

**Eliot Adult-Use Retail Cannabis
Ad Hoc Committee
By-Laws
Adopted July 26, 2018**

ARTICLE 1: PURPOSE

- a. The purpose of the Adult-Use Retail Cannabis Ad Hoc Committee, (hereafter referred to as the Ad Hoc Committee) is to serve in an advisory capacity to the Select Board and Planning Board on matters associated with the potential retail sale of recreational-use cannabis in the town of Eliot.

ARTICLE 2: DUTIES

The Ad Hoc Committee shall:

- a. Study the legislation allowing use of recreational cannabis;
- b. Determine the potential positive and negative impacts of permitting the sale of recreational use cannabis on the Town of Eliot; and
- c. Research how other Towns have addressed adult-use cannabis;
- d. Make recommendations to the Planning Board and Select Board regarding the allowance of retail sales of adult-use cannabis.

ARTICLE 3: MEMBERSHIP

3.1 Appointments and Terms

- a. The Ad Hoc Committee shall consist of three (3) regular members and two (2) alternates appointed by the Select Board. A liaison from the Select Board may also be appointed by the Select Board (non-voting).
- b. All members of the Ad Hoc Committee shall be eligible voters of the Town.
- c. Members shall be eligible for reappointment.
- d. The Committee may call in non-voting, non-resident specialists as needed.
- d. When a member is absent from a meeting or recuses him / herself from action on a motion, the Chair shall appoint an alternate member to that position for the meeting on that motion.

3.2 Staff Support

- a. The Town Manager, or his / her designee shall provide staff support to the Ad Hoc Committee.

ARTICLE 4: OFFICERS AND ELECTIONS

4.1 Officers and Responsibilities

The officers of the Ad Hoc Committee shall consist of the Chair, Vice Chair, and Secretary. The duties of the Ad Hoc Committee officers shall be as follows:

- a. **Chair.** The Chair is the official spokesperson for the Ad Hoc Committee and shall publicly express only those points of view that are reflective of and have been agreed upon by the Ad Hoc Committee. The Chair shall preside at all meetings of the Ad Hoc Committee; call special meetings when necessary; approve agendas drafted by staff; assign members to sub-Ad Hoc Committees; monitor conflict of interest in all of the Ad Hoc Committee's activities; ensure adherence to local Ordinances, Town Charter and State Statutes; ensure proper training of the Ad Hoc Committee's members; recruit new members when a Ad Hoc Committee vacancy occurs; keep the Select Board apprised of the Ad Hoc Committee's activities; and perform all other duties necessary or incidental to the office. The Chair shall decide all points of order and procedure during meetings and his/her decision shall be final unless overruled by a majority of the members present. The Chairperson is a voting member of the Ad Hoc Committee.
- b. **Vice Chair.** In the absence of the Chair, or in the event of the Chair's inability to act, the Vice Chair shall perform the Chair's duties. In the event of the absence or inability to act of both the Chair and the Vice Chair, the remaining members shall appoint one of their members to act temporarily as Chair.
- c. **Secretary.** The Secretary shall record the minutes of the Ad Hoc Committee meetings and be responsible for maintaining the Ad Hoc Committee's records.

4.2 Elections

- a. Officers shall be elected annually by a majority of the Ad Hoc Committee membership at the first meeting of the Town's fiscal year.
- b. No member may serve in the position of Chair for more than two consecutive terms.

4.3 Removal from Office

- a. Members are expected to attend scheduled meetings on a regular basis. The Ad Hoc Committee Chair shall notify the Select Board if a member fails to attend at least 50% of all regular monthly meetings over a one (1) year period. Such action shall constitute a resignation that must be acted on by a majority vote of the Select Board.
- b. Ad Hoc Committee members may be removed by the Select Board for malfeasance in office.

ARTICLE 5: MEETINGS

5.1 Regular Meetings

- a. The Ad Hoc Committee shall meet at least monthly at a place and time so designated by an agenda approved by the Chair.
- b. The Ad Hoc Committee may meet more frequently as determined by the Chair or a majority of the Ad Hoc Committee.
- c. Agendas shall be posted on the Eliot website and locations that the Select Board agendas are posted. Agendas of regular meetings shall be posted at least seven (7) days prior to the meeting.
- d. All meetings shall be open to the public. Every agenda shall have a section that is specifically for people to offer public comment, though time restrictions for speaking may be adopted as deemed required.

5.2 Special Meetings & Emergency Meetings

- a. The Chair may call a special meeting of the Ad Hoc Committee provided that the agenda is posted three (3) days prior to the meeting. Public notice will be provided for Emergency meetings as soon as possible and on all available sources of media.

5.3 Executive Sessions

The Ad Hoc Committee may call for an executive session only under the provisions and terms specified in the Maine State Statutes.

5.4 Quorum & Voting

- a. A quorum of the Ad Hoc Committee shall consist of a majority of the regular membership, not including Alternate Members.
- b. No official action, binding resolution or discussion of Ad Hoc Committee business shall be made by the Ad Hoc Committee without a quorum of the membership.
- c. The Ad Hoc Committee will take action pursuant to motions and seconds made by Ad Hoc Committee members. A roll call vote count shall be maintained on any Ad Hoc Committee vote. The action will be approved if a quorum is present at a meeting and a majority of those present at a meeting vote in favor of the action.
- d. Proxy voting shall not be allowed.

5.5 Presiding Rules

Parliamentary procedure in Ad Hoc Committee meetings shall be governed by the adopted rules of order, Robert's Rules of Order Newly Revised, current edition with particular attention to "small municipal board" section.

ARTICLE 6: PERFORMANCE ISSUES

Ad Hoc Committee members serve as official representatives of the Town of Eliot to the business community, to other governmental units, to the press, and to the public at large and therefore are expected to comport themselves accordingly. All members shall adhere to the Maine Freedom of Access Act Laws (1 MRS § 401 et seq.). The Town Manager is the FOAA Officer for the Town and all such requests to the Ad Hoc Committee shall be immediately conveyed to the FOAA Officer.

ARTICLE 7: AMENDMENT OF THE BYLAWS


These by-laws may be amended, and recommended for amendment to Select Board, by a 2/3 vote of the Ad Hoc Committee after two (2) weeks advanced notice of the intent to change has been given in writing to each Ad Hoc Committee member.

ARTICLE 8: EFFECTIVE DATE


These by-laws shall become effective upon a vote of the majority of Ad Hoc Committee members in a regular meeting and a majority vote of Select Board.



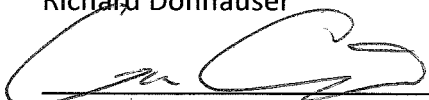
John Murphy, Chair



Phil Lytle, Vice Chair



Richard Donhauser



Alex Orestis