

NCSLA National Conference of State Liquor Administrators



*CONSTITUTION
& BYLAWS*

**2006
Revised**

***CONSTITUTION
OF THE
NATIONAL CONFERENCE OF STATE
LIQUOR ADMINISTRATORS***

Article I – Name

The name of the association shall be the National Conference of State Liquor Administrators.

Article II – Purpose

The purpose of the association shall be to promote the enactment of the most effective and equitable types of state alcoholic beverage control laws; to devise and promote the use of methods which provide the best enforcement of the particular alcoholic beverage control laws in each state; to work for the adoption of uniform laws insofar as they may be practicable; to promote harmony with the federal government in its administration of the Federal Alcohol Administration Act; and to strive for harmony in the administration of the alcoholic beverage control laws among the several states.

Article III – Members

Eligible for membership are: 1) the states, including the District of Columbia, City of Baltimore, and territories of the United States who are eligible for membership in the association on the effective date of this Constitution; and 2) other such states, territories and commonwealths hereafter approved for membership in accordance with the association bylaws; and any associate members deemed appropriate in accordance with the association bylaws.

Article IV – Officers

The association shall elect annually a president, a first vice-president, a second vice-president, a third vice-president, and a secretary-treasurer. The president and each vice-president shall be from different regions of the association. The office of president shall be rotated among the regions.

Article V – Meeting

The association shall meet annually at each time and place as decided by the members of the association at the second preceding meeting. In the absence of such decision or in an emergency, the time and place for the annual meeting shall be determined by the Executive Committee. The association may also hold special meetings.

Article VI – Bylaws

The association shall adopt bylaws to implement the purpose of this Constitution.

Article VII – Amendment of Constitution

The Constitution may be amended at an annual or a special meeting of the association by a two-thirds vote of those members present and voting, provided that the amendment has been submitted in writing to the members at least thirty (30) days prior to the meeting.



***BYLAWS
OF THE
NATIONAL CONFERENCE OF STATE
LIQUOR ADMINISTRATORS***

Article I – Membership

Section 1. The state, local or territorial government agency that has primary responsibility for the administration of the alcoholic beverage control laws shall be the representative body to the association and is hereafter referred to as a “member.” Other government organizations exercising regulatory control over alcoholic beverages, trade associations of alcoholic beverage businesses, professional and service organizations representing alcoholic beverage businesses, and companies engaged in the alcoholic beverage industry may be “associate members” in the association.

Section 2. Members are entitled to voice and vote at all meetings of the association. Associate members may have a voice on any issue at any association meeting but shall not have a vote.

Section 3. A membership year is from July 1 through June 30. Membership dues shall be set by the Executive Committee and shall be payable to the treasurer of the association no later than August 31st of each year. Any member or associate member that fails to pay its dues shall become an inactive member, ineligible to attend meetings. The Executive Committee may set different level of dues for associate members based on the category the various associate members fall into and their size in relationship to their fellow members.

Section 4. Application for membership or associate membership shall be submitted to the executive secretary-treasurer. Upon receipt of a membership application and dues, the applicant shall be considered a member or associate member respectively subject to a confirmation vote at the next annual meeting of the association.

Section 5. The following shall apply to retired NCSLA members, past NCSLA presidents and their spouses:

- A.** Subject to paragraph C of this section, retired NCSLA members and their spouses may attend any NCSLA conference or meeting by payment of the fees normally paid by active members and the member's spouse.
- B.** Subject to paragraph C of this section, past NCSLA presidents and their spouses may attend any NCSLA conference or meeting without payment of a registration fee; however, former presidents who are not retired should pay the registration fee if they are entitled to be reimbursed from their government agency.
- C.** Any retired member or past president who is employed by or represents the alcoholic beverage industry, or anyone affiliated with the industry, at the national level must be an associate member in order to attend conferences and meetings and shall pay the registration fee of an associate member.

Section 6. Participation at annual, regional and special meetings shall be restricted to members and associate members or those persons invited by the host administrator, the president or the Executive Committee.

Section 7. Participation at closed sessions of the association shall be by voting members only unless invited by the president or Executive Committee.

Article II – Officers

Section 1. The officers shall be elected at the annual meeting, and shall serve for one year or until their successors are elected.

Section 2. The terms of office shall begin on July 1 immediately following the election.

Section 3. In the event of a vacancy in the office of the president, first vice-president or second vice-president, each officer in the line of succession shall automatically ascend to the vacant office. However, if an officer in the line of succession is unable or unwilling to complete the term of office of the vacant position, and in the event of a vacancy in the office of the third vice-president, then the vacancy shall be filled by the Executive Committee.

