

# CONSTITUTION & BY-LAWS



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**FRATERNAL ORDER OF POLICE  
LODGE #34**

**PREAMBLE**

We, the Law Enforcement Officers of the United States and of the State of Maryland, convinced that it is in the best interest of our members, hereby unite under the name of the **MARYLAND TRANSPORTATION AUTHORITY POLICE LODGE #34, OF THE FATERNAL ORDER OF POLICE, INC.** This Lodge is formed to promote more personal and efficient operation between the Law Enforcement Officers of this Lodge and State, and to foster enforcement of law and order; to encourage social, charitable, and educational activities among Law Enforcement Officers.

We the members do hereby pledge to increase the efficiency of the Law Enforcement profession and thus more firmly establish the confidence of the public in the services dedicated to the protection of life and property.



**MARYLAND TRANSPORTATION AUTHORITY POLICE  
CONSTITUTION AND BY-LAWS  
ARTICLE I**

*NAME*

**SECTION 1:** This organization shall be known as the MARYLAND TRANSPORTATION AUTHORITY POLICE LODGE 34, FRATERNAL ORDER POLICE INCORPORATED.

**SECTION 2:** The rights to authorize, control, and restrict the use of the name and insignia of the Lodge shall lie exclusively with the Board of Directors of the Lodge in accordance with the State and National Lodge regulations. All items that represent the Lodge and/or its logo shall be owned and controlled by the Lodge and any proceeds shall be the right of the Lodge. All logos and the name of Lodge #34 shall be designed and used in good taste bringing credit upon the Lodge, the Maryland Transportation Authority Police, and its members.

**ARTICLE II**

*PURPOSE*

**SECTION 1:** In its endeavors toward the founding purposes of the organization as set out in the corporate charter, this Lodge whose members have adopted the same profession and who are working in unison to accomplish our worthy objectives, have banded together in this grand order to aid and assist one another and to promote the common cause.

**SECTION 2:** The Lodge is a vehicle of communication for the members among themselves and between the members and police officials, and the elected or appointed officers of government at all levels. The Lodge adheres to a doctrine of cooperation in its communications with its members, police officers, and the elected or appointed officials of government at all levels. If the time arises when the Lodge must protect the individual member's rights through findings of fact and of law, or where injustice persists, the Lodge will prevail upon the appropriate administrative or governmental process, and/or the courts until such grievances are adequately redressed.

**SECTION 3:** The Lodge shall not, in any case, strike or by concerted action, cause, or induce other members or Lodges to do likewise, and any member so doing shall be expelled from the order.

**SECTION 4:** The Fraternal Order of Police is a non-profit organization consisting of active and retired members of the Maryland Transportation Authority Police as well as associate and honorary members

**SECTION 5:** The Lodge shall adopt a Constitution and By-Laws as it deems necessary through the General Membership for the governing of the Lodge. This Constitution and By-Laws shall not conflict with the State Lodge or the Grand Lodge.

**SECTION 6:** The By-Laws shall govern the day-to-day operation and administration of the Lodge. The By-Laws may only be promulgated, amended, and/or revised by a vote of two thirds (2/3) of the general membership present at a regular meeting

### **ARTICLE III**

#### *NAME AND INSIGNIA*

**SECTION 1:** No member shall use the name, logo, or insignia of this Lodge or the State or Grand Lodges except as authorized by the Constitution and the Board of Directors.

**SECTION 2:** The unauthorized use or the abuse of the name, logo, or insignia of this Lodge or the infringement of the trademark thereof shall be grounds for discipline, including, suspension, expulsion, or removal from office. Legal actions may be imposed.

**SECTION 3:** The name, logo, and insignia of this Lodge shall be only used for the purposes of this Lodge and not for any personal use or gain.

### **ARTICLE IV**

#### *DEFINITIONS*

##### **SECTION 1: LODGE**

- Any reference within these Constitution and By-Laws to the Lodge shall be understood to mean MARYLAND TRANSPORTATION AUTHORITY POLICE LODGE #34, FRATERNAL ORDER POLICE INCORPORATED. Any other references to the State Lodge or Grand Lodge will be so stated and stipulated.

##### **SECTION 2: CALENDAR YEAR**

- Shall be from January 1 through and until December 31.

##### **SECTION 3: QUORUM**

- At any regular or special meeting of the General Membership of the Lodge, a Quorum, capable of conducting the business of the Lodge, shall consist of those members present, provided that proper notification of the meeting has been given, as elsewhere indicated.

## **SECTION 4 : GENERAL CONSENT**

- Accept a motion without a vote.

## **ARTICLE V**

### *MEMBERSHIP*

**SECTION 1:** There shall be three (3) classes of membership within the Lodge:

1) **ACTIVE** - The active membership shall be comprised of the following:

- A) Full-time, sworn police officers of the MARYLAND TRANSPORTATION AUTHORITY POLICE.
- B) Retired members who have honorably retired from the MARYLAND TRANSPORTATION AUTHORITY POLICE in Good Standing.

2) **ASSOCIATE** - The associate membership shall consist of members who are not employed as sworn police officers of the MARYLAND TRANSPORTATION AUTHORITY POLICE, but who are of good character, free of any criminal record, whose desires are to assist the active membership in accomplishing their worthy objectives and will bring credit and good favor upon the Lodge. Associate member may attend general membership meetings but may not vote or run for any office.

