRC mission statement. Please also indicate whether you can commit to supporting the PRC in its pursuit of its mission.

After you commit to supporting the PRC in its mission, you are ready to proceed in assisting PRC councilors in helping Bonner County officials protect private property rights.

The first level of volunteer participation offered by the PRC is that of a "PRC-constituent". A PRC-constituent may assist the PRC by interacting at the PRC-constituents group: <http://groups.yahoo.com/group/BonnerCountyPRCconstituent>. The PRC reviews all PRC-constituent comments on this group monthly. Free-market friendly Bonner County constituents, who comply with the group's terms of use, can positively influence the County political process by posting to this group.

The initial PRC-constituent certification requirement, as of August 29, 2011, is for all PRC-constituent candidates to invest at least 20-hours in completing one of two State Policy Network endorsed books which introduce a theory of government failure called "Public Choice Theory". The first book is titled *Beyond Politics* and is available here: http://www.independent.org/publications/books/book_summary.asp?bookID=93.

The second introductory book to Public Choice Theory is titled *Government Failure, a Primer in Public Choice* and is available here, for free download: <http://www.cato.org/government-failure/>

Please contact the PRC Paralegal Assistant, Pam Stout, by phone at [208-265-1438](tel:208-265-1438) or by email at pstout@co.bonner.id.us to schedule two (2) separate 1-hour book discussion interviews after reading the first, and then last half your selected book. The PRC Paralegal Assistant will discuss the text with you and confirm you have completed and attained a preliminary understanding of Public Choice Theory as set forth in the book.

Upon completion of the text you must complete a 2-hour orientation to free-market think-tank research. This orientation can be conducted in-person or by internet and should be scheduled with the PRC Paralegal Assistant.

In order to commence this project you **MUST** commit to completing it by a time certain. You must advise the PRC Paralegal Assistant when you anticipate completing the program.

Finally, the PRC Paralegal Assistant will discuss how your personal skills and interests can best be utilized to promote and protect private property rights through the PRC volunteer program.

Sincerely,

/s/

Pam Stout
Bonner County PRC Paralegal Program Manager
Board of Bonner County Commissioners
1500 Hwy 2 Suite 308, Sandpoint, ID, 83864
(P) 208-265-1438;
(Email) pstout@co.bonner.id.us

VOLUNTEER FRIEND INSTRUCTIONS – E10
BYLAW INCORPORATED

BONNER COUNTY BOARD OF COMMISSIONERS
PROPERTY RIGHTS COUNCIL
VOLUNTEER CERTIFICATION PROCESS
LEVEL 2 – PRC-Friend Certification

Dear _____,

Thank you for your interest in participating in Bonner County's Property Right's Council ("PRC") civic volunteer program.

A PRC-Friend candidate has previously achieved the first level of volunteer participation offered by the PRC i.e., PRC-Constituent and is ready to move on to this second level of participation. A PRC-Friend candidate aspires to make a more significant contribution to the PRC process in helping Bonner County officials protect private property rights. A PRC-Friend works in coordination with a PRC councilor on specific projects. Because a PRC-Friend may assist in potentially confidential projects, they may be required to sign a non-disclosure agreement.

A PRC-Friend must consult with the PRC to determine their specialized area(s) of focus. The PRC-Friend should consider their interests, skills, and the needs of the PRC. A PRC-Friend candidate commits to do the following within a specified time-frame prior to actual involvement with the PRC:

1. 10-hours in basic county law;
2. 50-hours in County special topics law;
3. 50-hours in free-market think-tank reading in special topic area;

The 10-hours in basic county law will provide an introduction to the legal structure of County governance. The 50-hours in County special-topics law and 50-hours in policy will be customized to a particular PRC project while considering your interests and aptitudes.

Please contact the PRC Paralegal Assistant, Pam Stout, by phone at 208-265-1438 or by email at pstout@co.bonner.id.us to schedule your training requirements. If you have advanced interest in a particular topic, be prepared to discuss that topic with the Paralegal Assistant.

