

**BYLAWS
PROPERTY RIGHTS COUNCIL**

**ARTICLE 1
NAME**

The name of the Council is the "Property Rights Council" or "PRC".

**ARTICLE II
PURPOSE**

The mission of the PRC is to review county government activities and inter-governmental activities to determine whether the activities may cause adverse impact to private property rights pursuant to a property rights impact review process ("Review Process").

**Article III
REVIEW PROCESS**

The PRC Review Process shall include the following steps:

- It is initiated by the public, a county official, or the PRC contacting a county department with a property rights proposal.
- The Department transmits the proposal to its Property Rights Review Committee ("Review Committee") composed of a department representative, a PRC representative, & a legal researcher.
- The Review Committee researches the proposal to determine its property rights impacts.
- The Review Committee transmits its research & recommendation to the Department head for an initial Departmental decision.
- If the Department head agrees that the proposal should be given serious consideration then it transmits its decision to the PRC.
- The PRC works with all affected departments and other government agencies by helping the Department conduct public workshops, meetings, and hearings on the proposal.
- At the conclusion of this process, the Department produces a Property Rights Impact Statement for its own use and for circulation to the public.
- The Department will also submit its final decision on your proposal to the PRC for analysis and comment.
- If the impacts are considered insignificant, by either the Department or the PRC, then they will inform the public of their decision. The public will be given a chance to respond. The public may post the case for their proposal to the PRC discussion group.

The PRC should not consider pure questions of statutory or common law. These types of questions should be submitted to private legal counsel. The PRC, instead, shall strictly examine private property rights proposals for purposes of amending existing law, preventing or curtailing new law which unnecessarily interferes with private property rights.

**Article IV
PUBLIC OVERSIGHT & PARTICIPATION**

The PRC shall utilize volunteers in the conduct of their activities. The public's specialized knowledge, skills, or interests e.g., occupational, educational, or otherwise, shall be integrated with property rights principles to help produce sound and solid property rights impact statements and assessments for department officials to act on.

The PRC shall utilize four categories of volunteers. The volunteers shall have increasing responsibilities, commitments, and skill requirements, as follows:

1. Constituent: This certification enables the public to help on the PRC Discussion Group. (20hr estimated requirement);
2. Friend: This certification enables the public to delve into special projects; (110 additional hrs).
3. Policy Analyst: This certification enables the public to become a research analyst for the PRC. (350 additional hrs).
4. Legal Policy Analyst: This certification enables the public to integrate internet legal research with free-market policy. (300 additional hrs).

**ARTICLE V
MEMBERSHIP**

Section 1. PRC Size

The PRC shall have up to 7 members and one alternate.

Section 2. Membership Requirements

Members must reside in Bonner County. Members must take an oath to focus their efforts principally on promoting and protecting private property rights in the manner set forth in these Bylaws. Members are required to meet the following volunteer standards as a condition subsequent to remaining on the PRC as follows:

1. Complete the Constituent requirements within the first 3-months following the first meeting of the PRC.

2. Complete the Friend requirements within 12-months following the first meeting of the PRC.
3. Complete integrated free-market and legal research as necessary to complete project goals.

Section 3. Terms

Members shall serve a staggered 2-year and 4-year term. The initial chairman and vice chairman start out on 4-year terms and all others start on 2-year terms. No member may serve more than 8 consecutive years.

Section 4. Attendance

PRC members shall attend meetings regularly and participate actively in advisory committee meetings. Due to concerns regarding membership continuity and the need to perform the PRC duties, if a member accumulates three (3) unexcused absences during a one year period, that person shall be recommended for removal.

Section 5. Removal

The Board may remove a member from the PRC at any time, with the recommendation of the PRC and subject to approval by the PRC.

Section 6. Vacancies

Opportunities to fill vacancies on the PRC shall be announced publicly. When an interim vacancy occurs, the PRC shall appoint an ad-hoc Nominating Committee which, in consultation with the Board of Commissioners, shall forward recommendations for nominations to the Board. The Board shall appoint, and the Council shall confirm members to fill the balance of unexpired terms. Vacancies that result from expired terms shall be filled in the same manner as interim vacancies.

The Nominating Committee shall confer a strong preference to resident volunteers who have achieved at least Friend status and shall weight total volunteer hours heavily in their nominations.

