

ALABAMA STATE COUNCIL ON THE ARTS AND HUMANITIES
ADMINISTRATIVE CODE

CHAPTER 130-X-1
POLICY AND PROCEDURES

130-X-1-A Bylaws of the Alabama State Council on the Arts.

APPENDIX

BYLAWS OF THE

ALABAMA STATE COUNCIL ON THE ARTS

ARTICLE I - OFFICES

Section 1. Principal Office. The principal office of the Alabama State Council on the Arts shall be located in Montgomery.

ARTICLE II - CONSTITUTION AND SEAL

Act No. 551 of the 1967 Regular Session and as amended by Act. No. 1065 of the 1969 Regular Session, Act. No. 689 of the 1976 Regular Session, Act. No. 81-982 of the 1981 Special Session of the Alabama Legislature shall be the Constitution of the Alabama State Council on the Arts, Act 509 of the 1982 Regular Session, Act 575 of the 1987 Regular Session, Act 181 of the 1996 Regular Session, and Act 416 of the 2002 Regular Session. The seal of the Alabama State Council on the Arts shall be the State Seal. Other emblems or insignia may be utilized for publicity and/or public information purposes.

ARTICLE III - COUNCIL MEETINGS

Section 1. Annual Meeting. The annual meeting of the Alabama State Council on the Arts for the transaction of business shall be held on a date and time designated in the first quarter of the fiscal year. The fiscal year of the Council shall begin on the first day of October and end on the last day of September, in each year.

Section 2. Regular Meetings. The Council shall meet quarterly, four (4) times each year, at such hours, and in such place, as agreed upon by a majority of Council members.

Section 3. Special Meetings. Special meetings of the Council may be called by or at the request of the Chairman, or, in his absence, by the Vice-Chairman or a request from at least five (5) Council members.

Section 4. Action Without a Meeting. Any action required or permitted to be normally taken by the Council at a meeting may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by two-thirds members of the Council. Action may further be taken by the Executive Committee as specified within these By-Laws.

Section 5. Notice of Meetings. Notice of and the regular meetings of the Council shall be given at least ten (10) working days prior to the date thereof of mailing a copy of the notice to each Council member at his last known residence. Notice of special meetings of the Council shall be given at least seven (7) days before the meeting. Each notice shall specify the place, the day, the hour of the meeting, and, in the case of special meeting, the nature of the business to be transacted.

Section 6. Quorum. A simple majority of the Council members shall constitute a quorum for conducting the business of the Alabama State Council on the Arts. No business shall be considered by the Council at any meeting at which a quorum, as defined herein, is not present; the only motion which the Chairman shall entertain at such meeting will be a motion to adjourn.

Section 7. Organization. The meetings of the Council shall be presided over by the Chairman, or, in his absence, by the Vice-Chairman, or, in his absence, by the Secretary of the Council.

Section 8. Presumption of Assent. A member of the Council who is present at a meeting at which action is taken shall be presumed to have assented to the action taken unless his dissent shall be entered into the minutes of the meeting or unless he shall file his written dissent to such action with the secretary of the Council before the adjournment thereof or shall forward such dissent by mail to the secretary of the Council immediately after the adjournment of the meeting. Such right to dissent shall not apply to a member who voted in favor of such action.

ARTICLE IV - COMMITTEES

Section 1. Committees. There shall be an Executive Committee, Grants Review Committee, Long Range Planning Committee, and such other committees as the Chairman with the approval of the Council may from time to time determine and implement. The Council Chairman shall serve as an ex-officio member of all committees, unless otherwise specified in these Bylaws. Appointment of committee members and naming of Chairman of each committee shall be made by the Chairman of the Council. The Council representative to the National Assembly of State Arts Agencies and to the South Arts shall be the Chairman of the Council or a Chairman designee. The committee members shall serve two years concurrent with the term of the Chairman. The Vice-Chairman of

the Council shall represent the Council on the Arts License Tag Committee where Council representation is specified by ACT 181.

Section 2. The Executive Committee. The membership of the Executive Committee shall be the Chairman, Vice-Chairman, the Immediate Past Chairman of the Council, if still a member of the Council, the Secretary and the committee chairs as appointed by the Council chairman. A quorum of the Executive Committee shall consist of a majority of the Executive Committee members. The Chairman of the Council shall serve as Chairman of the Executive Committee. The Executive Committee shall meet at the call of the Chairman, at stated times, or on notice to all by any of their own members. Tenure on the Executive Committee shall be two (2) years. The Executive Committee may, during the intervals between meetings of the Council, advise with the Executive Director in all budgetary and policy matters, and shall have powers of the Council in the management of the business affairs of the Council, except to such matters as the Council has by resolution expressly reserved to itself and matters covered by existing state law and/or policy. All actions by the Executive Committee shall be reported to the Council at its next meeting. The Executive Committee shall serve as a search committee related to the hiring of an Executive Director.

