

**STATE OF MAINE
BYLAWS OF THE
MAINE JUSTICE ASSISTANCE COUNCIL**

Article 1 Name, Authority and Responsibilities

Section 1 Name

The name of the policy board, established by Executive Order 2 FY 86/87 and revised by Executive Order 10 FY 94/95 shall be the "Maine Justice Assistance Council," (hereinafter designated as the "Council").

Section 2 Authority and Responsibility

The Maine Justice Assistance council shall operate as the broad-based policy board recommended to fulfill responsibilities pursuant to the Justice Assistance Act of 1984, the State and Local Narcotics Assistance Program of the Anti- Drug Abuse Act of 1986, the Drug Control and System Improvement Program of the Anti-Drug Abuse Act of 1988, and the Violent Crime Control and Law Enforcement Act of 1994.

The Council shall be responsible for:

1. Establishing policies and priorities in regard to the Justice Assistance Act, the State and Local Narcotics Assistance Program established by the Anti-Drug Abuse Act of 1986, the Drug Control and System Improvement Program established by the Anti-Drug Abuse Act of 1988, and the Violent Crime Control and Law Enforcement Act of 1994. With respect to Narcotics Enforcement matters, the Council shall provide full opportunity for the Intergovernmental Drug Enforcement Policy Board to present recommendations for funding priorities.
2. Issuing requests for proposals and other appropriate information pertaining to the Justice Assistance Act, the Anti-Drug Abuse Acts of 1986 and 1988, and the Violent Crime Control and Law Enforcement Act of 1994.
3. Receiving funding applications and making funding recommendations; and,
4. Responding to other requirements as necessary and appropriate.

ARTICLE II MEMBERSHIP

Section 1 Composition

- A. Appointees to the Maine Justice Assistance council shall include:
1. The Commissioner of the Department of Public Safety; or his/her designee;
 2. The Director of the Maine Criminal Justice Academy;
 3. One Sheriff;
 4. Two Police Chiefs;
 5. A District Attorney;
 6. A member of the Department of Corrections designated by the Commissioner;
 7. The Chief Justice of the Supreme Court, or his/her designee;
 8. The Attorney General, or his/her designee;
 9. The Commissioner of the Department of Corrections, or his/her designee;
 10. L.E.C.C. Coordinator, U.S. Attorney's Office, District of Maine;
 11. Director, Division of Probation and Parole, Department of Corrections;
 12. A Representative of a state law enforcement agency;
 13. The Director of the Maine Office of Substance Abuse or his/her designee;
 14. The Chairperson of the Maine Commission on Domestic Abuse; and,
 15. A representative of a domestic abuse prevention organization.
 16. A victim services representative.

Section 2 Appointment and Terms

Members of the Maine Justice Assistance Council shall be appointed by the Governor for terms of three years or until a successor is appointed and shall be eligible for reappointment at the discretion of the Governor. Members appointed to fill an unexpired term shall serve until the expiration date of that term or until a successor is appointed.

ARTICLE III OFFICERS AND COMMITTEES

Section 1 Officers

- A. Chair shall be appointed by the Governor for a term of three years or until a successor is appointed and shall be eligible for reappointment at the discretion of the Governor.
 - 1. The Chair shall preside at all meetings of the Maine Justice Assistance Council.
 - 2. The Chair shall appoint all committees and their Chairs.

- B. Vice-Chair

A Vice-Chair shall be elected by and from the membership of the council to serve in the absence, inability or resignation of the Chair. Elections shall be held annually, and the elective term of the Vice-Chair shall be for the duration of twelve months. It shall be possible for a person to be renominated and to serve more than one consecutive term, subject only to the elective process of the Council itself.

- C. Secretary

A secretary shall be elected by and from the membership of the Council and shall serve for a term of three years. The Secretary shall be responsible for taking minutes, disseminating information and forwarding all appropriate materials to the Council.

- D. Other Officers

The Chair, with the consent of the Council, may appoint any other officers or assistants as may be needed.

Section 2 Committees

Such committees as are necessary to fulfill the responsibilities of the Council may be created by the Chair with the consent of the Council. The Chair shall appoint the members of such committees.