3) **HONORARY** - The honorary member shall consist of members who are not employed as sworn police officers within the State of Maryland. These persons must be of good moral character, free of any criminal record, whose desires are to assist the membership of FOP Lodge #34 and will bring good credit and favor upon the Lodge. These persons are those who have brought credit and good favor upon the Lodge through their efforts, their character, and stature in the community. Through a resolution these persons will be made Honorary Members of the FOP Lodge #34 through resolution. There shall be no dues associated with the Honorary Membership.

**SECTION 2:** No person otherwise qualified shall be denied membership because of race, creed, sex, or religion. No person shall be an active member of more than one Lodge at the same time. No person who is affiliated with a Communist party, or any party known under any other name which advocates the abolition, destruction, or violent overthrow of the government of the United States or the Great State of Maryland shall be a member. Any person will also be denied membership if found to be a convicted felon in any court of the United States once all appeals have been exhausted.

**SECTION 3:** All classes of membership are recognized within the meanings in the Grand Constitution of the Fraternal Order of Police and subject to the legal restrictions therein, or as otherwise defined herein, upon written application and remittance of the proper dues and approval of a motion to accept the membership application at the General Membership Meeting.

**SECTION 4:** Upon receipt by the lodge secretary, an application for membership will presented to the membership for acceptance at the next General Membership Meeting.

**SECTION 5:** Sworn Active Members who retire in good standing and submit an application to convert their membership to “Active Retiree” are exempt from the conditions in Section 4 of this article.

## **ARTICLE VI**

### ***BENEFITS***

**SECTION 1:** The benefits of membership in the Lodge shall include, but are not limited to:

- Advice in departmental related matters.
- Legal plans both on and off-duty (NOTE: On-duty legal plans are only available to the active membership.)
- Grievance counseling and assistance.
- Presentation to the proper legislative bodies of proposals beneficial to the membership and the field of law enforcement.
- Copies of such publications as may be provided by the Lodge, the State Lodge, or the Grand Lodge from time to time.
- Such other reasonable services as may be required from time to time as directed by the Board of Directors and/or the membership.

**SECTION 2:** No member shall be denied any of their benefits if they are in good standing.



## ARTICLE VII

### *DUES AND ASSESSMENTS*

**SECTION 1:** The dues of this Lodge are set in accordance with the Constitution and By-Laws and paid toward the support of the Lodge to retain membership therein.

**SECTION 2:**

- a) The dues of the Lodge are at least 1.5% of the starting Police Officer I salary (rounded DOWN to the nearest whole dollar) or an amount deemed by the Board of Directors that has been voted on and approved by the Board of Directors. The by-weekly amount will be verified accurate and adjusted if necessary to maintain 1.5% of the current Police Officer I Starting Salary during the January Annual Audit, This amount shall not be in excess; however, it will be an amount that will meet the needs of the Lodge.
- b) Beginning July 2019 dues for retired active members shall be \$90 per year which includes the Pre-Paid Off Duty Legal Plan. Retiree dues for subsequent calendar years will be due on or before October 1<sup>st</sup> of each year.
- c) Dues for Associate Members shall be \$45.00 and shall be paid on or before January 1<sup>st</sup> of each year.

**SECTION 3:** Any member who fails to pay the regular dues of the Lodge, or any duly levied fine or assessment, by such dates as may be prescribed therein, shall be determined to be in arrears of payment and not in good standing.

**SECTION 4:** Any member in arrears of payment of dues, fines, or assessments more than thirty (30) days and less than sixty (60) days shall be deemed to be delinquent and not in good standing.

**SECTION 5:** Any member in arrears of payments of dues, fines or assessments more than sixty (60) days shall be automatically suspended.

**SECTION 6:** Any member delinquent or suspended, as described in this article, may be reinstated and restored to good standing by payment of all amounts due for the current year, one previous year and dues for the next twelve (12) months in whole. At this point the member may be reinstated at the next General Membership Meeting.

**SECTION 7:** Any member who is delinquent or who has been suspended loses all rights afforded to them as a member of Lodge #34.

**SECTION 8:** Any member who is delinquent, or who has been suspended by a subordinate Lodge for any reason, shall not be eligible for membership in any other subordinate Lodge until the suspension has been lifted.

**SECTION 9:** This Lodge shall adhere to the dues and taxes levied against it by the State and Grand Lodges. These dues and taxes shall be paid for from this Lodge's funds. These dues shall be paid on May 1 and November 1 of each year, or in accordance with State or Grand Lodge requirements.

## ARTICLE VIII

### *OFFICERS*

**SECTION 1:** The Officers of the Lodge shall consist of the following: President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary and Treasurer and shall be known as the Executive Board of Directors.

**SECTION 2:** The order of rank for the officers of the Lodge is as follows:

- 1) PRESIDENT
- 2) 1<sup>st</sup> VICE PRESIDENT
- 3) 2<sup>nd</sup> VICE PRESIDENT
- 4) SECRETARY
- 5) TREASURER

**SECTION 3:** All officers of the Lodge shall serve a two (2) year term in office. All elections will be conducted as set forth in the Constitution and By-Laws.

**SECTION 4:** All officers of the Lodge serving on Executive Board of Directors must attend at least eight (8) General Membership and six (6) Board Meetings each calendar year. If that officer does not attend the required number of meetings the President, any BOD member, or any member from the general membership may request that that officer be removed from their position. The officer in question has until the next regular General Membership meeting to answer the charges of being absent from their position. If the rebuttal from the officer is valid an extension may be placed on the officer as determined by the Board of Directors. If it is found to be invalid, then a vote from the quorum either by the Board of Directors or at the General Membership Meeting will be taken with two thirds (2/3) vote required to make the decision.

