



MISSOURI ADVISORY COUNCIL ON ALCOHOL AND DRUG ABUSE

Department of Mental Health • Division of Alcohol and Drug Abuse

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BYLAWS

ARTICLE I, NAME

The body shall be known as the Missouri Advisory Council on Alcohol and Drug Abuse, hereinafter referred to as the Council.

ARTICLE II, PURPOSE AND AUTHORITY

Section 1

The Council shall act as an advisory body to the Division of Alcohol and Drug Abuse of the Missouri Department of Mental Health and Division Director.

Section 2

The Council is created by Missouri Statute, to be found in Section 631.020, Missouri Revised Statutes.

Section 3

Upon the request of the Director of the Division of Alcohol and Drug Abuse or the Director of the Department of Mental Health, the Council shall review and make recommendations on any matter submitted to it in writing or verbally by either of the directors.

ARTICLE III, MEMBERSHIP

Section 1

The Council shall be comprised of up to twenty-five members to be appointed by the Director of the Division of Alcohol and Drug Abuse.

Section 2

Members shall have professional, research, and/or personal interests in the Division's Mission. At least one-half of the members shall be consumers, and one member shall represent veterans and military affairs. No more than one-fourth of the members shall be vendors or members of boards of directors, employees or officers of vendors, or spouses of any of the above mentioned, if such vendors receive more than fifteen hundred dollars (\$1,500) per year under contract with the Department of Mental Health. Members of boards of directors of not-for-profit corporations shall not be considered vendors.

Section 3

Each member shall be appointed for an initial term of one, two, or three years to allow for a rotation of one-third of the members each year. Further, each appointed member may be re-appointed to no more than one additional three-year term. Each member serves until a successor has been appointed.

Section 4

Nominations for specified regional representation shall be made by the Nomination Committee. The Nomination Committee will be comprised of members from each regional area. Vacancies shall be announced to the full Council and other interested parties. Nominations for vacant Council positions shall be accepted from any individual or organization. Appointments to the State Advisory Council will be made by the Division Director.

Section 5

There shall be no remuneration for services as a member of this Council from state or federal funds except that each member shall be reimbursed for reasonable and necessary expenses including travel expenses pursuant to the travel regulations for employees of the Department of Mental Health, actually incurred in the performance of his/her official duties.

ARTICLE IV, OFFICERS

Section 1

The Council shall elect a Chairperson and Vice-Chairperson. Elections will be held during the last meeting of the fiscal year, by a procedure developed by the Council. Officer terms shall begin with the first meeting of the new fiscal year. Terms of office shall be for two years or until a successor has been chosen.

Section 2

The Council Chairperson shall appoint a Nomination Committee who shall present a slate of officers to the full Council for a vote during the last meeting of the fiscal year.

Section 3

The Chairperson of the Council shall preside at meetings, appoint committees, and sign documents as authorized by the full Council. The Vice-Chairperson will perform these functions in the absence of the Chairperson. In the absence of both the Council's Chairperson and Vice-Chairperson, the presiding officer at the meeting shall be the Chairperson of one of the Council's Standing Committees. The order of succession shall follow the order in which the committees are listed in Article IX, Section I of these Bylaws.

Section 4

The Chairperson of the Council shall appoint subcommittees as deemed necessary.

ARTICLE V. EXECUTIVE COMMITTEE

Section I

The Executive Committee shall be composed of the following persons:

- a. Chairperson of the Council;
- b. Vice-Chairperson of the Council;
- c. Chairperson of each standing committee; and
- d. Director of the Division of Alcohol and Drug Abuse or designee shall serve as a non-voting, ex-officio member, and also in a staff capacity to the Executive Committee.

Section 2

The Executive Committee shall meet prior to the scheduled council meeting, at the call of the Division Director, Chairperson of the Council, or by request of two voting members of the Committee.

Section 3

The Committee shall be empowered to consider and approve only those requests from the Division of Alcohol and Drug Abuse which if not acted upon prior to the next regularly scheduled meeting of the Council, will impede the business of the Division. The Committee shall have only those additional powers granted by resolution of the Council.

ARTICLE VI, MEETINGS

Section 1

The full Council shall meet at the call of the Chairperson, but not less than four (4) times per year. The Chairperson will call a meeting if requested by four (4) members of the Council.

Section 2

All meetings will be open to the public in accordance with the standards set forth in Missouri Statutes. Meetings will be at such hours and places as members may have indicated are most convenient.

Section 3

A quorum of the Council shall consist of a majority of the members of the Council.

Section 4

If any member misses three (3) consecutive meetings or attends less than fifty (50) percent of the meetings in a calendar year, the Chairperson may recommend to the appointing authority that said member be removed.

Section 5

Minutes of all Council meetings and standing committees shall be taken by a member of the staff of the Division of Alcohol and Drug Abuse, as designated by the Division Director. In the absence of a staff member, the Chairperson or Committee Chairperson shall designate a member then present to record the minutes. Such minutes shall be furnished to all Council members prior to the next Council meeting.

Section 6

Proxy voting shall not be permitted, and Council members may not send alternates to meetings.

ARTICLE VII, CONFLICT OF INTEREST

Section 1

No member of the Council may participate in or seek to influence a decision or vote of the Council if the member would be directly involved with the matter, or if he/she would derive income from it. A violation of the prohibition contained herein may be grounds for a person to be removed as a member of the Council by the Department Director [Section 631.020 (7), RSMo].

Further, when in discharging any responsibility associated with the business of the Council, there is an apparent conflict of interest on any member's part, said member shall withdraw and/or abstain from such proceedings with such action being noted in the official record of the Council. Where such action is not initiated by the member, another member may raise the question to be decided by vote of the members, if the member does not withdraw and/or abstain after the point is raised.

ARTICLE VIII, AMENDMENTS

These bylaws may be amended by a majority vote of those present at any meeting, after such amendment has been proposed in writing at the previous meeting of the Council.

ARTICLE IX, COMMITTEES

Section 1

The Council may establish standing and ad hoc committees.

Section 2

In addition to the standing committee(s), the Chairperson may initiate ad hoc committees to address issues relevant to the Council's purpose, authority, and/or other areas of concern. The Council Chairperson may appoint the chair of any ad hoc committee.

Section 3

The Council shall establish a written description of the purpose and task(s) for each committee.

Section 4

The Council, at its discretion, may establish and terminate any committee as deemed necessary, by a simple majority vote of the Council members present.

Section 5

The committees shall meet at the call of the Council Chairperson, Committee Chairperson, or the Division Director.