

**Minnesota Association of Community Corrections Act Counties
MACCAC BYLAWS**

ARTICLE I - NAMES AND DEFINITIONS

Section 1. NAME. This organization shall be known as the Minnesota Association of Community Corrections Act Counties, which may sometimes be referred to as MACCAC.

Section 2. DEFINITIONS.

Subd. 1. The terms defined in this section shall have the meaning given unless otherwise provided or indicated by context.

Subd. 2. "Association" means the Minnesota Association of Community Corrections Act Counties.

Subd. 3. "Board" means the Board of Directors of the Minnesota Association of Community Corrections Act Counties.

Subd. 4. "Member" means a county or group of counties, which is operating under or has indicated intent, to operate under the provisions of Community Corrections Act of 1973, as amended and which has chosen to join the Association.

Subd. 5. "Delegate" means a designated representative of a Member at an Association meeting.

Subd. 6. "Act" or "C.C.A." means the Community Corrections Act of 1973, as amended; Minnesota Statutes, Chapter 401.

Subd. 7. "Department of Corrections" means the Minnesota Department of Corrections.

Subd. 8. "County Board" means the chief administrative and legislative body of a county, established pursuant to Minnesota Statutes, Chapter 375.

Subd. 9. "Joint Board" means the governing board of a multi-county community corrections system.

Subd. 10. "Annual Meeting" means the delegate assembly each year, at a time and place to be determined by the Association's Board of Directors.

Subd. 11. "Director" means a delegate serving on the Association's Board of Directors.

ARTICLE II – PURPOSES

Section 1. PURPOSES. The purposes of the Association shall include, but are not limited, to the following:

Subd. 1. To support the development and revision of the Act in conformity with the needs and purposes of the Members.

Subd. 2. To provide a forum for the exchange of information and resources among Association Members.

Subd. 3. To aid in the implementation of the Act in Member jurisdictions.

Subd. 4. To coordinate and facilitate interaction between the Department of Corrections and other state agencies and the Members, especially in developing and implementing the Act and other similar or related programs.

Subd. 5. To develop policy recommendations for Members and the legislature regarding the implementation and operation of the Act.

Subd. 6. To provide a vehicle for expressing ideas and concerns for the improvement of programs related to the delivery of correctional services.

Subd. 7. To provide an orderly and effective means for Members to speak out collectively on matters of concern related to the role and responsibility of county government for the delivery of correctional services to offenders.

ARTICLE III – MEMBERSHIP

Section 1. ELIGIBILITY AND DUES. Any county or group of counties which has chosen to operate under the provisions of the Community Corrections Act or which through the passage of a resolution by the county board has indicated a formal intent to do so, may be a Member of the Association. A group of counties operating jointly under the Act shall be considered as one (1) Member.

Subd. 1. Each Member's voting privileges in this association are contingent upon the payment of dues in an amount and by a method determined by the Delegate Assembly.

Subd. 2. Only those individual counties or groups of counties with formal participation in the Community Corrections Act shall be assessed dues. Jurisdictions joining the MACCAC organization midyear shall have their Membership dues waived for the remainder of the calendar year in which they join.

ARTICLE IV - MEMBER DELEGATES AND DELEGATE ASSEMBLY

Section 1. COMPOSITION. Each Association Member shall appoint three (3) persons to serve as the Member's Delegates to the Association. The Member shall appoint Delegates from any of the following three areas: (a) the County Board or Joint Board; (b) the Corrections Advisory Board; and (c) the Community Corrections Administrative Staff.

Section 2. DEPARTMENT OF CORRECTIONS. The Commissioner of Corrections may select one (1) person to represent the Department in relations with the Association. Such person may participate in all Association meetings as determined by the Board of Directors, but shall have no vote.

Section 3. TERM. Each Delegate shall serve at the pleasure of the appointing authority.

Section 4. VACANCY. The appointing authority shall fill any Delegate vacancy within two (2) months of the vacancy's occurrence.

Section 5. DUTIES. The Delegates shall serve as the representative assembly of the Association. They shall govern the affairs of the Association and determine its policy. They shall elect the President-Elect of the Association. The Delegate Assembly shall determine the amount and of MACCAC dues and the dues funding formula. Any change in the MACCAC Bylaws must be approved by the Delegate Assembly.

Section 6. MEETINGS. The Delegates shall meet at least annually. Other Delegate Assembly meetings may be called by the President or a majority of the Board of Directors at such time and place as set forth in the meeting notice. All Delegates shall receive no less than fourteen (14) days written notice of a Delegate Assembly meeting.

Section 7. QUORUM. The Delegates present at any duly called and properly noted meeting shall constitute a quorum for the transaction of business; a majority of Delegates present shall be sufficient to pass on any action unless some other number is required by these Bylaws or by statute.

