

Minnesota Gambling Control Board

# Board Bylaws

1711 County Road B, Suite 300S  
Roseville, MN 55113

# **BYLAWS MINNESOTA LAWFUL GAMBLING CONTROL BOARD**

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Effective: August 15, 2022

## **SECTION 1. NAME AND PURPOSE**

### **1.1 NAME**

The Minnesota Gambling Control Board (hereinafter “the Board”) was established in 1984 and conducts business in accordance with [Minnesota Statute Chapter 349](#).

### **1.2 PURPOSE**

Pursuant to [Minnesota Statute §348.151, Subd. 4](#), the Board regulates the lawful (charitable) gambling industry to ensure the integrity of operations and provide for the lawful use of net profits.

## **SECTION 2. MEMBERSHIP OF THE BOARD**

### **2.1 COMPOSITION**

The Board is composed of seven members, five members appointed by the governor, one member appointed by the commissioner of Public Safety, and one member appointed by the Attorney General ([Minnesota Statute §349.151, Subd. 2](#)).

### **2.2 APPOINTMENT**

The Board members are appointed for a four-year term. Pursuant to [Minnesota Statute §349.151, Subd. 2\(c\)](#), a board member may continue holding office until a successor is appointed, unless prior to the expiration of the member’s service, the appointing authority notifies the Board

### **2.3 RESIGNATION**

- (a) Board members shall notify their appointing authority telephonically, via electronic media, or in writing whether they desire consideration of an additional term within six months of their expiration of service to the board.
- (b) Board members resigning prior to their expiration of service shall notify their appointing authority and the Board Chair via electronic media, in writing, or at a scheduled Board meeting at least 30 days prior to their resignation date.

### **2.4 REMOVAL**

Pursuant to [Minnesota Statute §15.0575, Subd. 4](#), a Board member may be removed by the appointing authority at any time for the following:

- (a) for cause, after notice and hearing, or
- (b) after missing three consecutive meetings. The chair of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that the member may be removed for missing the next meeting.

### **2.5 VACANCIES**

In the case of a vacancy on the board, the appointing authority shall appoint, subject to the advice and consent of the senate, a person to the position. When a Board position becomes

vacant within three months after being filled through the open appointment process ([Minnesota Statute §15.0597](#)), the appointing authority may, upon notification to the office of the secretary of state, choose a member from the applications on hand and need not repeat the process.

## **SECTION 3. OFFICERS OF THE BOARD**

### **3.1 Officers**

The Officers of the Board shall consist of a Chair, a Vice-Chair, and a Secretary.

### **3.2 Chair**

The Chair shall be elected from the Board's membership at the first regular meeting in August of each year by a majority vote of the Board members present. The Chair shall hold office for a term of one year or until his or her successor is elected.

The Chair shall preside at all meetings of the Board and shall have such duties and responsibilities as are normally attendant upon that office and as are specifically prescribed by Minnesota Statutes, Chapter 349, other relevant laws, and these bylaws. The functions of the Chair shall include, but not be limited to:

- (a) Presiding at meetings of the Board.
- (b) Providing notification of regular meetings of the Board and calling special Board meetings as appropriate or necessary.
- (c) Appointing all standing committees as identified in Section 3 of these bylaws, any special committees, and related committee chairs.
- (d) Assuring that the work of the Board is organized to carry out the duties and responsibilities of the Board.
- (e) Representing the Board and acting as its official spokesperson where appropriate.
- (f) Performing such other duties as the Board may, by resolution, direct.

### **3.3 Vice-Chair**

The Vice-Chair shall be elected from the Board's membership at the first regular meeting in August of each year by a majority vote of the Board members present. The Vice-Chair shall hold office for a term of one year or until his or her successor is elected. The Vice-Chair shall act as Chair in the absence of the Chair.

### **3.4 Secretary**

The Secretary shall be elected from the Board's membership at the first regular meeting in August of each year by a majority vote of the Board members present. The Secretary shall hold office for a term of one year or until his or her successor is elected. In addition to any duties usually pertaining to the office of the Secretary or designated by the Board, the Secretary shall be responsible for the maintenance of the minutes of the Board and shall ensure the accuracy of any written resolutions adopted by the Board.

The Secretary shall be responsible for notifying in writing a Board member who has missed two consecutive meetings after the second consecutive missed meeting, and before the next meeting, that the member may be removed for missing the next meeting. The Chair of the Board shall be notified if the member misses the next meeting.

### **3.5 Vacancies**

A vacancy in an office because of death, resignation, termination, removal, or disability shall be filled for the unexpired part of the term by a majority vote of the Board members present.

## **SECTION 4. STANDING COMMITTEES**

### **4.1 Executive Committee**

The Executive Committee shall consist of the Chair, Vice-Chair, and Secretary of the Board, and shall exercise those powers and duties designated by the Board unless otherwise prohibited by law.

### **4.2 Rules Committee**

The Rules Committee shall consider proposed rules, and amendments thereto, and make recommendations to the Board concerning the adoption of proposed rules.

### **4.3 Legislative Committee**

The Legislative Committee shall consider proposed legislation and make recommendations to the Board concerning the support or sponsorship of proposed legislation.

### **4.4 Compliance Review Group**

The Compliance Review Group shall conduct as necessary informal inquiries into alleged violations of laws and rules governing lawful gambling and perform such other functions as the Board determines by rule.

### **4.5 Education Committee**

The Education Committee shall provide guidance and oversight of Board education and outreach initiatives that assist in reducing unlawful gambling and increasing knowledge on lawful gambling and its requirements.

