

By-Laws

As per Section 24-34 (C) of the County legislation, the Mental Health Advisory Committee may adopt "additional bylaws to govern its activities." The Mental Health Advisory Committee created the By-Laws and Amendments on February 3, 1977 (see Appendix 2).

BY-LAWS MENTAL HEALTH ADVISORY COMMITTEE MONTGOMERY COUNTY, MARYLAND

Article I Name

The name of the committee shall be the Mental Health Advisory Committee for Montgomery County, Maryland (hereafter referred to as "the Committee").

Article II Duties and Responsibilities

The duties and responsibilities of the Committee shall be, not limited to, those mandated by Chapter 125 of the Laws of Maryland 1975 and by Chapter 32 of the October Legislative Session 1975 of the County Council for Montgomery County, Maryland. These duties include:

- A. To review periodically with the advice and assistance of State Regional Health Director available services and facilities and determine local mental health programs needs;
- B. To advise and report to the local health officer, the County Executive, the County Council, and through the State Regional Mental Health Director to the Commissioner of Mental Hygiene on the progress of the local mental health program of actions needed for further improvements in that program;
- C. To make recommendations for appropriate allocation of funds in accordance with the agreed upon priorities and consideration of private and public financial resources, and to take into consideration relevant priorities enumerated in the State and County comprehensive health plans and successor plans thereto.

- D. To make such other recommendations and reports as the Committee deems appropriate from time to time on the status of programs and policies of the State agencies, Montgomery County agencies, and private agencies in the area of mental health.

Article III Membership

The Committee shall consist of those voting and non-voting members as outlined in Chapter 32 of the October Legislative Session 1975 of the County Council for Montgomery County, Maryland.

Article IV Officers; Elections of Officers; Terms of Office ; Duties

- A. The officers of the Committee shall be a chair person and a vice-chair person.
- B. The officers shall be elected annually in June from among and by the voting members of the Committee to take office July 1. The chairmanship of the Committee shall not be held by the same person for more than two (2) consecutive years.
- C. The chairperson shall be the directing officer of the Committee, shall preside at all meetings of the Committee, shall preside at all meetings of the Committee, may appoint sub-committees, and perform all the duties usually pertaining to the office of the chairperson.
- D. The vice-chairperson shall serve for the chairperson in the event of his/her absence, resignation, or inability to perform the duties of the chairperson.
- E. Should an officer resign during the year, his/her successor shall be elected by the Committee.

Article V Meetings and Quorum

- A. The Committee shall meet in public session as frequently as required to perform its duties and exercise its responsibilities.
- B. Written notice of all regular meetings shall be sent to all Committee members in sufficient time in advance of the meetings indicating the date, time, location, and agenda for the meeting.
- C. Notice of the regular meetings of the Committee shall be made to the general public through appropriate Montgomery County Government channels.
- D. Special meetings of the Committee shall be called by the chairperson at his/her discretion or upon written request of two-thirds (2/3) or more

members of the Committee. Notice of special meetings shall be sent to all Committee members at least ten days prior to the special meeting.

- E. A majority of the voting members of the Committee shall constitute a quorum at all meetings. A majority of those present, a quorum being present, shall decide all questions at all meetings. If, because of disqualification pursuant to the conflict of interest provisions, less than a quorum of the Committee is available to act upon any particular matter, the remaining member or members of the Committee shall constitute a quorum for the purpose of that question.

Article VI Committees

The Committee Chairperson shall be empowered to appoint such sub-committees, with the approval of the Committee as he deems needed, or, on a majority vote of the Committee, he shall appoint sub-committees as directed.

Article VII Amendment

These by-laws may be amended by any regular Committee meeting by a two-third (2/3) vote of those present, a quorum being present, providing notice of the proposed amendment is given in the immediately preceding meeting and providing further that the question of the amendment is included in the agenda for the enacting meeting.

Article VIII Parliamentary Decision

Robert's Rules of Order shall be used as the basis for any parliamentary decision.

Article IX Conflict of Interest

- A. No Committee member shall decide or participate in a decision in which he has a financial interest, as owner, member partner, officer, employee, stockholder of more than 3% of the stock, or other participant of or in any private business or professional enterprise that will be affected by such decision, nor shall a Committee member knowingly participate in a decision affecting a person related to him or his spouse, father, mother, brother, sister, or child. This shall not be construed to prohibit a Committee member from having or holding private investment business or professional interest, but shall be construed to apply when such interest or reasonably may be in conflict with the proper performance of duty by the Committee member.

- B. When there appears to exist an actual or potential conflict between the private interests of Committee member and his/her official duties, the Committee member shall disqualify himself/herself from personally and substantially participating and voting as a member of the Committee on any issue involving a potential conflict of interest.
- C. When a member is unsure of whether or not an actual or potential conflict of interest exists between his/her private interest and his/her official duties, the member shall raise the question before the Committee. The Committee, by a majority vote of its voting membership, shall decide upon the question with the member under question excluded from voting.
- D. Questions of conflict of interest may be brought up by other Committee members or the public. Such questions of conflict shall be publicly raised at a committee meeting before a decision is made on the matter before the Committee, and the member in question shall be given an opportunity to explain his/her position. The Committee by a majority vote of its voting membership, shall decide upon the question excluded from voting, if the member about whom the conflict of interest is raised has not already announced the conflict of interest and removed himself/herself from voting.
- E. At the discretion of the Committee, concerns about compliance with this Article may be brought to the attention of the County Executive or the County Attorney.
February 3, 1977

BY-LAWS AMENMENTS

The Montgomery County Health Department will provide staff to write minutes of the meetings. Minutes will be reviewed by the Vice-Chairman prior to dissemination. (April 3, 1980)