Section 4. An elected officer may be removed by a 3/4 vote of the Executive Committee for cause, including gross incompetence, misappropriation of funds, repeated failure to adhere to provisions of the bylaws, or for any other valid reasons that the Executive Committee feels warrants such action for the preservation of the integrity and continuity of the organization.

Article III – Duties of Officers

Section 1. The president shall be the chief executive officer of the association and shall preside at all annual or special meetings and all meetings of the Executive Committee. The president shall:

- A.** Name all members of standing and special committees, and define the duties of all special committees created by the Executive Committee.
- B.** Serve as chairman of all standing and special committees. The president may appoint any person to serve as chairman, in which case the president shall be a member ex-officio.
- C.** Appoint a parliamentarian for the annual and special meetings.
- D.** Appoint four members to serve staggered two-year terms. In order to effectuate this provision, of the appointments made in the initial term beginning July 1, 2004, two members will be appointed to serve one-year terms, and two members will be appointed to serve two-

year terms. Thereafter, all appointments shall be for two-year terms.

Section 2. The first vice-president shall perform the duties of the president in the absence or inability of the president to act. The vice-presidents shall perform and discharge such duties as the president deems advisable.

Section 3. The secretary-treasurer shall:

- A.** Keep a roll of the membership of the association.
- B.** Issue notices of annual conferences or special meetings of the association or of the Executive Committee.
- C.** Record the proceedings of all meetings of the association and maintain a record of all other matters as ordered by the Executive Committee.
- D.** Conduct general correspondence of the association as directed by the president and/or the Executive Committee.
- E.** Attend all meetings of the Executive Committee without a vote for the purpose of recording minutes of the meetings and distribute the minutes to the Executive Committee within thirty (30) days of the conclusion of said meetings. Said minutes shall be available to all members upon request.
- F.** Arrange for the printing and distribution of the minutes of the annual or special meetings, committee reports, resolutions and such other reports or records as may be authorized by the Executive Committee.
- G.** Mail to each member a dues notice for membership.

- H.** Receive all monies paid into the treasury of the association as dues or donations and deposit the same in depositories approved by the Executive Committee.
- I.** Disburse monies as authorized in the adopted budget or as directed by the Executive Committee.
- J.** Prepare an itemized report of financial transactions for review by the Executive Committee at its first meeting.
- K.** Prepare an annual financial report to present at the annual meeting.
 - 1.** Attend all meetings of the Executive Committee and the Budget Committee.
 - 2.** Prepare an annual financial report to present at the annual meeting.

Article IV – Meetings

Section 1. Special meetings of the association may be held at any time and place called by the Executive Committee upon fourteen (14) days written notice to the members.

Section 2. A majority of all members present at any annual or special meeting of the association shall constitute a quorum.

Section 3. Each member shall be entitled to one (1) vote at any meeting of the association.

Section 4. All official functions held in conjunction with meetings of the association shall be sponsored by NCSLA, industry trade associations and/or an industry hospitality committee. The Executive Committee and host administrator shall provide a mechanism for the direct payment of any social event.

Article V – Executive Committee

Section 1. The Executive Committee shall consist of the elected officers, the immediate past president, the chairmen of the regions and two non-voting representatives from the associate membership. The two associate members shall serve staggered two-year terms with one representative being appointed annually. The secretary-treasurer shall attend meetings of the Committee without a vote.

Section 2. The immediate past president shall not serve on the Executive Committee if employed by the alcoholic beverage industry.

Section 3. The Executive Committee shall:

- A.** Manage the affairs of the association subject to the Constitution and Bylaws.
- B.** Approve the budget and authorize expenditures of funds.
- C.** Authorize the secretary-treasurer to execute any transfers of any property or securities of the association.
- D.** Prescribe the terms of sale or distribution of all publications issued by the association.
- E.** Arrange, in the absence of a decision by the association, the time and place for the annual meeting.
- F.** Direct the secretary-treasurer to issue the call to the annual meeting, arrange for the address of welcome, secure accommodations for members and guests, and prepare the program for the annual meeting.
- G.** Serve as a Conference Site Selection Committee to review proposals.
- H.** Recommend the site selected to association members.
- I.** Approve the monies to be expended by the host member.

- J.** Call special meeting of the association as deemed necessary.
- K.** Create special committees as may be deemed necessary or requested by the president.
- L.** Induct any past or present member of any classification or associate member of the NCSLA into the NCSLA Hall of Fame by a vote of no less than three-quarters (3/4) of the current voting members of the Executive Committee.

Section 4. The Executive Committee shall meet at least twice each year, fall and spring, at the call of the president or a majority of the Executive Committee.

Section 5. The Executive Committee or the president shall have the authority to invite a person or organization to the meetings of the Executive Committee.

