

**STATEWIDE SUBSTANCE USE RESPONSE WORKING GROUP
BYLAWS DRAFT**

ARTICLE 1 – NAME

Section 1. Name

The Statewide Substance Use Response Working Group, hereinafter referred to as the SURG.

ARTICLE 2 – CREATION AND PURPOSE

Section 1. Creation

The SURG was established via NRS 458.450 *et seq* to comprehensively review various aspects of substance misuse and substance use disorders and programs and activities to combat substance misuse and substance use disorders in the State of Nevada.

Section 2. Purpose

Consistent with its statutory duties, the SURG will, in part, study, evaluate and make recommendations concerning the use of the state and local money to address opioid substance misuse and opioid use disorder utilizing, in part, the State needs assessment and State plan through an integrated approach.

ARTICLE 3 – ROLES AND RESPONSIBILITIES

Section 1. Responsibilities.

Defined by NRS 458.480 and NRS 458.490.

Section 2. SURG Support.

The SURG is authorized to collaborate with and request the assistance of providers of services or any person or entity with expertise in issues related to substance use or the impacts of substance use, including, without limitation, employees of federal, state and local agencies and advocacy groups for those with substance use disorders, to assist the SURG in carrying out its duties.

Section 3. Public Collaboration .

Legislation requires state and local agencies to collaborate with and provide information to the SURG, upon request by the SURG, to such extent it is consistent with their lawful duties.

Section 4. Responsibilities for Reporting.

b. Provided in NRS 458.480 and 458.490.

ARTICLE 4 – MEMBERSHIP AND TERMS

Section 1 – Members.

Defined by NRS 458.460(2).

Section 2. Terms.

Defined by NRS 458.460(3).

Section 3. Compensation.

Defined by NRS 458.460(5)-(6).

Section 4. Vacancies.

Defined by NRS 458.460(4).

Section 5. Resignation.

A member who resigns from the SURG must provide written notification to the Chair of the SURG and to the head of the agency or organization he or she was representing.

Section 6. Disclosure Regarding Non-Participation or Conflicts of Interest.

The Chair, or their designee, shall forward disclosure to the applicable appointing authority relating to members based on inactivity, defined as missing three or more meetings in a calendar year, or a real or perceived conflict of interest.

Section 7. Open Meeting Law Representation.

The Attorney General's Office provides Open Meeting Law representation to the SURG.

ARTICLE 5 – MEETINGS

Section 1. Meeting Conduct.

All meetings will be run according to Roberts Rules of Order to the extent they do not conflict with Nevada Law (including Open Meeting Law).

Section 2. Open Meeting Law.

All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting law (NRS 241.010 through 241.040, inclusive).

Section 3. Quorum.

Defined by NRS 458.470.

Section 4. Regular Meetings.

The regular meetings of the SURG shall be not less than twice annually, and as called by the Chair or a majority of its members (per NRS 458.470(2)).

Section 5. Officers.

The officers of the SURG are defined by NRS 458.470(1). These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the SURG.

A. The SURG Chair

1. Shall develop the agenda, with input from the SURG membership and Grant Management Unit;
2. Shall conduct the SURG meetings in accordance with state laws;
3. Shall oversee public hearings and ensure public comment;
4. Shall convene special meetings, as necessary; and

5. Shall prepare or direct reports prepared as required.
- B. SURG Co-Chair. Serves in the absence of the Chair and monitors SURG record keeping.
 - C. SURG members. May nominate themselves or others for Vice Chair. At the first meeting of each calendar year the SURG will elect these officers from its members.
 - D. Notification. Officer election(s) shall be posted as a business item on the agenda of a regularly scheduled meeting.

Section 6. SURG Participation.

- A. Notification. SURG members shall, to the extent practicable: Inform administrative support staff at least 4 business days in advance of an anticipated absence.
- B. Participation. SURG members shall participate in at least 75 percent of meetings. Any absence without sufficient or overriding reason will be disclosed to the appointing authority in accordance with Article 4, section 6 and may result in removal.
 1. At each regularly scheduled meeting, absences will be noted. Members are expected to disclose absences ideally 4 business days in advance of meetings to allow for determination of quorum. Proxies are not permitted by statute.

