

**NATIONAL COUNCIL OF LEGISLATORS FROM GAMING STATES  
ARTICLES OF ORGANIZATION  
AND  
BYLAWS**

## **ARTICLES OF ORGANIZATION**

### **Preamble**

We, duly elected representatives of the People to the Legislatures of our individual sovereign States, being concerned with the economic and social importance of the regulation of gaming to our constituents, to the peoples of our respective States, to all Americans, seek to provide a forum for legislators for the exchange of information on gaming legislation and for the communication and resolution of gaming and related issues, and do hereby proclaim the need for creating and maintaining the resources and capacity of State legislatures to deal with gaming legislation and regulation.

### **I. Name**

The name of the organization shall be the National Council of Legislators from Gaming States (hereinafter the "Council").

### **II. Purpose**

The general purpose of the Council is to advance the knowledge and effectiveness of legislators and legislatures when dealing with matters pertaining to gaming law, participate in the formulation of model legislation for the resolution of gaming issues, serve as a clearing house for information, prepare special studies on gaming or gaming legislation, disseminate educational materials, advocate positions adopted by the Council and any other activities that will promote the general purposes of the Council.

### **III. Membership**

- A. Membership shall be afforded to the several States and territories of the United States and the Commonwealth of Puerto Rico.
- B. Each member State shall be represented by its legislators who attend meetings of the Council.
- C. Each member State shall remit to the Council annual dues in an amount fixed by the Executive Committee. In order to remain in good standing, a member State must pay all dues previously billed by the end of the calendar year.
- D. The Executive Committee of NCLGS may, in accord with the "Purpose" as stated in section II of the Articles of Organization, offer associate, non-voting memberships to state executive branch agencies, including, but not limited to, attorneys general, all state lottery commissions, and racing commissions or offices, etc.

#### **IV. Meetings/Voting**

- A. The Council shall meet at times and places designated by the Executive Committee upon not less than 30 days notice. Special meetings may be called by the President upon not less than five days notice.
- B. At any meeting of the Council, each member State represented in good standing shall be entitled to one (1) vote, which shall be cast as a majority of its representatives then present shall determine. In the event legislators representing a member state shall not be in agreement on a matter to be voted on, fractional voting shall be permitted.
- C. A majority vote of those member States present and voting shall constitute the requisite vote necessary to decide any proposition except as otherwise specified in these Articles of Organization.

#### **V. Officers:/Executive Committee**

- A. The officers of the Council shall be a President, Vice President, Secretary and Treasurer. No person shall be elected as an officer of the Council who is not a member of the Executive Committee.
- B. The Executive Committee shall consist of the officers, the immediate Past President, and at least one (1) and not more than five (5) representatives of each member State of the Council. Other Past Presidents shall be non-voting, ex-officio members of the Executive Committee and shall not constitute a representative of a member State, unless re-appointed to the Executive Committee to fill a vacancy. Notwithstanding any other provision of the NCLGS Articles of Organization or Bylaws, the chair of the committee responsible for gaming legislation in each legislative house of each member state shall automatically, by the nature of his or her office, be a voting member of the Executive Committee at his or her first meeting. The President shall not constitute a representative of his state during his term.
- C. In addition to the representatives of each member state, the chairs of all standing committees, who are not members of the Executive Committee, shall become members of the Executive Committee and shall continue to be members of the Executive Committee as long as they remain as chairs.
- D. The officers of the Executive Committee shall be elected at the annual meeting of the Council, except that in the event the President is unable to serve following the annual meeting, the Vice President shall automatically succeed to the office of President if otherwise qualified under these Articles and shall serve until the next succeeding annual meeting of the Council and until their successors are elected or appointed. Members of the Executive Committee shall be elected at any meeting of the Executive Committee.
- E. Persons elected as officers or members of the Executive Committee must be representatives of member States in good standing at the time of their election. The office of the officer or of an Executive Committee member shall be vacant if the member state of which such person is a

Legislator ceases to be a member State in good standing, or if the person shall no longer serve in the Legislature.

- F. A majority vote of those present and voting at a meeting of the Executive Committee shall constitute the requisite vote necessary to decide any proposition except as otherwise specified in these Articles of Organization.
- G. A representative of a member state must attend two meetings prior to being considered for membership on the Executive Committee.

