

NASCSA Bylaws

ARTICLE I Purpose

The purpose of this Association is to provide a continuing mechanism through which state and federal agencies, as well as others, can work to increase the effectiveness and efficiency of state and national efforts to prevent and control drug diversion and abuse, and to provide an educational forum to further this purpose.

ARTICLE II Membership

(1) Regular Membership - The agency or agencies for each state, commonwealth, district or territory of the United States of America with controlled substance responsibilities shall be eligible for membership. The membership year shall run from July 1st of each year to June 30th. Only member agencies shall be eligible to vote on Association matters and only representatives of member agencies shall be eligible to hold office in the Association, except as chair of the Executive Committee as authorized in Article V(5) .

(2) Associate Membership - Any government agency or organization with a stated interest in controlled substances, which agency is not eligible for membership as set out above, may become an associate member upon payment of the same fee as is set for regular membership in the Association. An associate member shall not be eligible to vote on Association matters or to hold office in the Association, except as chair of the Executive Committee as authorized in Article V(5), but may serve as an *ad hoc* member on Association committees when requested by the President of the Association.

(3) Associate Individual Membership - Any individual or individual representative of an entity, with a stated interest in controlled substances, may become an associate individual member upon application and subsequent majority vote of the executive committee and payment of a fee not to exceed that for regular membership. An associate individual member shall not be eligible to vote on Association matters or to hold office in the Association, except as chair of the Executive Committee as authorized in Article V(5), but may serve as an *ad hoc* member on Association committees when requested by the President of the Association.

(4) Honorary Membership - Any individual who was previously employed by an entity with a stated interest in controlled substances and who has made a significant contribution to the work of the Association may become an honorary member upon nomination of the Executive Committee and by a subsequent majority vote of the full membership. Membership dues shall be waived. An honorary member shall not vote on Association issues or hold office in the Association, except as chair of the Executive Committee as authorized in Article V(5), but may serve as an *ex officio* member on Association committees when requested by the President of the Association.

ARTICLE III Annual Dues

Each regular member shall pay dues as follows: Dues shall be set by the Executive Committee and shall be set at a flat rate for ~~all~~ regular members. Said dues shall not exceed \$500 per regular member.

ARTICLE IV Annual Conference

The annual conference of the Association shall be held at a time and place determined by the Executive Committee. A notice setting out the time and place of the annual conference shall be sent to each member of the Association at least 90 days prior to the conference. The Executive Committee shall set the agenda and fees for the annual conference.

ARTICLE V
Officers

- (1) The officers of the Association shall consist of a President, a Vice-President, a Secretary-Treasurer, and the immediate Past President. Only representatives of NASCSA member agencies shall be eligible to be officers.
- (2) The President shall preside at all meetings of the Association and shall carry out the instructions of the Executive Committee with regard to the affairs of the Association. The President shall sign all certificates and other instruments for the Association, except that he/she may delegate the signing of financial instruments to the Secretary-Treasurer and/or Executive Director.
- (3) The Vice-President shall perform such duties as may be assigned to him or her by the President or Executive Committee, and shall serve as chair of the Resolutions Committee. The Vice-President shall, in case of resignation, death, disability, or the absence of the President, perform and be vested with all of the President's duties and authority.
- (4) The Secretary-Treasurer shall keep account of all monies of the Association received or disbursed and shall keep a deposit thereof in such bank or depository as approved by the Executive Committee. The Secretary-Treasurer shall have the responsibility for keeping the minutes of all meetings and for maintaining other records deemed necessary by the Executive Committee. The Secretary-Treasurer may delegate duties and responsibilities to the Executive Director, as approved by the Executive Committee.
- (5) The Immediate Past President shall serve as chair of the Executive Committee. In the event that the Immediate Past President no longer represents a member agency or is otherwise unable to serve, the Executive Committee shall select a person who has previously served as an officer of the Association to serve as chair of the Executive Committee.
- (6) The officers of the Association shall be elected to serve for a term of one year, or until the next election is held, and may serve no more than two successive terms.

ARTICLE VI
Executive Committee

- (1) The Executive Committee shall be composed of the four officers and four Members at Large. The Immediate Past President of the Association shall be chair of the Executive Committee, but except in case of a tie, shall have no vote on Executive Committee matters.
- (2) Four persons shall serve as Members at Large of the Executive Committee. Two members shall be elected at each annual conference for a term of two years, or until the next election is held. Executive Committee Members at Large may serve no more than two successive terms.
- (3) The terms of all executive committee members shall commence upon their installation and they shall hold office until their successors are elected and have been installed. The officers shall be installed before the conclusion of the annual conference at which they are elected.
- (4) No regular member shall have more than one representative on the Executive Committee at any time. No person shall serve more than two consecutive terms in the same position on the Executive Committee.
- (5) The Executive Committee shall manage the business and affairs of the Association, exercise all the authority that may be exercised by the Association under its By-Laws, implement resolutions approved by the membership and approve the collection and expenditure of funds.
- (6) The Executive Committee shall have the authority to employ and terminate from employment an Executive Director and other persons who are deemed by the Executive Committee to be appropriate staff of the Association.