Section 7. Representation

Members of the PRC shall be appointed based on their willingness and ability to accomplish the purpose of the PRC as set forth in its organizing and operating documents.

Section 8. No Salary

All members shall serve without compensation.

Section 9. Quorum and Action

A quorum shall consist of a simple majority of the currently appointed membership except that persons on approved leave of absences shall not be counted in determining a quorum. In no event shall a quorum consist of fewer than 4 members. Decision-making shall be subject to a majority vote of the Councilors present, provided that a quorum has been established. When a one or more minority views are expressed regarding a decision, minority opinions will be duly noted.

Section 10. Regular Meetings

Regular meetings shall be open to the public, except as otherwise provided by law. The PRC shall hold at least one regular meeting a month and comply with all public notification requirements as stipulated by state law. Regular meetings require no less than a five (5) calendar day meeting notice and a forty-eight (48) hour agenda notice unless otherwise provided by statute.

Section 11. Special Meetings

Special meetings may be called by the Chair or Vice-Chair upon receipt of requests from any two (2) Councilors. Agendas of special meetings must be posted publicly and made available to Councilor's in a manner which provides at least forty-eight (48) hours of advanced notice. Said agendas shall specify the date, time, location, and business to be transacted. No special meeting shall be held without at least a twenty-four (24) hour meeting and agenda notice.

Section 12. Public Comment

All meeting agendas shall include a time when members of the public are allowed to address the Council. Limits of time and rules for public comment shall be specified

by Chair at the beginning of each meeting. Additionally, the Chair shall have discretion to limit public testimony as necessary to facilitate the orderly conduct of Council business.

ARTICLE VI OFFICERS

Section 1. Titles

The officers of the PRC shall be the Chair and Vice Chair.

Section 2. Election

The PRC shall elect the Chair and Vice Chair to serve one year terms. Officers must be members of the PRC.

Section 3. Vacancy

A vacancy of any officer shall be filled not later than the second regular meeting of the PRC following the vacancy.

Section 4. Chair

The Chair of the PRC shall be elected by majority vote of the PRC and shall:

1. Set dates and times for regular-and special meetings of the PRC.
2. Prepare items for meetings of the PRC and ensure meetings are noticed according to law.
3. Preside over meetings of the PRC and adhere to Robert's Rules of Order
4. Sign routine PRC correspondence or delegate staff to sign correspondence on behalf of the Chair.
5. Represent the PRC to private and public organizations, including the Board of County Commissioners.

Section 5. Vice Chair

The Vice-Chairperson of the PRC shall be elected by majority vote and shall exercise the duties and responsibilities of the Chair of the PRC when the Chair is unable to exercise them or requests the Vice-Chairperson to act on his or her behalf.

ARTICLE VII CONDUCTING PUBLIC HEARINGS

Public, workshops, meetings, & hearings may be authorized by the PRC to inquire into any field that will aid in fulfilling its general purposes. The PRC may hold public hearings independently or in cooperation with any other public or private organization. The Chair of the PRC is responsible for setting the date, time and place for the hearing; and for presiding over the workshop, meeting, or hearing.

**ARTICLE VII
AMENDMENTS OF BYLAWS**

These Bylaws may be amended or repealed, and new Bylaws adopted, by the PRC by majority vote, if a quorum is present. Prior to the adoption of the amendment, each Councilor shall be given at least two days notice of the date, time, and place of the meeting at which the proposed amendment is to be considered, and the notice shall state that one of the purposes of the meeting is to consider a proposed amendment to the Bylaws and shall contain a copy of the proposed amendment. Amendments must be approved by the Board of County Commissioners prior to taking effect.

**ARTICLE VIII
INCOPORATION BY REFERENCE**

The following incorporated exhibits (E1-E14) are binding on the PRC:

1. PRC Framework; 2. Review Process; 3. Review Process – Line Graph; 4. Review Process – Flow Chart; 5. Scope of PRC Activities; 6. Property Rights Proposal Checklist; 7. Legal Authority Statement; 8. PRRC Checklist; 9. Constituent Instructions; 10. Friend Instructions; 11. Policy Analyst Instructions; 12. Legal Policy Analyst Instructions; 13. Project Agreement; 14. PRC Volunteer Information;

This is to certify that this is a true and correct copy of the Bylaws of the PRC.

By: _____

Chair, Board of County Commissioners

Adopted on: October 18, 2011