## VI. Duties of Officers and the Executive Committee

- A. The President shall be the Chief Executive Officer of the Council and shall exercise direct charge and general supervision of the business and affairs of the Council, see that all orders and resolutions of the Executive Committee are carried into effect, perform all duties incident to the office of the Chief Executive Officer, perform the usual duties of the presiding officer at the meetings of the Council, preside over meetings of the Executive Committee, appoint Chairs and all the members of all committees and perform such other duties as are provided in the By-Laws.
- B. The Vice President shall perform the duties of the President upon the absence of the President, shall perform such other duties as are assigned him/her by the By-Laws, President or the Executive Committee, and shall succeed to the Presidency in the event of a vacancy in that office.
- C. The Secretary shall have charge of all correspondence to and from the Council, manage records of meetings including preparation of the minutes, provided, however, that if the Executive Committee shall appoint an Executive Director and/or Secretariat, the Secretary shall supervise the Executive Director and/or the Secretariat in those duties.
- D. The Treasurer shall be entrusted with the receipt, care and disbursement of funds of the Council, provided however, that if the Executive Committee shall appoint an Executive Director and/or Secretariat, the Treasurer shall supervise the Executive Director and/or the Secretariat in those duties.
- E. The Executive Committee shall have charge of the management of the Council, the direction of its activities and, except as otherwise provided in these Articles, shall fill all vacancies among officers occurring between annual meetings of the Council. The President shall fill vacancies on the Executive Committee occurring between annual meetings. The Executive Committee may appoint any individual or organization to function as Executive Director or Secretariat. Pursuant to these duties, the Officers, in consultation with appropriate committee chairs as needed, shall have, between meetings of the Council, the authority to make policy decisions on behalf of the Council, which authority may not be delegated. If a member of the Executive Committee is absent from three consecutive annual and/or seminar meetings, that person may be removed from the Executive Committee at the discretion of the President.

## **VII. Amendments**

- A. These Articles of Organization may be amended or repealed at any meeting of the Executive Committee by a favorable vote of two-thirds of the members present and voting, provided however, that notice of any proposed amendments shall be given in summary form to the Executive Director or Secretariat at least thirty (30) days prior to the date of the next Executive Committee meeting. Amendments shall become effective immediately upon adoption unless otherwise provided therein.

## **BY-LAWS**

### **I. Quorum**

- A. A quorum for any meeting of the Council consists of those member States present.
- B. In the event such notice was not given, a quorum for any meeting of the Council shall consist of 75 percent of the member states.
- C. A quorum for any meeting of any committee of the Council consists of those members of the committee present.

### **II. Voting**

- A. Voting at meetings of the Council shall be by voice vote except that a roll call vote shall be taken upon the request of five member States.
- B. Voting at meetings of the Executive Committee shall be by voice vote except that a role call vote shall be taken upon the request of five members of the Executive Committee.

### **III. Executive Committee Meetings**

The Executive Committee shall meet at the call of the President or upon the written request of one-fifth of the members thereof. Notice shall be given to each member of the Executive Committee setting forth the date and place of such meeting at least 30 days in advance of date.

### **IV. Committees**

- A. There shall be Standing Committees, and such Special Committees, as may be established in the manner provided for by these By-Laws.
- B. Membership and Chairmanship of all Standing and Special Committees shall be by the appointment of the President.
- C. Standing Committees of the Council shall be:
  - 1. A State-Federal Relations Committee, consisting of a minimum of seven (7) members with responsibility for representing the Council in matters respecting State-Federal relations and coordinating activities of the Council relating to Congressional or Federal agency action affecting gaming and the State regulation hereof.
  - 2. A Responsible Gaming Committee, consisting of a minimum of six (6) members with responsibility for representing the Council in matters respecting compulsive and problem gambling, and responsible gaming efforts.

