

**THE BYLAWS
OF THE
LICENSE TO GIVE TRUST FUND COMMISSION**

**ARTICLE I
NAME**

This organization shall be known as the License to Give Trust Fund Commission, hereinafter referred to as the “Commission.”

**ARTICLE II
PURPOSES**

The duties and activities of the Commission are those set forth by the North Carolina General Statutes, specifically N.C. Gen. Stat. §§ 20-7.4, 20-7.5, and 20-7.6, and other administrative, regulatory, or legislative actions applicable to the Commission.

**ARTICLE III
MEMBERSHIP**

- A. Members. The membership of this Commission shall be as set forth by legislative actions applicable to the Commission.
- B. Inactive Members. Appointed members shall be considered inactive and the Commission membership vacant pursuant to N.C. Gen. Stat. §143B-13.

**ARTICLE IV
OFFICERS**

The Officers of the Commission are the Chair and the Vice-Chair, to be elected by and from the members of the Commission for a term of two years or until the regular term expires, whichever comes first.

**ARTICLE V
DUTIES OF THE OFFICERS**

- A. Duties of the Chair. The Chair shall:
 - 1) Set a date and recommend an agenda for each meeting;
 - 2) Preside at all meetings of the Commission;
 - 3) Preserve order during its meetings;
 - 4) Appoint all committees;

- 5) Serve as an *ex officio* member of such committees;
 - 6) Sign all minutes and other such records, vouchers, or other documents connected with the work of the Commission requiring such signature;
 - 7) Be responsible for implementing the policies and actions adopted by the Commission;
 - 8) Exercise such other duties as from time to time may be assigned to him/her by the Commission.
 - 9) When his/her elected term as Chair ends, he/she will be designated the Immediate Past-Chair for a single one-year term or until replaced by the appointing authority, whichever comes first. The Immediate Past-Chair will be reasonably available to assist the Chair with an orderly transition and continuity of leadership.
- B. Duties of the Vice-Chair. In the absence of the Chair or in the event of his/her inability or refusal to act, the Vice-Chair, unless otherwise determined by the Commission, shall perform the duties of the Chair, and when so acting shall have all the powers of the Chair. He/she shall exercise such other duties as from time to time may be assigned to him/her by the Chair or the Commission.

ARTICLE VII MEETINGS

- A. Commission Meetings. The Commission meetings are held subject to the call of the Chair or according to a specific schedule adopted by the Commission.
- 1) The Chair shall establish an agenda for each meeting and shall comply with proper posting of meetings as required by state law.
 - 2) An official transcript or minutes are to be prepared for each Commission meeting and made available for review not later than the time of the next meeting.
- B. Committee Meetings. A Committee Chair shall call Committee meetings at times and locations determined by the Committee Chair, in order to carry out the necessary duties of the Committee.
- C. Open Meetings. All meetings of the Commission and all committee meetings of the Commission shall be conducted in accordance with the North Carolina Open Meetings Law, N. C. Gen. Stat. § 143-318.9 *et seq.*

- D. Quorum. A quorum shall consist of the greater of the following: a.) a majority of the Commission members who have been appointed and are active members in accordance with Article 3, b.) six (6) or more members. A quorum shall be required to make decisions at any Commission meeting.
- E. Agenda. Any Commission member may request the Chair to place an item on the agenda. If the Chair should decline the request, a Commission member may have such item placed on the agenda by submitting it in writing to the Chair with supporting signatures of three members.
- F. Rules of Order. Questions of parliamentary procedure are to be resolved by the Chair of the meeting and shall be guided by Roberts Rules of Order.
- G. Notice of Meetings. Notice to the public and to members of all meetings shall be made in accordance with the North Carolina Open Meetings Law. The Commission may adopt special notice procedures, as it deems necessary, subject to the requirements of the North Carolina Open Meeting Law.
- H. Attendance of Commissioners. Each Commissioner is expected to attend all meetings of the Commission. Commissioners who are expected to attend a scheduled meeting but learn after the meeting is scheduled that they are unable to attend the scheduled meeting should notify the Chairperson at least 72 hours prior to the scheduled meeting or as soon as it is known by the commissioner in order to allow the Chairperson time to consider the impact of such absence. Commissioners that miss two (2) consecutive meetings without providing due cause to the Chairperson may, at the discretion of the Chairperson, be recommended for removal from the Commission. Recommendations for removal will be in writing by the Chairperson to the applicable Appointing Authority, which includes the Senate President Pro Tempore, Speaker of the House and the Governor. The Chairperson will recommend removal of any Commissioner who is absent for three (3) consecutive meetings.