**SECTION 6:** Any active full-time sworn police officer of the Maryland Transportation Authority Police and FOP 34 member who has been determined to be in good standing, meets the position requirements and is willing to hold an elected office for the Executive Board of Directors with FOP Lodge # 34 as outlined above in Article V and this article may be nominated and then elected.

## ARTICLE IX

### *BOARD OF DIRECTORS*

**SECTION 1:** The Board of Directors for the Lodge order of ranking is as follows:

- PRESIDENT
- 1<sup>st</sup> VICE PRESIDENT
- 2<sup>nd</sup> VICE PRESIDENT
- SECRETARY
- TREASURER
- CONDUCTOR
- SGT. AT ARMS
- CHAPLAIN
- IMMEDIATE PAST PRESIDENT
- STATE TRUSTEE
- FIRST TRUSTEE.

The Immediate Past President will be a member of the Board of Directors; however, the Board of Directors must make a vote with a majority decision as to the Immediate Past President's voting capacity at the first meeting of the newly elected Board of Directors.

**SECTION 2:** The Board of Directors shall be the administrative, managerial, and judicial body of the Lodge, and is charged always to act in the best interests of the Lodge; to declare the will of the Lodge when required; and in all related matters to obey the commands of the Lodge. All members serving on the Board of Directors must attend at least six (6) meetings a year and six (6) Board of Directors Meetings.

In administering the affairs of the Lodge, the Board of Directors will always adhere to the principles of conduct required by the constitutional authority of the Grand Lodge, the State Lodge, the Corporate Laws of the State of Maryland, the authority of this Constitution and By-Laws of the Lodge, and the rules adopted by parliamentary authority.

**SECTION 3:** Any Lodge officer or member of the Board of Directors who resigned from active Law Enforcement duties for any reason other than to retire on pension, for length of service, age, or disability, or

otherwise, becomes ineligible as a member of the FRATERNAL ORDER OF POLICE, shall automatically forfeit their office as a member of the MARYLAND TRANSPORTATION AUTHORITY POLICE LODGE #34 Board of Directors. Any vacancy in the offices of the Lodge shall be filled by a nomination by the president and approved by a majority vote of the Board of Directors. Other than the Executive Board of Directors any Active member who has been determined to be in good standing, meets the position requirements and is willing to hold an elected office on the Board of Directors with FOP Lodge # 34 as outlined in Article V and Article IX may be nominated and elected.

**SECTION 4:** The Board of Directors shall meet at least once each month, unless otherwise provided by resolution of a majority of the Board of Directors to ensure the orderly flow of Lodge business. A Quorum shall consist of those members present, provided that proper notification of the meeting has been given.

## ARTICLE X

### *Discipline & Hearings*

**SECTION 1:** If it becomes found that any member has acted in a manner that brings disrepute, disgrace or dishonor upon the Lodge or its members, has neglected their duties or violated their oath of office as a member of the Board of Directors, or has been convicted of a criminal act disciplinary proceedings will commence.

**SECTION 2:** The disciplinary process will be as follows:

1) Charges of misconduct must be received by the President in the style of a formal letter signed by the complainant and should contain all applicable facts of the alleged violations. If the President is the person being charged with the offenses, this letter will be addressed and presented to the 1<sup>st</sup> Vice President. If the allegations are believed to include other members, of the Board of Directors, the charges will be addressed to the next Officer or Board member in line who is not involved.

2) The President or next highest-ranking Officer or Board Member of the Lodge not being charged will direct the Sergeant at Arms to form an investigative committee, which will consist of the Sergeant at Arms, Conductor and two (2) Lodge members who hold no positions within the Lodge that are selected by the President or his/her designee.

a) This committee will investigate and report their findings to the President or next highest-ranking officer or Board Member not included in the charges in the form of a written report

b) The President or the next highest-ranking Officer or Board Member of the Lodge not being charged will direct the Sergeant at Arms to inform the general membership of the investigation under new business. The Sergeant at Arms will report the investigation results to the general membership. The Member(s) being investigated will be formally charged at this time if:

i) Guilt has been established the President or next highest-ranking officer not being charged will direct the Board of Directors to recommend a punishment

- ii) The Board of Directors will review the charges and the investigation results. They will then recommend a punishment by a two-third (2/3) vote.
- iii) The Sergeant at Arms will present the findings to the general membership along with recommendations for disciplinary actions. The general membership will vote at that time. A majority vote will be the deciding factor.

### **SECTION 3: Disciplinary Action**

- Any member found guilty of a violation(s) are subject to written reprimand, probation, suspension, impeachment, or expulsion from the order. If financial loss to the Lodge had occurred because of the misconduct the Board may impose restitution as a disciplinary action.

### **SECTION 4: Probation**

- Any member who has been found guilty of misconduct may be placed on probation. The members voting privileges will be suspended for the duration of the probationary period. The member will be ineligible to hold any elected position while on probation.

### **SECTION 5: Confidentiality**

- The character of this Lodge is such that at times the business of the Lodge must be kept confidential, and it is imperative that all members shall have their brother and sister members' trust. Therefore, any member willfully or through negligence divulges any information in any form that is declared to be confidential at a meeting that is detrimental to the security and well-being of another member or is detrimental to the best interests and security of the Lodge, shall be in violation of this section.

