

Bill No. 13-06
Concerning: Alcohol and Other Drug
Abuse Advisory Council --
Amendments
Revised: _____ Draft No. _____
Introduced: April 18, 2006
Expires: October 18, 2007
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN ACT to:

- (1) revise the composition of the Alcohol and Other Drug Abuse Advisory Council;
- (2) revise the duties of the Council;
- (3) generally amend County law regarding the Alcohol and Other Drug Abuse Advisory Council.

By amending

Montgomery County Code
Chapter 24, Health and Sanitation
Article V, Alcohol and Other Drug Abuse Advisory Council
Sections 24-41 through 24-43

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

- 27 other drug abuse; and
- 28 (10) a member of:
- 29 (A) the clergy;
- 30 (B) the legal profession;
- 31 (C) the County parent-teachers associations; and
- 32 (D) the business community.]
- 33 (c) *[Nonvoting] Ex-officio members.* [The] Under state law the following
 34 officials, or each official's designee, [should each designate one
 35 nonvoting ex-officio member] are members of the Council:
- 36 (1) the County Executive;
- 37 (2) the President of the County Council;
- 38 (3) the Director of the Department of Health and Human Services
 39 [Department];
- 40 (4) the Chief of Police [Department];
- 41 (5) [Montgomery County Public School System] the President of the
 42 County Board of Education;
- 43 (6) [Board of License Commissioners;
- 44 (7)] the Director of the Department of Correction[s] and
 45 Rehabilitation;
- 46 [(8) Mental Health Advisory Committee; and
- 47 (9) Advisory Board on Victims and their Families.]
- 48 (7) the Administrative Judge of the Circuit Court for Montgomery
 49 County;
- 50 (8) the Administrative Judge of the District Court for Montgomery
 51 County;
- 52 (9) the State's Attorney;

- 53 (10) the County Public Defender;
 54 (11) the Regional Director of the state Division of Parole and
 55 Probation;
 56 (12) the Regional Director of the state Department of Juvenile
 57 Services; and
 58 (13) the County Health Officer.

59 (d) Terms. Each public member of the Council serves a 3 year term. Term
 60 designations do not apply to ex-officio members or their designees.

61 [(d)](e) Removal of members. Section 2-148(c) [applies only to voting] does
 62 not apply to ex-officio members of the Council.

63 (f) State law compliance. The Council is the local drug and alcohol abuse
 64 council that state law requires the County to create.

65 **24-42. Officers; subcommittees; meetings; bylaws; staff.**

66 (a) Officers. The Council must elect a Chair annually. The Council may
 67 select other officers annually as it finds appropriate. A member must
 68 not serve as Chair for more than 2 consecutive years.

69 (b) Subcommittees. The Council may establish subcommittees, [that]
 70 which may include persons who are not members of the Council.
 71 However, the Chair of each subcommittee must be a member of the
 72 Council.

73 (c) Meetings. The Council meets at the call of the Chair as often as
 74 required to perform its duties, but at least 9 times each year. The
 75 Council must also meet if two-thirds of the [voting] members request in
 76 writing that a meeting be held. The Chair must give reasonable
 77 advance notice of all meetings to members of the Council and the
 78 general public. A majority of the [voting] members are a quorum to

79 transact business.

80 (d) *By-laws.* The Council may establish by-laws to govern its activities.

81 (e) *Staff.* The Department of Health and Human Services must provide the
82 Council with staff support.

83 **24-43. Duties of the Council.**

84 The Council must:

85 (a) identify local alcohol and other drug abuse program needs, including
86 prevention, evaluation, and treatment, after receiving the advice of the
87 Director of the Department of Health and Human Services[by June 1
88 of each year];

89 (b) [review the state alcohol and other drug abuse plan] develop and
90 submit a local plan as required by state law to the Governor or the
91 Governor's designee, the County Executive, the County Council, and
92 the Director of the Department of Health and Human Services;

93 (c) [assist in the development of an annual County alcohol and other drug
94 abuse plan] report as required by state law to the Alcohol and Drug
95 Abuse Administration on its progress in implementing the plan, and
96 provide a copy of this report to the County Executive, County Council
97 and the Director of the Department of Health and Human Services;

98 (d) recommend appropriate allocation of funds to support alcohol and other
99 drug abuse programs after considering other available funding sources;

100 (e) promote alcohol and other drug abuse programs;

101 (f) conduct or participate in one or more public forums each year
102 concerning alcoholism and other drug abuse; and

103 [(g) issue an annual report to the County Executive, County Council, and
104 Director of the Department of Health and Human Services by October

105 1 of each year. The report must:

106 (1) evaluate the progress of local alcohol and other drug abuse
107 programs;

108 (2) identify actions needed to improve local alcohol and other drug
109 abuse programs; and

110 (3) outline goals of the Council for the following year.]

111 (g) review grant applications for drug and alcohol abuse evaluation,
112 prevention or treatment services in the county as required by State law.

113 **Sec. 2. Transition.** A public member of the Alcohol and Other Drug Abuse
114 Advisory Council whose position was eliminated under the amendments to County
115 Code Section 24-41 made by Section 1 of this Act may continue to serve as a
116 member until the member resigns, is removed, or the member’s term expires. An
117 ex-officio member whose position was similarly eliminated no longer serves on the
118 Council as of the effective date of this Act.

119 *Approved:*

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122 _____
George L. Leventhal, President, County Council Date

123 *Approved:*

124
125
126 _____
Douglas M. Duncan, County Executive Date

127 *This is a correct copy of Council action.*

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130 _____
Linda M. Lauer, CMC, Clerk of the Council Date