ARTICLE VIII STANDARD ORDER OF BUSINESS

The Commission adopts the following as its Standard Order of Business; provided, that the order of business may be altered by the Chair in his or her discretion, or upon motion of any member of the Commission, and such motion being sustained by a majority of the members present and voting, in order to more efficiently carry out the Commission's business or for the convenience of the public:

- 1) Preliminary Matters
 - a) Call to Order and Establishment of a Quorum by the Chair
 - b) Introduction of Commission Members, Staff, and Guests
 - c) Conflict of Interest Reminder
 - d) Approval of minutes of previous meeting
 - e) Comments by the Chair

- f) Comments by Commissioners
- 2) Financial Report
- 3) Action Items
- 4) Status Reports
- 5) Other Business
- 6) Informational Items
- 7) Concluding Remarks
 - a) By Commission members
 - b) By Chairman
 - c) Setting of date and time of next meeting
- 8) Adjournment

ARTICLE IX COMMITTEES

- A. The Chair of the Commission shall appoint such committees, standing or special, as the Chair or Commission shall from time to time deem necessary. The Chair shall designate the chair of each committee from among its members and shall be an ex-officio member of all committees. A majority of duly appointed members of committees shall constitute a quorum.
- B. Duly appointed committees may adopt at their discretion any internal procedures necessary to the discharge of their business; provided, no procedures adopted by any committee shall be inconsistent with these procedures or any other rules adopted by the Commission, or with any statutes applicable to the Commission. The chair of the committee shall report the committee's recommendation at a meeting of the Commission.
- C. The Chair of the Commission shall designate committees of an ad-hoc basis and shall appoint all members of each such committee and designate the chair of each committee. These committees shall be limited in time and scope as directed by the Chair of the Commission. In addition, committees may establish sub-committees as needed.

ARTICLE X ADMINISTRATION, FISCAL AND HUMAN RESOURCES

The Commission will comply with N. C. Department of Administration Policies and Procedures regarding general administration, fiscal, and human resource management activities.

ARTICLE XI PAID STAFF TO THE COMMISSION

- A. Pursuant to the authority contained in N. C. Gen. Stat. § 20-7.6 (3), the Commission has the power and duty to hire staff for the administration of the fund. Expenses related to staffing shall be paid from the License to Give Trust Fund.
- B. The Commission will propose and vote on all temporary and permanent staffing requests. The Chair of the Commission (or designee) will be responsible for interviewing, selecting and managing the paid staff.

**ARTICLE XII
GRANT-IN-AID AWARDS**

- A. A separate document has been created and approved by the Commission, which establishes the criteria, process and grant cycle for applicants.
- B. The Commission will make final decisions on grant-in-aid awards.

**ARTICLE XIII
CONFLICT OF INTEREST/ETHICS**

The Commission is subject to and will comply with the State Government Ethics Act, N.C. Gen. Stat. § 138A-1 *et seq.*

**ARTICLE XIII
RECORDS**

The Commission staff will be responsible for maintaining all records generated as a result of any action or function of this Commission. Records will include, but not be limited to, documents such as Commission Meeting Minutes, Resolutions, Bylaws, and information required to be maintained under any other federal or State law or regulation including the State Public Records Act and the State of North Carolina records retention requirements.

**ARTICLE XIV
AMENDMENTS**

These procedures may be amended at any regular or special meeting of the Commission by a three-fourths vote of the members present and voting; provided that a written copy of the amendment must be mailed to each Commission member seven days prior to the adoption of the amendment or otherwise be made available to each Commission member five days prior to the adoption of the amendment.

**ARTICLE XV
RATIFICATION PROVISION**

These bylaws are duly adopted by a majority of the members of the Commission this 26th day of February, 2016, meeting in Durham North Carolina. The signatures of those subscribing to these bylaws are set forth below.

/s/ _____ Rebecca Anderson	/s/ _____ Lisa McCanna	/s/ _____ Michael A. Tramber
/s/ _____ Joe M. Cabaleiro	/s/ _____ Dennis G. Meyers	/s/ _____
/s/ _____ Delores Benton Evans	/s/ _____ William Newton	/s/ _____
/s/ _____ Lisa Hood	/s/ _____ Linda Sawyer	/s/ _____
/s/ _____ Lloyd H. Jordan, Jr.	/s/ _____ Cathy L. Swanson	/s/ _____