



Land Board Meetings Policy

This agency guidance document was adopted by the State Board of Land Commissioners (Land Board) and helps us interpret existing state law.

Purpose

This policy sets guidelines for regular and special meetings of the Board.

Agency Contact

Policy and Communications Chief

Policy

1. DEFINITIONS

- 1.a. "Board" means the State Board of Land Commissioners. The Governor is the President of the Board.
- 1.b. "Department" means the Department of Lands.
- 1.c. "Majority vote" means votes cast by more than half of the Board members present.
- 1.d. "Quorum" means at least three Board members.
- 1.e. "Secretary" means the Secretary to the Board and the Director of the Department of Lands.
- 1.f. "Two-thirds vote" means votes cast by at least two-thirds of the Board members present.

2. GENERAL PROVISIONS

- 2.a. Procedure governed. These guidelines shall govern all practice and procedure before the Board and the Department during regular and special meetings of the Board. Contested case hearings held by the Board, or the Department, shall be conducted under the Rules of Practice and Procedure before the State Board of Land Commissioners, IDAPA 20.01.01.
- 2.b. The principal offices of the Board and the Department will be located in or near the Statehouse Mall, presently 300 North 6th Street, Suite 103, Boise, Idaho 83702.
- 2.c. Written communications and documents concerning any matter covered by these guidelines should be addressed to the Secretary, State Board of Land Commissioners, Idaho Department of Lands, PO Box 83720, Boise, Idaho 83720-0050, or to the Director, Idaho Department of Lands, at the same address. All communications and documents are deemed to be officially received when delivered to the Board's principal office.
- 2.d. Identification. Communications should be specific to the subject(s) at issue and should be identified by the name and address of the communicant. When the subject matter pertains

to a proceeding, the proceeding should be identified by appropriate name, number, or otherwise.

- 2.e. Liberal construction. These guidelines shall be liberally construed to secure just, speedy, and economical determination of all issues before the Board.

3. MEETINGS

- 3.a. The regular meeting of the Board may be held on the third Tuesday of every month, unless another day is agreed to by a majority of the Board, commencing at 9:00 a.m., Mountain time, provided that a quorum of the Board is present.
- 3.b. Special meetings, as defined by Idaho Code § 74-202(6)(b), may be held at such times and places as the Board may designate on the call of the President or a majority of the Board. (Idaho Code § 58-103)
- 3.c. Executive sessions. The Secretary or any member of the Board may request an executive session, to be chaired by the presiding officer, in accordance with the Open Meeting Law, Idaho Code §§ 74-201 through 74-208. The presiding officer shall ensure the room is cleared of unauthorized personnel.

4. MEETING AGENDA

- 4.a. Meeting agenda. Any member, or the Secretary, may request an item be placed on the agenda for consideration of the Board until the draft agenda has been distributed by the Secretary. All matters for consideration by the Board in its regular meeting shall be communicated in writing to the Secretary no less than twenty (20) days preceding the date for the regular meeting. The Secretary shall distribute the draft agenda to Board members no less than ten (10) calendar days preceding the date for the regular meeting. Once the draft agenda has been distributed, changes to the agenda may be made by agreement, considering the collective feedback of the Board members and/or their staff designee. Only Board members and the Secretary may request a late addition (supplemental agenda item) to the agenda. Such supplemental agenda items may only be considered upon unanimous consent of the Board.
- 4.b. Upon written notice to the President of the Board and the Secretary, any member who will not be present at a meeting may request to have an item removed from the agenda and that item shall not be considered. However, the item shall be considered at the next meeting of the Board unless, by unanimous consent, the Board agrees to further postponement.

5. APPEARANCES

- 5.a. Appearances before the Board. Any person or entity may petition the Secretary to appear before the Board to request action, review, reconsideration, or special attention of the Board on any matter within the Board's constitutional and statutory responsibilities provided that on all matters within the authority of the Department, the person or entity should first exhaust all remedies within the Department. Any petition shall be given

consideration by the Secretary and, if granted, shall be scheduled on the meeting agenda in accordance with Guideline 4.a. and shall not conflict with these rules concerning hearings, rehearing, or litigation on the same matter.

- 5.b. When an item before the Board draws a substantial number of visitors having identical or similar views, the presiding officer may ask the group to designate one or two speakers to represent the views of the entire group in the interest of time. If several speakers still wish to be heard, the presiding officer shall advise how much time will be available for such speakers' presentations.

6. CONDUCT OF MEETINGS

- 6.a. Presiding officer. The Governor, as the President of the State Board of Land Commissioners, shall preside at all meetings of the Board. If the Governor is absent, the Secretary of State shall preside; if the Secretary of State is also absent, the Attorney General shall preside.
- 6.b. Suspending rules. In general, meetings of the Board shall be conducted in an informal manner under Roberts Rules of Order; provided, that the Board may suspend the rules at any time by a two-thirds vote in order to conduct the business of the Board in a timely and expeditious manner.
- 6.c. Contested case hearings. All contested case hearings held by the Department or the Board shall be conducted in accordance with the Administrative Procedures Act (Title 67, Chapter 52, Idaho Code), and the Rules of Practice and Procedure before the State Board of Land Commissioners, IDAPA 20.01.01.
- 6.d. Proxy voting. Proxy voting is prohibited.

7. RECONSIDERATION OF PRIOR BOARD DECISIONS

Reconsideration of Board decision. Prior to reconsideration of any previous decision concerning the same person, entity, or issue, the Board will first determine new evidence sufficient to justify reconsideration. If a Board member requests reconsideration, that member must have been on the prevailing side in the prior decision.

8. POLICY REVIEW

Periodic review of Board policies. The Board may review its policy and practices from time to time upon the motion of any member or petition of the Secretary.

9. BOARD SUBCOMMITTEES

Board subcommittees. From time to time the President or the Board by a majority vote may create subcommittees to handle specific matters before the Board or the Department. Subcommittees shall consist of two members of the Board, appointed by the President of the Board. Subcommittees are empowered only to investigate issues, advise the Department, and recommend policy or action to the full Board. From time to time the presiding officer, or the Board by a majority vote, may appoint outside, interested parties to a subcommittee to obtain the perspectives of others. Such

appointments shall be ex officio (non-voting) and shall terminate when the specific issue, for which appointment was made, has been considered by the full Board.

10. PUBLIC NOTICE – MEETING NOTICES AND AGENDAS

- 10.a. Meeting Notices and Agendas. The Secretary will notice public meetings as required by Idaho Code §§ 74-201 through 74-208 and will post notice of public meetings to <https://townhall.idaho.gov/>.
- 10.b. Public Records. Additional information pertaining to the above items, if available, will be provided according to procedures governed by the Idaho Public Records Law, Idaho Code §§ 74-101 through 74-126.

Revision History (Board Action)

- 12/20/2022 Adopted the proposed changes to the *Guidelines for Regular and Special Meetings of the State Board of Land Commissioners*, superseding prior decisions pertaining to meeting administration.