### **SECTION 6: Appeal of Decision**

- A member who has been suspended or expelled from the Lodge may appeal to the State Lodge by the filing of a written notice of appeal with the State President not more than thirty (30) days from the expelled member's notification. Proceedings will be in order with the Grand Lodge Constitution and By-Laws, Article 23, Section 3

## **ARTICLE XI**

### ***DUTIES OF THE PRESIDENT***

**SECTION 1:** The President shall be the Chief Executive Officer of the Lodge and shall exercise active control of the general and administrative management of the affairs of the Lodge, under the supervision of the Board of Directors.

**SECTION 2:** The President shall preside at all meetings of the general membership and the Board of Directors.

**SECTION 3:** The President shall sign with the treasurer all applicable orders for the disbursement of Lodge funds before such orders may be negotiated in accordance with Article XV of these By-Laws.

**SECTION 4:** The President shall affix their signature to any documents passed upon by the Lodge requiring such signature for validation or authentication.

**SECTION 5:** With the advice and consent of the Board of Directors, the President shall appoint all committee members and/or commissions or other delegations as are necessary to serve the best interests of the Lodge and to ensure an orderly flow of Lodge business, and the President shall be a member ex-officio thereof.

**SECTION 6:** The President shall be an automatic delegate to the State and Grand Lodge Conferences with all expenses paid for by the Lodge.

**SECTION 7:** The President shall be the Chairman of all Special Committees.

**SECTION 8:** The President shall convey to the successor all unfinished business of the Lodge.

**SECTION 9:** The President shall carry out their duties and action for the good of the order.

**SECTION 10:** The President shall be the chairman and chief negotiator for the collective bargaining contract negotiations.

## **ARTICLE XII**

### *DUTIES OF THE 1<sup>st</sup> VICE PRESIDENT*

**SECTION 1:** The 1<sup>st</sup> Vice President shall assist the President in the administration of Lodge affairs and perform such duties as may be reasonable and required to ensure the orderly flow of Lodge business.

**SECTION 2:** In the event of the absence of the President or removal from office the 1<sup>st</sup> Vice President shall be vested with the powers of and perform the duties of the President.

**SECTION 3:** The 1<sup>st</sup> Vice President shall be the Chairman of the Lounge Committee.

**SECTION 4:** The 1<sup>st</sup> Vice President shall be responsible for the Lodge budget with the assistance of the Treasurer.

**SECTION 5:** The 1<sup>st</sup> Vice President shall be a member of the Negotiations Committee.

**SECTION 6:** The 1<sup>st</sup> Vice President shall be an automatic delegate to the State and Grand Lodge Conferences.

## **ARTICLE XIII**

### *DUTIES OF THE 2<sup>nd</sup> VICE PRESIDENT*

**SECTION 1:** The 2<sup>nd</sup> Vice President shall assist the President and the 1<sup>st</sup> Vice President in the administration of Lodge affairs and perform such duties as may be reasonable and required to insure the orderly flow of Lodge business.

**SECTION 2:** In the event of the absence of the 1<sup>st</sup> Vice President or removal from office the 2<sup>nd</sup> Vice President shall be vested with the powers of and perform the duties of the 1<sup>st</sup> Vice President.

**SECTION 3:** The 2<sup>nd</sup> Vice President shall be the Chairman of the Merchandise Committee and the Hall Committee.

**SECTION 4:** The 2<sup>nd</sup> Vice President shall be responsible for the Lodge's official web site.

**SECTION 5:** The 2<sup>nd</sup> Vice President Shall be a member of the Negotiations Committee and the Legislative Committee.

**SECTION 6:** The 2<sup>nd</sup> Vice President shall be an automatic delegate to the State and Grand Lodge Conferences.

## **ARTICLE XIV**

### *DUTIES OF THE SECRETARY*

**SECTION 1:** The Secretary shall be a member of the Board of Directors.

**SECTION 2:** The Secretary shall conduct the general correspondence of the Lodge.

**SECTION 3:** The Secretary shall be the recording Officer of the Lodge and a member of the By-Laws Committee.

**SECTION 4:** The Secretary shall keep the official membership roll of the Lodge.

**SECTION 5:** The Secretary, with assistance from the President shall prepare an agenda for each meeting.

**SECTION 6:** The Secretary shall have custody and use of the Lodge's materials and office equipment as is necessary to perform their duties. Any additional documented costs incurred by the Secretary shall be reimbursed.

**SECTION 7:** The Secretary shall be the custodian of all Lodge Seals, books, documents and records.

**SECTION 8:** The Secretary shall give an in-depth and accurate report to the Lodge and deliver to their successor all Lodge books and properties when their term is over.

**SECTION 9:** The Secretary shall be responsible to ensure all members receive their FOP membership cards annually.

**SECTION 10:** The Secretary shall ensure that all name and address changes are recorded at the Lodge level and forwarded to the State and Grand Lodges.

**SECTION 11:** In the absence of the President, 1<sup>st</sup> & 2<sup>nd</sup> Vice Presidents, the Secretary shall call Lodge Meetings to order and preside.

**SECTION 12:** The Secretary shall complete a written copy of the monthly General Membership Meeting minutes and will ensure written copies of the General Membership Meeting minutes are made available at the



entrance of the general membership meeting of FOP 34 one (1) hour prior to the start of the following month's General Membership Meeting.

**SECTION 13:** The Secretary shall keep an accurate recording of the business conducted at the Board of Directors meetings and cause such record to be recorded in written minutes.