Section 6. All executive decisions will be made by the president and all policy decisions will be made by the Executive Committee. If any member of the Executive Committee contests the right of the president to make a decision, the decision of the president shall prevail unless overruled by a 2/3 vote of the full Executive Committee.

Section 7. The Executive Committee may employ an Executive Director and such other staff as may be necessary to assist in performing the duties of the secretary-treasurer and such other duties as the Executive Committee shall deem necessary or helpful for the conduct of the association's business.

Article VI – Committees

There shall be six (6) standing committees: Audit, Budget, Constitution and Bylaws, Enforcement, Nominating and Resolutions. Each committee shall report at the annual meeting.

Section 1. Audit Committee

- A.** There shall be four (4) members of the Audit Committee appointed by the president, one from each region.
- B.** The committee shall review the receipts of the host administrator which shall be furnished to the secretary-treasurer in time for the fall planning meeting of the Executive Committee.
- C.** The accounts and records of the secretary-treasurer shall be audited by the committee prior to reporting at the annual meeting.

Section 2. Budget Committee

- A.** The committee shall consist of the president, the vice-presidents and the secretary-treasurer. The first vice-president shall serve as chairperson.
- B.** The committee shall prepare a proposed budget for the next fiscal year and shall submit the proposed budget to the Executive Committee for approval at the spring meeting of the Executive Committee.
- C.** Copies of the budget shall be approved at the spring meeting of the Executive Committee and made available to each member for review no later than the first day of the annual conference.
- D.** The committee shall present the proposed budget for the succeeding fiscal year of July 1 to June 30 at the annual meeting for adoption.

Section 3. Constitution and Bylaws Committee

- A.** There shall be four (4) members of the Constitution and Bylaws Committee appointed by the president, one from each region.

- B.** The committee shall meet and consider any suggestions to amend the Constitution or Bylaws of the association.

Section 4. Nominating Committee

- A.** There shall be four (4) members of the Nominating Committee appointed by the president, one from each region.
- B.** The committee shall receive nominations for those persons desiring to become officers of the association.
- C.** The committee shall nominate candidates for the offices to be filled at the annual meeting.

Section 5. Resolutions Committee

- A.** There shall be four (4) members of the Resolutions Committee appointed by the president, one from each region.
- B.** The committee shall review all resolutions.
- C.** All resolutions being proposed must be received in writing by the committee thirty (30) days prior to the annual meeting. The committee may waive the required notice for good cause, unless objected to by a majority of the members of the association.
- D.** The committee shall report all resolutions received for consideration by the association members. The committee may recommend adoption, recommend a resolution be not adopted, or report no recommendation, or offer an amendment to a resolution.

Section 6. Advisory Council

- A.** The Advisory Council is comprised of all living past presidents of NCSLA, whether active or retired, and without regard to current employment status.
- B.** The president shall designate one past president to serve as chairman of the Advisory Council.
- C.** The Advisory Council shall meet, in person or by other means, collectively or by sub-committee, on an ad hoc basis.
- D.** The purpose of the Advisory Committee is to utilize the collective and individual experience and knowledge of past presidents to further the mission and goals of NCSLA and to carry out special assignments at the request of the president.

Article VII – Regions

Section 1. There shall be four (4) geographic regions of the association. The following are eligible for membership in the regions:

- A. Southern:** Kentucky; Tennessee; South Carolina; Georgia; Florida; Arkansas; Louisiana; Texas; Puerto Rico; Oklahoma; Alabama; and Mississippi.
- B. Central:** North Dakota; South Dakota; Minnesota; Wisconsin; Illinois; Nebraska; Missouri; Indiana; Kansas; Iowa; Ohio; and West Virginia.
- C. Northern:** Massachusetts; New York; Connecticut; Rhode Island; New Jersey; Maryland; City of Baltimore, Maryland; Delaware; District of Columbia; Virginia; Pennsylvania; and Vermont.

D. Western: Alaska; Hawaii; California; Nevada; Arizona; Colorado; New Mexico; Guam; Idaho; Washington State; and Wyoming.

Section 2. The members of each region shall elect a regional chairman and vice chairman prior to the conclusion of the annual meeting to serve for one (1) year or until a successor is elected. The term of office shall begin the first day of July immediately following the date of election. The regional chairman shall govern the activities of the region and shall assign such duties to the vice chairman as deemed advisable. In the case of a vacancy in position of regional chairman, the vice chairman shall assume the position for the remainder of the term. In a case where both the regional chairman and vice chairman cannot serve, the president shall appoint an acting chairman until the Executive Committee acts to fill the vacancy.

Section 3. The regions shall attempt to have internal dialogue in order to solve problems common to the regions.