### **4.6 Ad Hoc Committee**

Upon a majority vote of the members present at a meeting, the Board may create ad hoc committees to address issues specified by the Board. An ad hoc committee consists of the members appointed by the chair of the Board. The chair of the Board shall appoint one Board member to serve as chair. The committee shall review the issues specified by the Board and, as appropriate, make recommendations to the Board. The ad hoc committee chair shall make recommendations to the board as to when the work of an ad hoc committee is completed.

### **4.7 Appointments**

The membership and related committee chairs of the standing committees shall be determined by the Chair no later than the first regular meeting of the Board in September of each year. Membership on any standing committee shall continue for one year or until a successor is appointed.

### **4.8 Meetings**

A committee may hold its meetings at such places and times as the committee chair may from time to time direct and may also be streamed online via a video teleconference program. Public notice of committee meetings shall be as required by law.

## **SECTION-5. MEETINGS OF THE BOARD**

### **5.1 Regular Meetings**

Regular meetings of the Board shall be held at 10:00 a.m. on the third Monday of every month in a suitable place to be announced by the Chair and streamed online via a video teleconference program. Regular meetings of the Board may be changed or canceled by the Chair upon agreement of a majority of the members responding through an electronic poll, a

telephone poll, in writing, or at a regular meeting of the Board. Notice to Board members and public notice of such a change or cancellation shall be provided in such form and manner as appropriate and as required by law.

## **5.2 Special Meetings**

Special meetings of the Board may be held at any time subject to the notice requirements of Section 4.3 upon the call of the Chair or any three members of the Board. No business shall be transacted at a special meeting other than that stated in the notice.

## **5.3 Notice of Meetings**

Notice to the public of all regular and special meetings shall be provided in such form and manner as required by law.

## **5.4 Agendas**

The agenda shall be established by the Chair and only matters on the agenda shall be considered. The tentative agenda for each regular meeting shall consist of at least the following major items:

- (a) Call to Order
- (b) Roll Call
- (c) Adoption of Agenda
- (d) Approval of Minutes
- (e) Chair's Report
- (f) Committee Reports
- (g) Director's Report
- (h) Action Items
- (i) Discussion Items
- (j) Public Comment
- (k) Next Meeting Announcement
- (l) Adjournment

## **5.5 Quorum**

When all seven appointed Board members are filled on the Board, four voting members shall constitute a quorum; otherwise, a majority, but no fewer than three of those with active appointments to the Board on the day of the Board meeting shall constitute a quorum for the conduct of Board business. If a quorum is not present on the day fixed for a regular or special meeting, the Board members in attendance, though constituting less than a quorum, may adjourn from time to time so as to notify absentees and procure a quorum for such adjourned meeting. A majority of those with active appointments to the Board who are assigned to a committee shall constitute a quorum for the conduct of that committee business.

## **5.6 Voting**

Any authorized action may be taken by the Board, or its various committees, upon a majority vote of all members present at any lawfully convened meeting, except as specifically provided for by law or these bylaws. Voting on any matter shall normally be by voice vote, provided that a roll call vote shall be called and recorded on any one issue if requested by one or more members of the Board. Any other mode of voting may be used by the Board for any one issue, provided that such mode is approved by a majority vote of all members present at any lawfully convened meeting. In the case of a tie vote, the question is defeated. There shall be no voting by proxy, and each member shall be entitled to only one vote on any single motion.

## **5.7 Conduct of Business**

Board meetings and meetings of its committees shall be governed by "Robert's Rules of Order"

as most recently revised, to the extent that they are not inconsistent with state or federal law or these bylaws.

### **5.8 Public Comment**

The Board shall devote a reasonable portion of each regular meeting to public comment. Members of the public desiring to address the Board shall notify the Chair prior to the public comment portion of the meeting.

### **5.9 Open Meetings**

All regular and special meetings of the Board and all meetings of its committees shall be held in compliance with the Minnesota Open Meeting Law, Minnesota Statutes, Chapter 13D.

## **SECTION 6. COMPENSATION AND EXPENSE REIMBURSEMENT**

### **6.1 Per Diem**

Each Board member shall be paid per diem compensation as provided by law for each day, or part thereof spent in attending Board meetings or meetings relating to Board business unless prohibited by law. Per diem compensation shall not be paid for any meeting, other than a regular or special meeting of the Board, or a lawfully convened meeting of a committee, without the prior approval of the Chair.

### **6.2 REIMBURSEMENT OF EXPENSES**

A Board member shall be reimbursed for all actual and necessary expenses incurred in the performance of his or her duties in the manner and amount prescribed for state employees under the "Commissioner's Plan".

## **SECTION 7. OFFICIAL DOCUMENTS**

All contracts, agreements, and other official instruments to which the Board is a party may be executed by the Director of Lawful Gambling Control on behalf of the Board or by the Chair.

## **SECTION 8. AMENDMENTS**

These bylaws may be amended by a two-thirds vote of all Board members at a regular meeting of the Board provided that written notice setting forth in detail the contents of the proposed amendment(s) is given to all Board members at the regular meeting immediately preceding the meeting at which the amendment is to be considered.

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Format of Bylaws was amended, the addition of composition section (Section 2), and inclusion of streaming of board meetings added on 8/15/2022  
Section 3 was amended on 5/18/20 by adding a new 3.5  
Sections 4.8 and 4.9 were amended on 7/16/07  
Section 2.2 was amended on 8/17/98  
Sections 1 and 2.4 were amended on 2/14/92  
Section 3 effective on 8/1/91  
Sections 1-2 and 4-7 were effective on 4/22/91  
Adopted on 4/22/91