3. A Lotteries Committee, consisting of a minimum of six (6) members with responsibility for representing the Council in matters respecting lotteries.
  4. A Pari-Mutuels Committee, consisting of a minimum of six (6) members with responsibility for representing the Council in matters respecting pari-mutuels.
  5. A Casinos Committee, consisting of a minimum of six (6) members with responsibility for representing the Council in matters respecting casinos.
  6. A Bingo and Charitable Gaming Committee, consisting of a minimum of six (6) members with responsibility for representing the Council in matters respecting bingo and charitable gaming.
  7. Audit Committee, consisting of a minimum of three (3) members and chaired by the Vice President, with the responsibility for auditing Council funds and making recommendations to the Executive Committee with respect to procedures relating thereto. The Treasurer shall be a non-voting, ex-officio member.
  8. Membership Committee, consisting of a minimum of seven (7) members with responsibility for all membership activities including solicitation of new member States.
  9. A By-Laws Revision Committee, consisting of at least five (5) members, to whom proposed resolutions, but not resolutions relating to the administration of the Council, shall be referred prior to each meeting of the Executive Committee and which shall report recommendations at each meeting to the Executive Committee and the member States assembled for action in accordance with other paragraphs of these By-Laws and Articles of Organization; provided, however, other Committees of the Council shall review the Articles of Organization and By-Laws of the Council at each annual meeting.
  10. A Budget Committee, consisting of a minimum of seven (7) members and chaired by the Vice President and with the Treasurer as a non-voting, ex-officio member with the responsibility of developing annual budget proposals pursuant to the process enumerated in these By-Laws.
  11. A Nominating Committee, consisting of five (5) members, which shall report nominations for officers and members of the Executive Committee to the annual meeting of the Council.
  12. A Business Planning Committee, consisting of a minimum of six (6) members with responsibility for membership, site selection, revenue and legislator participation in NCLGS activities and programs.
- D. All Standing Committees, except the Nominating Committee, shall be continuing committees and the members thereof shall serve one year terms or until their successors are appointed. Such appointments shall be made no later than January 15th of each year.
- E. The Nominating Committee shall be appointed no later than 30 days preceding the annual meeting of the Council and shall continue in existence until adjournment of the annual meeting of the Council.
- F. Special Committees may be created by the Council at the annual meeting of the Council, by the Executive Committee at any meeting of the Executive Committee or by the President between meetings of the Executive Committee and of the Council. Any action creating a Special Committee shall specify its size and duties, and may specify the manner of appointment of members thereof. A Special Committee shall continue in existence until it has accomplished the purposes for which it was created or until the next annual meeting of the Council, whichever occurs earlier.

- G. Any resolution or other document submitted to any NCLGS Committee for its approval or disapproval shall be submitted and sponsored by a legislator to the Council at least 30 days prior to the next scheduled meeting of that Committee, except that this rule may be waived by a two-thirds vote of that Committee. Notwithstanding the existence of the requirement that any resolutions or documents be submitted to the Council at least thirty days prior to a scheduled committee meeting, such documents may pass through committees to the Executive Committee at a meeting duly called by the Executive Committee. In addition, amendments to such resolutions and documents as presented to a committee may also be made, subject to a two-thirds vote of the committee.

## V. Finances

- A. The fiscal year of the Council shall commence on January 1 of each year and end on December 31 of the same year.
- B. The Executive Director shall submit to the Executive Committee a proposed budget for the ensuing fiscal year 30 days before the annual meeting of the Council. The Executive Committee shall have the power to approve, modify or reject, in whole or in part, the budget.
- C. The Executive Committee at the annual meeting of the Council shall adopt a budget for the ensuing fiscal year.
- D. During the fiscal year, the Executive Committee may provide for an increase or decrease of an appropriation. Such increase or decrease shall only be upon the certification by the Committee of the need thereof.
- E. The moneys budgeted pursuant to these By-Laws may include money for the retention of staff, the reimbursement of expenses of staff and the expenses of Legislators for activities on behalf of the Council other than expense of attending regularly scheduled Council meetings.
- F. Checks drawn for expenditures of less than five hundred (\$500) dollars shall be signed by the Executive Director who shall submit a quarterly report of all such checks written to the Officers of the Council. No more than one such check shall be paid for any one purpose without the prior express written consent of the President. All other checks drawn upon the funds of the Council shall be signed by both the Executive Director and the President.
- G. The Executive Committee shall, at the annual meeting of the Council, select an internal audit committee to review the Council's books and accounts for the current fiscal year. The Audit Committee shall submit its report at the next succeeding meeting of the Executive Committee.
- H. In the event that the Council shall, for any reason, discontinue its activities and cease to function, any monies remaining in its possession or to its credit after the payment of outstanding debts and obligations shall be distributed in equal shares to the member States of the Council in good standing at the time of distribution.

## VI. Rules of Procedure

Any resolution, motion, or document, including any model legislation or expression of the will of the Council to Congress, may be approved by a standing committee and may be forwarded to the Executive Committee for its approval, disapproval, amendment, or any other action the Executive Committee deems appropriate. The Executive Committee may approve, disapprove, amend, or take whatever action it deems appropriate on any matter.

On any issue not covered by the Articles or By-Laws, Robert's Rules of Order shall be the standard authority.

## **VII. Amendments**

These By-Laws and additions thereto may be amended or repealed by a majority vote of the Executive Committee at any meeting of the Executive Committee.

*Amended January 8, 2006*

*Amended June 4, 2006*

*Amended June 14, 2008*

*Amended January 9, 2010*

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