

TITLE 31  
COUNTIES AND COUNTY LAW

CHAPTER 51  
STUDY COMMISSION

31-5101. APPOINTMENT OF STUDY COMMISSION. (1) The board of county commissioners may by resolution appoint a study commission, comprised of not less than five (5) nor more than nine (9) members, to study the existing form of county government, compare it to other optional forms and submit a report and any recommendations for change to the board.

(2) The board of county commissioners shall appoint a study commission upon the submission to it of a petition to appoint a study commission signed by petitioners equal in number to fifteen percent (15%) of the qualified electors voting in the county in the last general election.

(3) The resolution or petition shall state the number of commissioners to be appointed.

[31-5101, added 1996, ch. 283, sec. 2, p. 921.]

31-5102. STUDY COMMISSION -- QUALIFICATIONS. A member of a study commission shall be at least twenty-one (21) years of age and shall have resided in the county one (1) year preceding his appointment. Elected officials of the county then serving in office shall not be eligible.

[31-5102, added 1996, ch. 283, sec. 2, p. 921.]

31-5103. STUDY COMMISSION TERMS -- VACANCIES. (1) The term of office of a commission member initiates upon his appointment and concludes thirty (30) days after the issuance of the commission's final report.

(2) The governing body shall fill any vacancies occurring on the commission within thirty (30) days after the vacancy occurs.

(3) Members of the study commission shall serve without compensation, but may be reimbursed for expenses lawfully incurred in the performance of their duties.

[31-5103, added 1996, ch. 283, sec. 2, p. 921.]

31-5104. STUDY COMMISSION -- ORGANIZATION -- MEETINGS -- CONDUCT OF BUSINESS. (1) The commission shall meet within thirty (30) days of its appointment and shall organize by electing from its members a chairman, a vice-chairman, and a clerk-secretary.

(2) Meetings of the study commission shall be held upon the call of the chairman, the vice-chairman in the absence or inability of the chairman, or a majority of the members. A majority of the members of the study commission constitutes a quorum for the transaction of business.

(3) All meetings, hearings and deliberations of the commission shall be subject to the provisions of [chapter 2, title 74](#), Idaho Code.

(4) The commission may prepare a proposed budget for its operation which shall be submitted to the governing body for approval.

(5) The commission may adopt rules governing its own organization and procedure.

(6) The commission shall keep written records of its proceedings and appropriate financial records. All such records shall be open for public inspection at the offices of the study commission during regular office hours.

(7) Subject to the approval of the governing body, the commission may employ and fix the compensation and duties of necessary research, clerical, legal and other staff.

(8) Upon the request of the chairman of the study commission, the officers and employees of state agencies, other counties and other units of local government shall furnish or make available to the commission such information as may be necessary for carrying out the commission's function.

(9) The commission may apply for and accept available private, state and federal funds and may accept donations from any source.

(10) A study commission may establish advisory boards and committees, including on them persons who are not members of the study commission.

(11) The governing body shall provide the commission with suitable space and access to county facilities for holding public hearings, may contribute clerical and other assistance to the commission, and shall provide the members and staff of the commission with information and assistance necessary to conduct a complete study of county government.

[31-5104, added 1996, ch. 283, sec. 2, p. 921; am. 2015, ch. 141, sec. 59, p. 421.]

31-5105. FINAL REPORT OF STUDY COMMISSION. (1) Within one (1) year after its first meeting, the study commission shall submit its final report to the governing body. The commission shall conduct one (1) or more public hearings before submitting the final report to the governing body. The study commission may recommend an optional form or may recommend no changes in county government. The report shall be signed by a majority of the commission members. If the study commission recommends an optional form of county government, the final report shall contain:

(a) A complete description of the optional form of county government proposed, as required under the provisions of the chapter pertaining to the form of government proposed to be adopted and under any other provisions of this act; and

(b) A comparison of the existing form and proposed form of county government, including a statement of the strengths and weaknesses of the existing and proposed plans.

(2) Sufficient copies of the final report shall be prepared for public distribution and must be available not less than sixty (60) days prior to any election on adopting the recommended optional form.

(3) Within thirty (30) days after the commission submits the final report, the governing body shall publish a summary of the findings and recommendations contained in the final report in the official newspaper of the county once each week for two (2) successive weeks. The summary shall indicate where the full text of the final report may be reviewed or obtained. The summary shall include a comparison of the existing form of county government and the proposed optional form.

(4) The commission shall be deemed dissolved within thirty (30) days after it has submitted its final report to the governing body.

[31-5105, added 1996, ch. 283, sec. 2, p. 922.]

31-5106. FINAL REPORT RECOMMENDING OPTIONAL FORM -- ELECTION. (1) If the commission is established by resolution of the governing body and the final report recommends that an optional form of county government be submitted to the electors, the governing body may submit the question at the next succeeding general election. The governing body shall determine whether the question will be submitted within thirty (30) days of receiving the final report and shall make a record of its decision, citing the reasons for any decision not to submit the question to the electors.

(2) If the commission is established by petition and the final report recommends that an optional form of county government be submitted to the electors, the governing body shall submit the question at the next succeeding general election.

[31-5106, added 1996, ch. 283, sec. 2, p. 923.]