ARTICLE V - BOARD OF DIRECTORS

Section 1. BOARD OF DIRECTORS. There shall be organized a Board of Directors to consist of one (1) voting Delegate Member from each of the Association Members.

Section 2. GENERAL POWER. The Board of Directors shall have all the powers necessary to effectively carry out the management business and affairs of the Association and such other powers as necessary and incidental to the performance of the Association's purposes.

Section 3. DESIGNATION AND TERM OF OFFICE. The Board of Directors shall consist of the Director of each MACCAC jurisdiction. If the designated Director is unavailable or unable to attend a board meeting, the Director of the MACCAC jurisdiction may designate the replacement Member of the Board of Directors. The designee must be from the Director's Community Corrections Act jurisdiction.

Section 4. VOTING. Each Member of the Board of Directors shall be entitled to one (1) vote. There shall be no proxy voting.

Section 5. MEETINGS. The Board of Directors shall meet at least two (2) times per year. A Board meeting may be called by the President, or by any five Directors. Notice of such meeting must be given to all Directors at least ten (10) working days prior to the day of the meeting; however, if oral notice is given to all Directors notice of five (5) working days is sufficient.

Section 6. QUORUM. For Board of Directors meetings, a quorum shall be defined as fifty-one percent (51%) of those authorized to serve as Delegate Members of the Board of Directors. A quorum is necessary for the transaction of business at any meeting of the Board.

Section 7. POWERS AND DUTIES. The Board shall be responsible for instituting programs and actions necessary or helpful in achieving the purposes of the Association. These shall include, but are not limited to, the following:

Subd. 1. Determination, coordination, and evaluation of the Association and its purpose.

Subd. 2. Establishment or termination of committees, task forces, or other groups as needed.

Subd. 3. Representation of the Association and its purposes to the public, governmental bodies and other organizations.

Subd. 4. Managing the finances of the Association including an annual accounting to the Members showing income and expenditures of all funds.

Subd. 5. Selection and employment of personnel as needed to carry out the Association business, including the establishment of appropriate personnel policies and practices.

Subd. 6. Selection from among its Members a Director to serve a one-year term as Treasurer.

Subd. 7. Selection of the annual Board of Director's Award.

Subd. 8. Any other matter, which will aid in or be incidental to the furtherance of the Association's business.

Section 8. VACANCIES AND ABSENCES. The Board shall replace any vacancy on the Board by notifying the appointing authority and requesting the designation of a Member to fill the vacancy.

ARTICLE VI – OFFICERS

Section 1. OFFICERS. The officers of the Association shall be the President, President-Elect, Past-President, and Treasurer.

Section 2. ELECTIONS. The President-Elect shall be elected by the Delegates at the annual meetings.

Section 3. PRESIDENT.

Subd. 1. The President-Elect shall become the President of the Association at the annual meeting following the meeting at which he/she was chosen as President-Elect.

Subd. 2. The President shall serve as the chief executive officer of the Association and the Board. The President shall preside at all meetings of the Association and the Board. He/she shall make all appointments to committees and shall serve as an ex-officio Member of all committees. The President or other person authorized by the board may sign any deeds, mortgages, contracts, or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board, these Bylaws, or by statute to some other officer or agent of the Association. In general, the President shall perform all duties incidental to the office and such other duties as may be prescribed by the Board from time to time.

Section 4. PRESIDENT-ELECT.

Subd. 1. The President-Elect shall be elected by the Delegates from their Members in accordance with Section 2 above.

Subd. 2. The President-Elect shall serve as a full Member of the Board of Directors except when exercising the duties of the President when he/she shall serve with the duties and limitations of the office of the President.

Subd. 3. In the absence of the President or in the event of his/her inability or refusal to act, the President-Elect shall perform the duties of the President. The President-Elect shall perform such other duties as from time to time may be assigned to him/her by the President or the Board.

Section 5. IMMEDIATE PAST PRESIDENT.

Subd.1. The Association President shall assume the role of Immediate Past President upon completion of his/her term as Association President.

Subd. 2. The Immediate Past President shall serve a term of one year and shall serve as a full Member of the Board of Directors and the Executive Committee.

Section 6. TREASURER.

Subd. 1. The Treasurer shall be selected by the Board from among its Members.