(7) The Executive Committee of the Association shall hold its meetings upon call of the President or upon call by four members of the Executive Committee at such time and place as the President or the Executive Committee members shall designate.

(8) Members of the Executive Committee shall receive a written notice of the meeting at least 30 days prior to the meeting date. All member agencies shall be notified in writing as soon as practical of the date of the meetings.

(9) All meetings are open to all members as non-voting participants.

(10) Five members of the Executive Committee shall constitute a quorum.

ARTICLE VII Committees

(1) The President may appoint committees deemed necessary to carry out the business of the Association.

(2) The President shall appoint a Nominating Committee, which will be responsible for presenting a slate of nominees at the annual conference. The Immediate Past President, if present at the conference, shall chair the Nominating Committee.

(3) The President shall appoint a Resolutions Committee, which will be responsible for presenting resolutions to the membership at the annual conference. The Vice President, if present at the conference, shall chair the Resolutions Committee.

(4) The President shall appoint a Finance Committee, which will be responsible for reviewing the financial instruments and records of the Association at least annually and reporting its findings at the annual conference. The Secretary/Treasurer, if present at the conference, shall chair the Finance Committee.

ARTICLE VIII Quorum

A quorum at any general membership meeting or conference shall consist of a simple majority of the regular membership. The quorum shall be established by a roll call of the regular membership ~~immediately prior to~~ at the beginning of the meeting or conference.

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ARTICLE IX Vacancies

(1) A member of the Executive Committee who leaves his or her position with a member agency shall continue in office until the close of the next annual conference unless the Executive Committee determines there is a conflict of interest with his or her new status and continued service on the Executive Committee.

(2) In case of death, disability or resignation of any of the members of the Executive Committee, other than the President as provided in Article V, the remaining members of the Executive Committee may select a person to fill the vacancy for the unexpired term.

ARTICLE X Voting

(1) Each state, commonwealth, district, or territory with a regular membership may cast only one vote.

(2) An affirmative vote by the majority of the states, commonwealths, districts, or territories present and voting, a quorum having been established in accordance with Article VIII, is required for the passage of any motion.

(3) A two-thirds vote of the states, commonwealths, districts, or territories present and voting shall be required to amend the By-Laws. A written notice of any proposed changes to the By-Laws shall be sent to the members at least 60 days prior to the general membership meeting at which the amendments will be considered.

(4) In accordance with Article XI, a two-thirds vote of the states, commonwealths, districts, or territories present and voting shall be required to consider a resolution that is submitted to the Executive Committee less than 45 days prior to a meeting.

(5) An affirmative vote by the majority of the states, commonwealths, districts, or territories present and voting shall be required for the passage of a resolution.

(6) In the event that a quorum is not established in accordance with Article VIII, the Executive Committee may employ alternate methods for the sole purpose of conducting voting on a motion to change the bylaws or elect an officer or Executive Committee member. An affirmative vote by the majority of regular members shall be required for election of officers and Executive Committee members and a two thirds affirmative vote of regular members shall be required for the passage of a change to the bylaws.

ARTICLE XI Resolutions

(1) Any member may propose a resolution to be considered by the regular membership. The resolution must be submitted in writing to the Executive Committee not less than 45 days prior to the meeting at which it will be considered. Voting shall be in accordance with Article X, requiring a simple majority for passage.

(2) If a resolution is received by the Executive Committee less than 45 days prior to the meeting at which it would be considered, it may be considered if two-thirds of the regular membership present and voting approve its consideration. If approved for consideration, the resolution shall require an affirmative majority vote, in accordance with Article X.

(3) A resolution approved by the members at the meeting shall be sent to all members within 90 days after the close of the meeting and forwarded to the Executive Committee for implementation as required.

(4) A resolution requiring an expenditure in excess of \$100 must include a provision for a maximum expenditure not to exceed the Association's existing balance in order to be implemented.

ARTICLE XII Dissolution

Upon dissolution of NASCSA, all assets shall be transferred to a 501(C)(3) organization of similar purposes as required by regulations of the Internal Revenue Service.