Because County staff time is invested in assigning projects and the PRC will rely on you completing your assigned special-project, you must agree to complete the entire 110 hour process within an agreed time frame prior to enrollment.

Sincerely,

/s/

Pam Stout
Bonner County PRC Paralegal Program Manager
Board of Bonner County Commissioners
1500 Hwy 2 Suite 308, Sandpoint, ID, 83864
(P) 208-265-1438;
(Email) pstout@co.bonner.id.us

VOLUNTEER POLICY ANALYST INSTRUCTIONS – E11
BYLAW INCORPORATED

BONNER COUNTY BOARD OF COMMISSIONERS
PROPERTY RIGHTS COUNCIL
VOLUNTEER CERTIFICATION PROCESS
LEVEL 3 – PRC-Policy Analyst (PA) Certification

Dear _____,

Thank you for your interest in participating in Bonner County's Property Right's Council ("PRC") civic volunteer program. Please indicate whether you can continue to commit to supporting the PRC in its pursuit of its mission.

A PRC-PA candidate must have previously achieved the first and second levels of volunteer participation offered by the PRC i.e., PRC-Constituent and PRC-Friend.

The ideal PRC-PA candidate has decided to be available for ongoing PRC volunteer assistance as a subject-matter specialist. A PRC-Friend candidate commits to do the following within a specified time-frame prior to actual involvement with the PRC

1. 100-hours in regulatory framework of specialized area.
2. 100-hours of free-market think tank research directly or indirectly addressing potential government failure in area of government intervention.
3. 100-hours study of private property rights theory.
4. 50-hours in special topics as determined by PRC paralegal program manager.
5. Complete five (5) additional special projects.

As with the he PRC-Friend, a PRC-PA should consider their interests, skills, and the needs of the PRC.

Please contact Pam Stout, by phone at 208-265-1438 or by email at pstout@co.bonner.id.us to schedule your training requirements.

In order to commence this certification you MUST commit to completing the process by a certain time. You must advise the PRC when you anticipate completing the program.

Sincerely,

/s/

Pam Stout
Bonner County PRC Paralegal Program Manager
Board of Bonner County Commissioners
1500 Hwy 2 Suite 308, Sandpoint, ID, 83864
(P) 208-265-1438;
(Email) pstout@co.bonner.id.us

VOLUNTEER LEGAL POLICY ANALYST INSTRUCTIONS – E12
BYLAW INCORPORATED

BONNER COUNTY BOARD OF COMMISSIONERS
PROPERTY RIGHTS COUNCIL
VOLUNTEER CERTIFICATION PROCESS
LEVEL 4 – PRC- Legal Policy Analyst (LPA) Certification

Dear _____,

Thank you for your interest in participating in Bonner County's Property Right's Council ("PRC") civic volunteer program. Please indicate whether you can continue to commit to supporting the PRC in its mission.

A PRC-LPA candidate must have previously achieved certification in all prior-levels of volunteer participation offered by the PRC i.e., PRC-Constituent, Friend, and PA. After certification an LPA should:

1. Complete 300 hours in internet based legal research in specialized subject area.
2. An LPA should be proficient in internet based legal research and comprehend a specialized regulatory-framework.
3. An LPA should be proficient at integrating free-market think-tank research into the legal research process.
4. An LPA should be able to recommend particular legislative changes to policymakers based on the application of free-market research to complicated and detailed regulation.
5. An LPA helps participating officials understand their area of government intervention in the day-to-day process of interpreting regulations in order to best assist them in understanding the property-rights impacts of said regulatory-intervention.
6. An LPA should be competent to work with a county's civil counsel when necessary to transmit legal questions from participating public officials to the civil attorney.
7. The LPA acts as an intermediary between participating public officials and the PRC to ensure that free-market advice is properly integrated into the relevant regulatory-framework.