Section 3 Conflict of Interest

- A. A member of the Council shall reveal his/her interest in and shall abstain from voting upon and from participating in the discussion in regard to any proposal or project involving grant-in-aid funds where, to his/her knowledge, he/she or a related person directly or indirectly may derive economic benefits from such proposal. That person may, nonetheless, present the proposal and respond to questions.
- B. When a proposal is before the Council that would grant money or confer economic benefits upon an organization or agency public or voluntary, that employs a member of the Council, that member shall not participate in the discussion thereon, and shall not vote to approve or deny the proposal. That person may, nonetheless, present the proposal and respond to questions.

- C. When a proposal is before the council that would grant money or confer economic benefits upon an organization or department, public or voluntary, that has as an officer or a director of its governing board, a member shall not participate in the discussion thereon, and shall not vote to approve or deny the proposal. That person may, nonetheless, present the proposal and respond to questions.

ARTICLE IV MEETINGS

Section 1 Regular Meetings

There shall be at least four meetings of the Council annually. Meetings of the Council shall be held at a location and time to be determined by the Chair and approved by the membership. The Chair shall have the discretion to cancel or reschedule any regular meeting. Members shall be notified of the time and place of all such meetings at least seven days prior to the meeting date.

The Justice Assistance Council allow any or all members to participate in a regular or special meeting by any means of conference telephone or other communication equipment which allows all those participating to hear each other at the same time.

A member participating in a meeting by conference telephone or other communications equipment which allows all those participating to hear each other at the same time is considered to be present in person at the meeting, and shall be counted toward the required quorum.

Section 2 Special Meetings

Special meetings of the Council may be called at the discretion of the Chair or by a written request of at least three Council members. An agenda, together with a notice of the time and place of any such meeting, must be provided to Council members at least seven days in advance. Only matters contained in the agenda shall be voted at any special meeting. The Chair shall have the discretion to cancel any special meeting, provided that such meetings called by members of the Council are canceled only with their consent.

Section 3 Quorum

A majority of Council members shall constitute a quorum at meetings of the Council.

Section 4 Passage of Motions

After a quorum is announced, a majority of those voting (defined as those who cast "yes" or "no" votes) on a motion shall be sufficient to pass a motion and make it an official act of the council. The Chair or any Council member may call for a roll call vote on any motion. The minutes shall reflect the results of each roll call vote and the vote on any motion to approve, deny or postpone consideration of a proposal for grant funds.

Votes may be cast at regular or special Council meetings by voice, by a show of hands, or by written ballot.

A vote may also be cast by telephone, electronic mail, facsimile or another electronic submission.

Section 5 Public Meetings

Meeting and records of the Council shall be open to the public. The Chair shall be responsible for the preparation and distribution of the agenda for all Council meetings. Minutes shall be kept of all regular and special Council and committee meetings. They shall indicate the items discussed and any action taken.

Section 6 Rules of Order

All matters of procedure not covered by these Bylaws or by resolution of the council shall be governed by Robert's Rules of Order, Newly Revised.

ARTICLE VI ADMINISTRATION

Section 1 State Office

The Department of Public Safety is designated as the State Office, for administrative activities under the Justice Assistance Act and the Anti-Drug Abuse Acts of 1986 and 1988, and the Violent Crime Control and Law Enforcement Act of 1994, for the purpose of:

Preparing applications to obtain funds, to include a statewide strategy to improve the functioning of the criminal justice system;

Administering funds received from the Bureau of Justice Assistance, including receipt, review, technical assistance, grant adjustments, accounting, auditing, and fund disbursements; and

Providing for the fulfillment of any other necessary requirements pursuant to the Justice Assistance Act, the Anti-Drug Abuse Act of 1986 - State and Local Narcotics Assistance Program, the Anti-Drug Abuse Act of 1988, and the Violent Crime Control and Law Enforcement Act of 1994.

Coordinating the distribution of funds provided under the Anti-Drug Abuse Acts of 1986 and 1988, and the Violent Crime Control and Law Enforcement Act of 1994, with state agencies receiving Federal funds for drug abuse education, prevention, treatment, research activities and programs.

When the Department of Public Safety awards a subgrant to an agency of State government, the Department shall notify the Legislative Finance and Program Review Office pursuant to 5 M.R.S.A. Sec. 3354.

ARTICLE VI AMENDMENT OF BY-LAWS

Section 1 Procedures

These By-laws may be amended or revised at any regular or special meeting by a majority vote of the members present, provided that any proposed amendment or revision shall have been distributed to the Council members at least three days including weekends and holidays prior to the meetings.