

Idaho Broadband Advisory Board

ARTICLE I – Establishment

The Idaho Broadband Advisory Board is established in Section 67-4761, Idaho Code.

ARTICLE II – Powers and Duties

The Idaho Broadband Advisory Board is responsible for creating a statewide broadband plan that will determine the manner of structuring, prioritizing, and dispersing grants from the Idaho Broadband Fund and to determine which broadband projects are undertaken pursuant to this section. In the preparation, adoption, and implementation of the statewide broadband plan, the advisory board shall solicit the participation and assistance of state agencies with pertinent expertise and all agencies of the state of Idaho shall cooperate by providing requested research, information, and studies pertaining in any manner to the statewide broadband plan.

ARTICLE III – Members

Section 1. Number. The Board shall consist of three (3) members of the house of representatives appointed by the speaker of the house of representatives, three (3) members of the senate appointed by the president pro tempore of the senate, and three (3) members of the public appointed by the governor.

Section 2. Term of Office. All member appointments shall be to four (4) years. Any vacancy caused by death, removal, disqualification, or resignation, shall be filled in the appropriate appointment manner outlined in Section 67-4761, Idaho Code.

ARTICLE IV – Officers

Section 1. Term of Office. The Board shall elect a Chairman and Vice-Chairman at the first meeting of each odd-numbered year. Such officers shall hold their respective offices for a period of two (2) years and/or until their successors are elected and qualified. Such officers must be members of the Board. Should a vacancy occur in either office, the Board shall elect a member to fill the remainder of the term.

Section 2. Duties. Board officers shall perform the following duties:

- A. Chairman. The Chairman shall preside at all meetings of the Board, perform the normal duties of that office and such other duties as may be required of him by the Board.
- B. Vice-Chairman. The Vice-Chairman shall possess all of the powers and perform all of the duties of the Chairman in the event of the death, absence, disability or refusal to act on the part of the Chairman, and such authority shall extend until a new Chairman has been elected and qualified. He shall also perform such other duties as required of him of the Board.

- C. Committees. The Board may establish committees for any purpose deemed appropriate by the Board. The Chairman shall appoint the members of any committees established.

ARTICLE V – Meetings

Section 1. Number of Meetings. The Board shall hold no less than four (4) regular meetings annually on dates and at places set by the board.

Section 2. Setting Meetings. All regular and special meetings of the Board shall be set by the Chairman after due consultation with the Director of the Department of Commerce, or the designee of the Director, except as otherwise provided in Section 3 of this Article.

Section 3. Calling Special Meetings. Special meetings of the Board may be held by a call of the Chairman or four (4) members of the Board. Any request for a special meeting shall be communicated in writing to the Chairman who shall then set the meeting for a time within thirty (30) days after receipt of the request. If the time and place for a special meeting is not set to occur within those thirty (30) days, then the person or persons requesting the meeting may set a time and place and cause notice to be sent to all Board members and to the Director. To ensure full public awareness, actions taken at a special meeting shall be summarized at the next regularly scheduled Board meeting.

Section 4. Open Meetings. Meetings of the Idaho Broadband Advisory Board will be conducted in compliance with the Idaho Open Meeting Law (section 74, Chapter 2 Idaho code)

Section 5. Quorum. A majority of the appointed Board members shall constitute a quorum for the transaction of business. The act of the majority of the members present at the meeting at which a quorum is present shall be the act of the Board.

Section 6. Rules of Order. All meetings of the Board, except as otherwise stated, shall be conducted under Roberts' Rules of Order, revised.

ARTICLE VI – Minutes

Section 1. Meetings Recorded. All meetings of the Board, except that part which may be in executive session, shall be recorded as full minutes of every meeting. It will be the responsibility of the Broadband office in the Department of Commerce to record and maintain the recordings of all meetings. Recordings of all Board meetings shall be filed for use as reference by anyone at any time.

Section 2. Summary Minutes. Brief summary minutes of all essential items of each Board meetings shall be prepared under the direction of the Director of the Department of Commerce, or the designee of the Director, and mailed to all Board members. After approval by the Board, these summary minutes shall be made available to anyone requesting them.

ARTICLE VII – Agenda

The Chairman, in consultation with the Director of the Department of Commerce, or the Director's designee, shall organize the agenda for each meeting. Any Board member shall have

the right to have any item placed on the agenda of any meeting, for which the agenda is not already fixed, and notice sent, by communicating the request to the Chairman and the Director, or the Director's designee. After the agenda has been fixed and notice sent, any Board member upon approval by a majority of the members present at the Board meeting shall have the right to add an item to the agenda of the meeting.

ARTICLE VIII – Conflicts of Interest

No Board member shall vote or participate in any discussion or action of the Board, in which the member has a substantial individual financial interest, as contrasted with a general public benefit, or is an officer, agent, attorney, or employee of the group, entity or person seeking Board action. An interested Board member, under this section, may be counted in determining the presence of a quorum for the transaction of business at the meeting.

ARTICLE IX – Legal Counsel

Whenever possible the Board will utilize the Department of Commerce legal counsel. In other instances, legal counsel may be hired as provided by section 42-1735, Idaho Code, or counsel from the Office of Attorney General may be used as appropriate. If outside counsel is hired, all terms and conditions and the amount of compensation shall be documented in writing.

ARTICLE X – Policy Determination

The Board shall act as a group in determining policy matters.

ARTICLE XI – Amendments

These bylaws may be amended, or revised, by a majority vote at any regular meeting of the Board when such intention of amendment has been made a part of the agenda, and the proposal distributed to the Board ten (10) day prior to meeting.