**SECTION 14:** The Secretary shall be an automatic delegate to the State and Grand Lodge Conferences.

## ARTICLE XV

### *DUTIES OF THE TREASURER*

**SECTION 1:** The Treasurer shall be a member of the Board of Directors.

**SECTION 2:** The Treasurer shall be custodian and administrator of the funds of the Lodge under the supervision of the Board of Directors except for the Lodge Lounge Accounts. The Treasurer will have full oversight ability on the Lounge account but this account is maintained by the Lounge Manager.

**SECTION 3:** The Treasurer shall keep full and accurate accounts of receipts and disbursements in books belonging to the Lodge. The Treasurer shall obtain a monthly report from the Lounge Manager that shows Income, Expenditures and Reimbursements.

**SECTION 4:** The Treasurer shall receive all funds of the Lodge and shall deposit such funds in the name of the Lodge only in Financial Institutions which are insured by the Federal Deposit Insurance Corporation. The Lounge Manager shall deposit all funds related to the Lounge.

**SECTION 5:** The Treasurer shall sign all financial disbursements with the President for all funds except those dealing with the Lodge Lounge. When both signatures are unable to be obtained due to time constraints or one party is unavailable, the Treasurer or President may issue a financial paper disbursement without two signatures with the written permission of the unavailable signatory. In these situations, a receipt of the transaction will be retained by the Treasurer.

**SECTION 6:** The Treasurer shall deliver a trial and balance report to the membership at each Board of Directors Meeting and/or General Membership Meeting. A full report shall be on file with the Lodge Secretary.

**SECTION 7:** The Treasurer shall deliver to their successor in office all books and other Lodge Properties that are in their possession at the end of their term of office.

**SECTION 8:** The Treasurer shall give the Auditing Committee a correct account of all moneys in their possession, together with books, papers, and receipts belonging to the office, and at any time when ordered, deliver all moneys, books, papers, and properties to the Board of Directors and/or the Auditing Committee.

**SECTION 9:** The Treasurer shall be an automatic delegate to the State and Grand Lodge Conferences.

## **ARTICLE XVI**

### *DUTIES OF THE CONDUCTOR*

**SECTION 1:** The Conductor shall be a member of the Board of Directors.

**SECTION 2:** The Conductor shall be responsible for the physical arrangements of the meeting rooms, insuring in advance that all preparations have been made.

**SECTION 3:** The Conductor in conjunction with the Sergeant at Arms shall check the credentials and eligibility of those persons arriving at the meeting place and they shall deny entry to those persons not authorized when occasion demands.

**SECTION 4:** The Conductor shall assist the Sergeant at Arms in keeping order on the floor of the meetings, as directed by the Chair.

**SECTION 5:** The Conductor shall assist the Sergeant at Arms with investigations. This shall be accomplished in a confidential manner.

**SECTION 6:** The Conductor shall perform such other duties as may be directed by the Board of Directors.

## **ARTICLE XVII**

### *DUTIES OF THE SERGEANT AT ARMS*

**SECTION 1:** The Sergeant at Arms shall be a member of the Board of Directors.

**SECTION 2:** The Sergeant at Arms shall keep an accurate record of members and guests attending each meeting and provide a copy thereof to the Secretary.

**SECTION 3:** The Sergeant at Arms shall keep order on the floor of the meetings

**SECTION 4:** The Sergeant at Arms shall be the Chief Investigator of all disciplinary proceedings.

**SECTION 5:** The Sergeant at Arms shall be the Chairman of the By-Laws Committee

**SECTION 6:** The Sergeant at Arms shall perform such other reasonable duties as directed by the President.

## **ARTICLE XVIII**

### *DUTIES OF THE CHAPLAIN*

**SECTION 1:** The Chaplain shall be a member of the Board of Directors.

**SECTION 2:** The Chaplain shall give the invocation at the opening and the benediction at the close of the meetings.

**SECTION 3:** The Chaplain shall perform such other duties as directed by the President.

## **ARTICLE XIX**

### *DUTIES OF THE STATE TRUSTEE*

**SECTION 1:** The State Trustee shall be a member of the Board of Directors.

**SECTION 2:** The State Trustee shall be the representative of the Lodge on the Board of Directors, and of The Maryland State Lodge.

**SECTION 3:** The State Trustee shall present as directed by this Lodge, all business and correspondence related to the affairs of the State Lodge. He/She shall make a full and written report to this membership regarding as to any action taken by the Maryland State Lodge and shall participate in State Lodge affairs to the best interests of the Lodge.

**SECTION 4:** The State Trustee shall be a delegate to the State Lodge Conferences and Grand Lodge conference.

## ARTICLE XX

### *DUTIES OF THE IMMEDIATE PAST PRESIDENT*

**SECTION 1:** The Immediate Past President, in good standing, may attend meetings of the Board of Directors.

**SECTION 2:** The Immediate Past President, in good standing, shall advise and assist the President and the Board of Directors in the performance of their duties.

**SECTION 3:** The Immediate Past President, in good standing, shall pass down all materials owned by the Lodge to the new president.

**SECTION 4:** The Immediate Past President, in good standing, shall guide the newly elected President and Board of Directors on all unfinished Lodge business to include all bills, banking, and holdings.

**SECTION 5:** The Immediate Past President, in good standing, shall execute such assignments as may be ordered upon them.

**SECTION 6:** Where there is no living Immediate Past President or the Past President is no longer a member of the Lodge, these duties shall be performed by the last living Immediate Past President.