Section 7. Subcommittees.

The SURG shall have the ability to create up to three subcommittees.

- A. Each subcommittee must include a minimum of two voting member(s) of the SURG.
- B. Each subcommittee shall have one (1) Chair who is a voting member of the SURG.
- C. The SURG Chair shall appoint the subcommittee chairs and members from the SURG.
- D. Each subcommittee, through the subcommittee Chair, may request presentations from subject matter experts (SME), as needed based on area of expertise and/or specific projects.
- E. The subcommittee members will serve for one year on the subcommittee. After one year, the SURG chair will determine if the subcommittee needs to continue for another year. If the committee is needed for another year, the SURG Chair will appoint the subcommittee chair and members from the SURG.
- F. The subcommittee chair will report back to the SURG on the activity of the subcommittee and recommendations from the subcommittee.
- G. The number of SURG members serving on a single subcommittee cannot be equal to or greater than a quorum of the SURG and the SURG members are limited to serving on one of the three subcommittees.

Section 8. Special Meetings.

Special meetings may be called by the Chair. A request for special meeting can also be made by other SURG members through a written request submitted to the Chair for approval, or meetings may be set in accordance with statute.

Section 9. Voting.

Members participating in a meeting of the SURG by means of a conference call, video conference, or other such means that allow for each participant to hear and be heard by each participant at the same time, shall be deemed to be present at such meeting.

- A. Voting on all matters shall be by voice vote and shall be entered in the minutes of the meeting.
- B. Each SURG member shall have one vote.
- C. The SURG Chair will have a vote on any measure before the SURG.
- D. A vote shall pass if a majority of those present vote in the affirmative.

Section 10. Record Keeping.

The conduct of all meetings and public access thereto, and the maintaining of all records of the SURG shall be governed by Nevada’s Open Meeting Law and related records retention requirements.

ARTICLE 6 – FISCAL SUPPORT

Section 1. Grants and Gifts.

The SURG may accept gifts, grants and donations from any source for the support of the SURG in carrying out the provisions of duties. Any fiscal administration shall be overseen by the Nevada Office of the Attorney General’s Chief Financial Officer or his or her designee.

ARTICLE 7 – CONFLICT OF INTEREST

Section 1. Survey.

The Chair or their designee will survey the SURG members annually to collect information regarding their affiliations outside the Department. Each member is responsible for fully disclosing all current affiliations.

- A. Conflicts of interest must be declared by members prior to discussion of any matter that would provide direct financial benefit for that member, or otherwise have the appearance of a conflict of interest. When funding or other decisions are made regarding an organization with which the member has an affiliation, the member shall state his intention to abstain from making specific motions or casting a vote, before participating in related discussions.
- B. Members are required to disclose and abstain in accordance with the provisions of NRS 281A.420.

Section 2. Declaration of Conflict.

The Chair or a majority of the SURG may also declare a conflict of interest exists for a member and ask that the member abstain from the voting process.

ARTICLE 8 – STATEMENT OF NON-DISCRIMINATION

The SURG is an equal opportunity/ affirmative action entity. Qualified persons are considered for appointment without regard to race, sex, sexual orientation, gender identity or expression, religion, color, national origin, age, genetic information or disability, as outlined the state affirmative action plan.

ARTICLE 9 – REVISION OF BYLAWS

Section 1. Bylaw Review.

These bylaws will be reviewed at least every four (4) years or sooner as deemed necessary by the SURG. Proposed amendments will be distributed to the SURG members in accordance with the open meeting law. These bylaws may be altered, amended or repealed by a majority of the SURG members at any regularly scheduled or special meeting in compliance with Nevada’s Open Meeting Law and in compliance with the SURG’s enabling statutes.

Section 2. Bylaw Approval.

These bylaws were approved and adopted at a regularly scheduled meeting of the SURG on November 16, 2021 and most recently amended on January 11, 2023.

Chair, Substance Use Response Working Group Date

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