Section 3. The Grants Review Committee. The Grants Review Committee shall review all applications, and recommend funding positions to the Council. The tenure of the Grants Review Committee shall be two (2) years, and meetings shall be called by the Chairman of the Grants Review Committee. Advisory Panels along with Council staff will assist the Grants Review Committee in reviewing and recommending projects from arts organizations and educational institutions. An Advisory Panel member can be reappointed for a maximum of three consecutive deadlines. Meetings of the Advisory Panels will be coordinated and facilitated by the Council staff. Expenses of the members of Advisory Panels may be lawfully reimbursed by the Council. Panel members may be compensated for their service, at a rate determined by the Council. All recommendations by the Grants Review Committee shall be reported to the Council at its next meeting succeeding such recommendations and shall be subject to revision and final approval by the Council.

Section 4. Long Range Planning Committee. The Long Range Planning Committee of the Council is primarily responsible for establishing, reviewing and revising programs and funding priorities reflected in a multi-year plan (3 to 5 years) adopted by the full Council articulating the mission, goals, objectives and strategies for the agency. Additional and related responsibilities include: 1) legislative relations and advocacy; 2) community relations involving needs assessment, collaborative ventures and conflict resolution; 3) every two years analyze needs and nominations leading to recommendations for appointments by the Governor to the Council; 4) review the annual program/grants

budget and make recommendations to the full Council regarding funding levels and priorities for the fiscal year; 5) consider funding issues relative to grant guidelines and/or grant policies and make recommendations for changes that are consistent with the multi-year plan and program initiatives of the Council; 6) periodically review council by-laws and recommend amendments as needed; 7) assuming additional tasks as assigned by the Chairman of the Council and/or identified by the Long Range Planning chair which reflects a specific need, interest and/or new initiative of the full Council.

Section 5. Meetings of the Committees. Meetings of all committees shall be called by the Chairman of each committee, and shall meet in connection with each regular Council meeting and at other times when requested to do so by the Council or the Executive Committee. Unless expressly specified in these Bylaws, committee powers are limited to their making recommendations to the Council for consideration and action. Tenure on all committees is the two-year period, in which members are appointed.

Section 6. Quorum of Committees. A majority of the committee members shall constitute a quorum.

ARTICLE V - OFFICERS TERMS OF OFFICE

Section 1. Number. The Officers of the Council shall be the Chairman the Vice-Chairman and Secretary.

Section 2. Election and Term. The Officers of the Council shall be elected by the Council members at the appropriate annual meeting of the Council for one two-year term. Each officer shall hold office during the two years of the term and until his successor is elected and qualified. Any vacancies occurring in offices shall be filled by the Council at the first available meeting. The Council shall appoint such temporary or acting officers as may be necessary during the temporary absence or disability of a regular officer. A term begins immediately following the vote of the Council at the meeting where elections do take place.

Section 3. Removal. The Council may remove, either with or without cause, any officer.

Section 4. The Chairman. The Chairman shall preside at all meetings of the Council. He shall have such other powers and perform such other duties as the Council shall designate or be required by the state or as may be provided in these Bylaws or applicable state law. The Chairman shall be a voting member of the Executive Committee and ex-officio member of all other committees.

Section 5. The Vice-Chairman. The Vice-Chairman may perform such acts, not inconsistent with these Bylaws or applicable law. In

the Chairman's absence or inability to act, the Vice-Chairman may exercise the powers of the Chairman, except as otherwise determined by the Council. Any action taken by the Vice-Chairman in the performance of the duties of Chairman shall be conclusive evidence of the absence or inability to act of the Chairman at the time such action was taken. The vice-Chairman shall have such other powers and perform such other duties as may be assigned to him by the Chairman and by the Council. The Vice-Chairman shall serve as the Council representative on the Arts License Tag Committee and be voting member of that body as specified by Legislation.

ARTICLE VI - GENERAL

Section 1. Compensation. No compensation shall be paid to members for their service as members. Members may be reimbursed for expenses incurred by them in the performance of their duties as specified by state policy and procedure. A member may be paid for a professional service in a capacity other than as a member, subject to approval by the State and the Council. It is understood that the Council shall indemnify each member in any action, suit or proceeding to which he may be made a party by reason of his being, or having been, a member of the Council and to pay any judgment or settlement that may result there from, whether ordered by Court of entered into by settlement.

Section 2. Amendments. Except as otherwise required by law, these By-Laws may be amended at a regular meeting or a called meeting for that purpose, provided written notice of the proposed amendment shall be given at least fourteen (14) days prior to such meeting. Such amendment shall require an affirmative vote of two-thirds of the Council.

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