## ARTICLE XXI

### *THE COMMISSION OF TRUSTEES OF THE LODGE*

**SECTION 1:** There shall be six (6) elected Trustees. Three (3) of the Trustees shall be elected each year while the other three (3) remain in office. This election will be conducted in conjunction with the annual elections for the Board of Directors during the even years and the election for the National Conference during the odd calendar years. As officials of this Lodge, these Trustees shall be separate from other officers, and whose duties it shall be to ensure that all moneys, property, or other interests, held in the name of the Lodge are handled honestly, efficiently, and in the best interests of the members of the Lodge

- The Trustees shall hold their position for a period of two (2) years.

**SECTION 2:** The Trustees shall audit all financial records and inventory Lodge property each year in the month of January, with the assistance of the Lodge Treasurer and, if necessary, the Lodge's Accounting Firm. During this audit the Trustees will calculate the current dues contribution rate to ensure it complies with Article VII of these By-Laws. The Trustees shall give a written report of their findings at the next general membership meeting upon the completion of the audit report.

**SECTION 3:** The Trustees shall have the power to investigate at any time, any matter concerning Lodge holdings or Lodge funds that in their opinion warrants such investigation and may report their findings directly to the membership for immediate action.

**SECTION 4:** Immediately after each election, the Trustees shall select one trustee who shall be known as the First Trustee, and who shall act as chairman and voice of the Commission and be a member of the Board of Directors.

**SECTION 5:** Any vacancy occurring in the Commission of Trustees shall be filled in accordance with filling vacancies within the Board of Directors.

**SECTION 6:** In addition to the duties prescribed herein, the three (3) Trustees not running for reelection shall serve on the Election Committee and be the Co-Chairpersons.

**SECTION 7:** All members serving on the Commission of Trustees must attend at least four (4) General Membership meetings a year. If that trustee does not attend the required number of meetings the President, BOD member or any member from the general membership may request that that trustee be removed from their

position for neglect of duty. The trustee in question has until the next regular Board of Directors meeting to answer the charges of being absent from their position. If the rebuttal from the trustee is valid an extension may be placed on the trustee as determined by the Board of Directors. If it is found to be invalid, then a vote from the Board of Directors will be taken with two thirds (2/3) vote required to make the decision

## ARTICLE XXII

### *COMMITTEES*

**SECTION 1:** There shall be two types of committees within the Lodge:

- 1) Standing Committees - Constituted to perform a continuing function and which shall remain in existence permanently or until dissolved by a vote of the Board Directors. Standing Committees, other than those describe herein may be created by a majority approval of the Board of Directors. After which such Standing Committee may only be dissolved by a vote taken in the same manner.
- 2) Special Committees - Appointed by the President as the need arise to carry out specific tasks at the completion of which the committee ceases to exist.

**SECTION 2:** With the advice and consent of the Board of Directors, the President shall create all special committees and appoint all committee members as are necessary to serve the best interests of the Lodge. The President or his designee shall oversee all special committees.

**SECTION 3:** The Standing Committees of this Lodge shall be:

- |  |                                       |
|--|---------------------------------------|
| A) By-Laws Committee   | Chairman Sgt @ Arms                   |
| B) Legislative Committee   | Chairman Lodge President or appointee |
| C) Merchandise/Fund Raising Committee  | Chairman Conductor                    |
| D) Scholarship Fund Committee  | Chairman Lodge President or appointee |
| E) Lounge Committee - By a majority vote of the Board of Directors a Lounge Manager shall be appointed to oversee the daily operations of the lounge (including but not limited to: scheduling of volunteers for bar and kitchen, ordering of all necessary supplies). The Lounge Manager shall maintain a separate account for all lounge income/expenses and shall report same to the Lodge Treasurer and Board of Directors monthly in the form of a written report. The Lounge Manager shall develop an SOP for the lounge which shall be approved by a majority vote of the Board of Directors. |                                       |

The Lounge Manager shall have full authority for the daily operation of the Lounge and enforcement of the SOP.

- F) Hall Committee - By a majority vote of the Board of Directors a Hall Manager shall be appointed to oversee the daily operations of the hall (including but not limited to: scheduling of volunteers, and scheduling of events.). The Hall Manager shall maintain a separate account for all hall income/expenses and shall report same to the Lodge Treasurer and Board of Directors monthly in the form of a written report. The Hall Manager shall develop an SOP for the hall which shall be approved by a majority vote of the Board of Directors. The hall manager shall have full authority for the daily operation of the hall and enforcement of the SOP.
  
- G) Building and Grounds Committee – Chairman of the Grounds Committee will be appointed by the President and approved by a majority vote of the Board of Directors. The Building and Grounds Committee is responsible for the routine maintenance and upkeep of the Lodge building and grounds. The Building and Grounds Committee Chairman will also be the Lodge point of contact for any independent contractors who do building and ground business with the Lodge such as lawn care, snow removal, etc. The Chairman of the Building and Grounds Committee will give a monthly report at the Monthly General Membership Meeting.