Section 4. Regional meeting dates shall be set by the end of the annual meeting, if possible, to eliminate overlapping of regional meetings.

Article VIII – Parliamentary Authority

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the association in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the association may adopt.

Article IX – Amendment of Bylaws

These bylaws may be amended at any annual or special meeting of the association by majority vote of those present and voting.

Article X – Financial Reporting and Controls

Section 1. All hotel and event contracts for national or regional meetings of the association shall be reviewed, approved, and signed by the host administrator and the president.

Section 2. Any expenditure from the NCSLA master account for national or regional meetings, beyond those that may be appropriated in the budget of the association, shall be approved in advance by a majority of the Executive Committee.

Section 3. The following shall apply to budgets submitted for meetings of the association:

- A.** The host administrator for the annual national meeting of the association shall submit a proposed budget to the executive secretary-treasurer on or before November 1 of the year preceding the conference for review and approval by the Executive Committee at its annual winter meeting. The budget shall include a recommended fee structure and proposed expenses by subcategory.
- B.** The host administrator of any regional meeting shall submit a proposed budget to the executive secretary-treasurer and the regional chairperson for review and approval at least six months prior to the meeting.

Section 4. Not later than 30 days subsequent to the conclusion of any national or regional meeting, the host administrator shall submit a preliminary report, including a financial report, to the executive secretary-treasurer, and, in the case of regional meetings, also to the regional chairperson. A final report shall be submitted within 90 days, at which time any residual funds must be returned to the executive secretary-treasurer for deposit into the NCSLA master account.

Section 5. Except as provided in this section, any expenditure of NCSLA funds for travel and related expenses by the Executive Committee members, or other members as may be approved by the president, shall be brought to the attention of the Executive Committee by the president prior to the travel to provide the opportunity for input of any Executive Committee member. This section does not apply to travel expenses related to: **(a)** attendance at regularly scheduled meetings of the Executive Committee by members of the committee, **(b)** attendance at Joint Committee of the States meetings when reimbursement is not provided by the Joint Committee, **(c)** president and executive secretary-treasurer travel to represent NCSLA at NCSLA regional meetings or NABCA meetings, and **(d)** travel approved by the president for which projected expenses do not exceed \$300.

Section 6. NCSLA funds may not be used to pay the expenses, including those for travel and meals, for persons other than Executive Committee members or other NCSLA members or associate members on official business of the association, unless said expenses have been authorized in advance by the president and approved by the majority of the Executive Committee.

Section 7. Any single expenditure of NCSLA funds in excess of \$5,000 from the master NCSLA account, even if provided for in the budget, shall only be made under the signatories of at least two officers of the association, one of whom may be the executive secretary-treasurer.

Section 8. Upon recommendation of the executive secretary-treasurer, the Executive Committee shall retain an independent CPA each year to audit the financial records of the association for each fiscal year ending June 30. The report shall be disseminated to the Executive Committee on or before November 1 for review at the winter meeting of the Executive Committee. The CPA shall also be retained to file any required government tax returns or reports.



***Founded June 19, 1934, Chicago, Illinois
Constitution Adopted***

Amended:

<i>May 7, 1953</i>	<i>Minneapolis, Minnesota</i>
<i>May 13, 1954</i>	<i>San Francisco, California</i>
<i>May 12, 1960</i>	<i>New Orleans, Louisiana</i>
<i>1968</i>	<i>Denver, Colorado</i>
<i>1970</i>	<i>Hot Springs, Arkansas</i>
<i>May 16, 1974</i>	<i>Maui, Hawaii</i>
<i>June 16, 1976</i>	<i>Stateline, Nevada</i>
<i>June 18, 1980</i>	<i>Colorado Springs, Colorado</i>
<i>June 15, 1981</i>	<i>Innisbrook, Florida</i>
<i>June 13, 1985</i>	<i>Isle of Palms, South Carolina</i>
<i>June 10, 1987</i>	<i>Albuquerque, New Mexico</i>
<i>June 22, 1989</i>	<i>Tulsa, Oklahoma</i>
<i>June 15, 1994</i>	<i>Copper Mountain, Colorado</i>
<i>June 14, 1995</i>	<i>Chicago, Illinois</i>
<i>June 12, 1996</i>	<i>Kamuela, Hawaii</i>
<i>June 10, 1998</i>	<i>New Orleans, Louisiana</i>
<i>June 24, 1999</i>	<i>Atlantic City, New Jersey</i>
<i>June 8, 2000</i>	<i>Dallas, Texas</i>
<i>June 13, 2001</i>	<i>Maui, Hawaii</i>
<i>June 13, 2004</i>	<i>New Orleans, Louisiana</i>
<i>June 7, 2006</i>	<i>Boston, Massachusetts</i>



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