Subd. 2. The Treasurer shall have custody of all Association funds and securities and shall keep in books belonging to the Association, full and accurate accounts of all receipts and disbursements; he/she shall deposit all monies, securities, and other valuable effects in the name of the Association in such depositories as may be designated for that purpose by the Board. He/she shall disburse the funds of the Association as may be ordered by the Board, taking proper vouchers for such disbursements, and shall render to the President and the Directors at their annual meeting, and whenever requested by them, an account of all his/her transactions as Treasurer and of the financial condition of the Association. If required by the Board he/she shall deliver to the President of the Association, and shall keep in force a bond in form, amount and condition of the Association. If required by the Board he/she shall deliver to the

President of the Association, and shall keep in force, a bond in form, amount and with a surety or sureties satisfactory to the Board, conditioned on faithful performance of the duties of his/her office, for the restoration to the association in case of his/her death, resignation, retirement, or removal from office, of all books, papers, vouchers, money, and property of whatever kind in his/her possession or under his/her control belonging to the Association.

ARTICLE VII – EXECUTIVE COMMITTEE

Section 1. COMPOSITION and AUTHORITY.

Subd. 1. The Executive Committee shall be composed of the President, Immediate Past President, President-Elect, and Treasurer.

Subd. 2. The Executive Committee shall have the authority to act in those circumstances and on those matters as directed by the Board.

Section 2. TERMS OF OFFICE. Each officer of the Executive Committee shall serve for a period of one (1) year or until a successor is duly elected and qualified.

Section 3. SPECIAL AUTHORITY – AWARDS.

Subd. 1. The Executive Committee will be responsible for soliciting nominations for the Jack Young Award, reviewing award candidates' qualifications and making Jack Young Award selections. The Executive Committee shall review the nominees for the Board of Director's Award and make recommendations to the full Board of Directors, who will select the recipient of the Board of Director's Award.

ARTICLE VIII – COMMITTEES

Section 1. STANDING COMMITTEES

Subd. 1. The standing committees shall consist of the Legislative Committee and Conference Committee.

Section 2. APPOINTMENT AND TERMS

Subd. 1. The President shall appoint the Chair of each of the standing committees. The Chairs of each committee shall serve a term of one (1) year or until a successor is duly appointed and qualified.

Section 3. DUTIES

Subd. 1. Legislative Committee – The Legislative Committee shall review proposed legislation and inform the Membership about legislative issues which effect Community Corrections Counties and their services and programs. The committee shall, upon formal adoption of a legislative agenda by the Membership, seek to promote legislation consistent with the purposes of the Association and may seek other organizational assistance in support of or opposition to proposed legislation.

Subd. 2. Conference Committee – The Conference Committee shall make all necessary arrangements to facilitate the execution of an annual conference for the purpose of providing, education, information and discussion of issues, topics and events relevant to the purpose and mission of the Association.

Section 3. SPECIAL COMMITTEES

Subd. 1. The President may establish Special Committees and appoint a chair and Members as the need arises to address issues and concerns brought forward by the Board or the Membership. Special Committees shall function in an ad hoc capacity and shall be dissolved when their assigned work is completed.

ARTICLE IX - CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. CONTRACTS. The Board may authorize any officers, agent or agents of the Association to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Association and such authority may be general or confined to specific instances.

Section 2. CHECKS, DRAFTS, ETC. All checks, drafts, or orders for the payment of money, notes, or otherwise evidences of indebtedness issued in the name of the Association shall be signed by such officer or officers of the Association and in such manner as shall be prescribed and determined by resolution of the Board. In the absence of such determination by the Board, such instruments shall be signed by the Treasurer.

Section 3. DEPOSITS. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies, or other depositories as the Board may select.

Section 4. FUNDS. Any funds which may come to the Association or be subject to its control, for its use in furthering and promoting the aims and purposes of the Association or its policies shall be received, disbursed, controlled and accounted for by the Treasurer in such manner and under such conditions as shall be prescribed and determined by the Board.

ARTICLE X - AMENDMENT OF THE BYLAWS

Section 1. These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted in the following manner:

Subd. 1. These Bylaws may be amended at any meeting of the Delegate Assembly by a two-thirds (2/3) vote of those Delegates present, provided that written notice of proposed amendments be given to each Member of the Delegate Assembly at least thirty (30) days in advance of the meeting at which the amendments will be considered.

Subd. 2. Such Addition or amendment to an existing Bylaw when duly approved shall go into immediate effect following its adoption unless otherwise provided.

ARTICLE XI - PARLIAMENTARY AUTHORITY

Section 1. PARLIAMENTARY AUTHORITY. The rules of parliamentary procedure and practice contained in Robert's Rules of Order Newly Revised shall supplement the rules of procedure adopted by the association and shall govern the Board, the Association and all committees created by the Board in which the said Robert's Rules of Order Newly Revised is applicable and insofar as they are not inconsistent or in conflict with the statutes of the State of Minnesota, these Bylaws and any rules and regulations adopted by the Board for the conduct of its business.

Amended May 1991

Amended September 2003

Amended September 2006