## **ARTICLE XXIII**

### ***MEETINGS***

#### **SECTION 1: Regular Meetings**

- The General Membership shall meet once each month on the second Thursday of each month unless prior notification has been made of the change.
- The Secretary shall notify all Lodge members of the month's meeting to include as a minimum the agenda, the date, the time, and the location. This notice will go out to the membership at least seven (7) calendar days prior to the meeting.
- No change in a regularly established meeting procedure shall be made without notification of the General Membership by mail, e-mail (electronic mail), fax, flyer, bulletin, or phone call at least five (5) days in advance of the changed meeting.
- If an emergency arises, i.e. severe inclement weather (snow – Baltimore County Schools are closed or the County enters Snow Emergency – Phase 1), the meeting will be canceled if deemed necessary by the Board of Directors. This cancellation will be posted on the Lodge's Website [www.mdfo34.org](http://www.mdfo34.org) and an e-mail notice will be sent. A new date will be scheduled for later within the same month, if possible.

#### **SECTION 2: Special Meetings**

- These meetings may be called by the President, the Board of Directors, by the Commission of Trustees, or by the signed resolution of twenty-five (25) members or more. Notification of the General Membership shall be made by any of the following methods mail, e-mail (electronic mail), fax, flyer, bulletin, or phone call at least five (5) days in advance of the Special Meetings.

#### **SECTION 3: Inauguration Meeting**



- The regular meeting in the month of January shall be designated the Inauguration Meeting where all newly elected Officers, Board Members and Trustees will be sworn in. The new President shall outline his/her program of the Lodge's Activity for the upcoming year during this meeting.

#### **SECTION 5: Quorums**

- At any regular or special meetings of the General Membership of the Lodge, a Quorum shall consist of those members present, provided that proper notification of the meeting has been given, as elsewhere indicated.

#### **SECTION 6: Members to hold position**

- Members to be eligible to be nominated to a position on the Executive Board of Directors must have attended a minimum of eight (8) General Membership or Special Meetings in the previous year. Current Executive Board Members must attend (8) General Membership Meetings or special meetings AND (6) Board Meetings during the calendar year.
- Members to be eligible to be nominated to a position on the Board of Directors must have attended a minimum of six (6) General Membership or Special Meetings in the previous year.

Current Board of Directors Members must attend (6) General Membership Meetings or Special Meetings AND (6) Board Meetings during the calendar year.

- To receive credit for attendance at a General Membership meeting, the member must be present at the meeting through the conclusion of the officer's reports.

#### **SECTION 7: Excused from Meetings**

- Members may be excused from a regular meeting, but receive credit for their attendance for the following reasons:
  - i) Hospitalization - Of self-and/or a member of the immediate family, to include spouse, children, and parents.
  - ii) Death - Of a member of the member's family, to include spouse's family.
  - iii) Other - A member may request to be excused for other reasons that were unavoidable. The member must notify a member of the Executive Board of Directors in writing that they will not be at the meeting and the reason for their absence. The Board of Directors will vote at the next Board Meeting and determine if it is justified and if the member is to get credit for the meeting.
  - iv) To be excused the member must notify a member of the Executive Board of Directors that they are unable to attend the meeting prior to the meetings call to order and they must provide their normally submitted report to a member of the Executive Board of Directors. Appropriate documentation must be made available as requested.

- Members who have met the above listed criteria may be given credit for attendance.

## **ARTICLE XXIV**

### *CONSTITUTIONAL & PARLIAMENTARY AUTHORITY*

**SECTION 1:** This Constitution and By-Laws shall be the fundamental law of the Lodge, governing the Lodge in the conduct of business and all other things not inconsistent with the Law of the Land or the Constitutions and By-Laws of the State and Grand Lodges.

**SECTION 2:** The rules contained in the current edition of "Robert's Rules of Order" shall govern the Lodge in all cases to which they are applicable and in which they are not inconsistent with this constitution.

**SECTION 3:** There will be five (5) types of voting that will be honored:

- 1) Voice
- 2) Standing
- 3) Show of hands
- 4) Ballot
- 5) General consent

## **ARTICLE XXV**

### *NOMINATIONS & ELECTIONS*

**SECTION 1:** Any member who wishes to be nominated and elected to the position as either a member of the Board of Directors or a Delegate to the State or Grand Lodge Conferences must meet the following criteria to be nominated & elected:

- Any member in good standing for a period of one (1) year or more immediately preceding the holding of any election shall be eligible to hold office.
  - i) A year prior to an election period for the purposes of FOP Lodge #34 is defined as November 1 to the following October 31.
- Any person seeking election as a member of the Executive Board of Directors must have shown an interest in the Lodge by attending at least eight (8) General Membership and (if currently serving on the Executive Board of Directors) six (6) Board meetings during the preceding year.
- Should two members be nominated and a count of the ballots results in a tie, the member with who has attended more meetings in that calendar year will break the tie.

**SECTION 2:** No member shall be nominated or be a candidate for more than one office at the same election. A person has the right to accept or decline a position that they have been nominated for.

**SECTION 3:** Nominations for all offices open for election will be received from the floor at the regular meeting of the Lodge in the month of November. Nominations for positions on the Board of Directors will be in reverse order of precedence, starting with the State Trustee and ending with the President. There will be three (3) calls for each position before the position is closed.

- Immediately after all nominations have closed, nominees will have the option to present a speech to the membership at the November meeting.
- The speech may not exceed 10 minutes by any person.
- No debates will be allowed to take place, however; the same question may be asked to both candidates and each candidate will have the opportunity to respond.
- A question-and-answer session will be allowed, but will be limited to 15 minutes per nominee.
- No further time will be allowed for speeches, questions, answers, or debates within the forum of the Lodge. Nominees may use their own time as they see it to be necessary.