Please contact Pam Stout by phone at 208-265-1438 or by email at pstout@co.bonner.id.us to schedule your training requirements.

In order to commence this certification you MUST commit to completing the process by a certain time. You must advise the PRC Paralegal Program Manager when you anticipate completing the program.

Sincerely,

/s/

Pam Stout
Bonner County PRC Paralegal Program Manager
Board of Bonner County Commissioners
1500 Hwy 2 Suite 308, Sandpoint, ID, 83864
(P) 208-265-1438;
(Email) pstout@co.bonner.id.us

PROJECT AGREEMENT – E13
BYLAW INCORPORATED

PROPERTY RIGHTS COUNCIL (PRC) VOLUNTEER AGREEMENT

Special Projects

1. I have received the following PRC certification(s): [certification title and date] and agree to offer my civic-volunteer services to the PRC for the following project, task, or activity: [description of activity]. I agree to be supervised directly by [enter name of supervising PRC counselor].
2. Volunteers to the PRC are not considered employees of the County and are not eligible to receive any benefits. There is no promise of future employment.
3. Any work to be done under this agreement is for civic purposes.
4. Any materials created by the volunteer under this agreement shall remain the sole property of the County, to be used as County personnel may decide, without any compensation.
5. This volunteer-project will begin on or about [commencement date], and will end on [termination date]. The volunteer and PRC Paralegal Assistant have agreed to a time frame for work to be completed. This project is estimated to require 50-hours of legal-framework and 50-hours of think-tank review. The volunteer promises to give a minimum average of ____ hours per week/bi-weekly/month over the next ____ weeks to complete this project.
6. The County reserves the right to terminate this volunteer-agreement at any time.
7. The volunteer will file a written report on the volunteer experience with the County to the PRC chairman on the termination date, to be endorsed and forwarded to the PRC and PRC paralegal assistant.

Accepted and agreed upon by:

[Bonner County PRC Paralegal Program Manager]]

By: [signature]

Title: [title of signatory]

Date: [date]

Volunteer:

[Signature of volunteer]

Name: [name of volunteer]

Date: [date]

[Name of SPN State-based-think-tank]

By: [signature]

Title: [IFF PRC Certification Coordinator]

Date: [date]

VOLUNTEER INFORMATION – E14
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PRC County Resident Volunteers

Resident-volunteers may assist the PRC in conducting their own property-rights impact analysis of County governmental or intergovernmental activities by carefully citing and applying free-market think tank research on the Yahoo Group page at: <http://groups.yahoo.com/group/BonnerCountyPRCconstituent>.

Residents may also utilize free-market think-tank research, in lieu of other sources, for the following reasons:

- First, think-tank utilization helps ensure that position papers are compiled through an intelligent, dispassionate, and defensible process. Think-tank articles can be superior to academic journals because think-tank articles are typically addressed to audiences other than rights theory scholars.
- Second, utilization of think-tank research and position papers helps to insulate participants from false allegations of cronyism, kickbacks, paybacks, expected favors, and charges of proprietary emotionalism by helping to take individuals and personalities out of the process and substituting scholarly research.
- Third, think-tank utilization enables others to follow-up on participant research.

Residents are encouraged to utilize ideologically continuous networks of free-market think-tanks e.g., the State Policy Network, (www.spn.org), in order for participating-officials to more easily identify and vet think-tank perspectives. Constituents should attempt to distinguish between think-tank positions on the property-rights issues they address. Constituents should use good-judgment when selecting information from think-tanks and pick the resources which best support free-markets and private property-rights.

Due to the inherent complexity of modern regulation residents should focus their efforts on relatively narrow areas of local government activity and of free-market policy research in order to be effective. Residents should consider their background knowledge in deciding which topics to address. Resident volunteers may study and advise in all dimensions of policy including regulatory, legislative, and intergovernmental policy. Resident volunteers may seek assistance from the PRC including help understanding the regulatory framework at issue.