**SECTION 4:** An Elections Committee composed of the Trustees not having expired terms of office, and at least one member not considered for election, shall be charged with the verification of eligibility of the nominees, the preparation of the official ballot, distribution of the ballot, receipt and safeguarding of returned ballots, and the counting and announcement of election results at the December Meeting. The Elections Committee shall elect a Chairman from their numbers. This Chairman shall be one of the Trustees.

**SECTION 5:** Those qualified nominees for office who indicate acceptance of the nomination shall be declared candidates, and their names shall appear on the ballot under the title of the office for which they are considered in order of nomination.

- Electronic Voting is the default method of elections.

- The Electronic ballot will be sent to all Active members no later than Twenty (20) days after the November Meeting and the election will conclude at least two (2) days before the December Meeting.
- The Elections Committee will be responsible for the execution of an election performed by electronic means via a secure contractor specializing in electronic voting.
- If all positions open for election are uncontested the secretary shall cast one ballot for each eligible candidate for the open positions in lieu of an official paper or electronic ballot having to be prepared and sent to each active member.
- In the unusual event that electronic voting is not possible the traditional paper ballot voting method will be used.
- One ballot shall be prepared for each active member of the Lodge and mailed by the Elections Committee within ten (10) calendar days after the November meeting.
  - a. All completed paper ballots will be placed in the sealed envelope that is provided with the ballot. This envelope will have the Lodge address on the front of the envelope and no other markings. These envelopes will then be placed by each member in the Lodges official ballot boxes.
  - b. Members may opt to mail ballots to the Lodge utilizing the United States Postal Service. The ballots must be postmarked five (5) days prior to the meeting.
  - c. Five (5) days prior to the December meeting the Election Committee or their designees shall begin picking up the ballot boxes for their return/presentation to the membership at the December meeting.
  - d. The boxes shall be opened by the elections committee and the ballots shall be counted during the meeting. The totals shall be presented to the Secretary and kept on file by the Secretary for a period of one (1) year after the election.
- The final order of business at the December Meeting shall be an announcement of the election results by the Chairman of the Elections Committee.

**SECTION 6:** If it should ever become necessary to fill a position on the Board of Directors the following guidelines will be met:

- Executive Board of Directors - The President may nominate an active member to fill the vacated position. The nomination will be taken before the Board of Directors at the next Board of Directors meeting. Upon a majority vote of the Board of Directors, the nominee will be placed into office.
- Board of Directors - The President may nominate an active member to fill the vacated position. The nomination will be taken before the Board of Directors at the next Board of Directors meeting. Upon a majority vote of the Board of Directors, the nominee will be placed into office.

## ARTICLE XXVI

### *DELEGATES TO THE GRAND LODGE & STATE LODGE BIENNIAL CONFERENCES*

**SECTION 1:** Each year at the October Board of Directors meeting, the Board of Directors will determine the number of Delegates and Alternate Delegates that will best serve its interests at the Biennial Conference of the State or Grand Lodge for the next calendar year. An election shall take place (if necessary) in the same manner as for the Board of Directors. The assignment of Delegates to the Biennial Conferences shall be of those receiving the highest number of votes.

**SECTION 2:** The expense of Delegates so elected to represent the Lodge at the Biennial Conferences shall be determined and approved by the Board of Directors.

#### **SECTION 3:** Delegate Meeting Requirement

- Each person being nominated to be a delegate to either the Biennial State or Biennial National Conference must have attended a minimum of 6 (six) General Membership meetings during the prior year.
  - i) A year prior to an election period for the purposes of FOP Lodge #34 is defined as November 1 to the following October 31.

**SECTION 4:** The official Lodge sign-in book that is maintained by the Lodge Sergeant at Arms will be used to verify the meeting attendance for each nominee.

- If a Conference delegate is absent from any required vote or meeting at the State or National Conference, said member shall reimburse the Lodge for the expenses of the day and shall forfeit any administrative time for that day at the discretion of the Executive Board of Directors.

## ARTICLE XXVII

### *AMENDMENTS TO THE CONSTITUTION AND BY-LAWS*

**SECTION 1:** Proposed amendments to this Constitution and By-Laws shall be typed in resolution form stating the reason for the amendment and submitted to the Chairman of the FOP 34 By-Laws Committee with the signature of the member submitting the proposed amendment. If the proposed Constitution and By-Law amendments are extensive, then a total copy of the Constitution with specified amendments highlighted in red will be made available to the membership for review in lieu of each change having to be written in resolution form. This is to be submitted at any meeting of the General Membership under Good of the Order. No vote will be taken at this meeting.

**SECTION 2:** The proposed amendment shall be reviewed by the By-Laws Committee within sixty (60) days of submission. Once reviewed the Chairman of the By-Laws Committee will read the proposed amendments at the next General Membership meeting along with the recommendation of the By-Laws Committee for approval or rejection of the proposal. The Secretary will provide the membership a copy of the proposed amendment(s) along with the recommendation of the By-Laws Committee via email within seven (7) days of the By-Laws Committee recommendation announcement. The membership will have until the next General Membership Meeting, which is the meeting immediately following the recommendation of the By-Laws Committee, to review the amendment.

**SECTION 3:** At the meeting immediately following the recommendation of the By-Laws Committee, a debate on the amendment may take place for a maximum of thirty (30) minutes. However, no member may talk more than twice on the issue. The Quorum present at this meeting will vote on the amendment. Two thirds (2/3) vote is required to pass or adopt an amendment.

## ARTICLE XXVIII

### *LEGAL COUNSEL*

**SECTION 1:** There shall be a General Legal Counsel designated by the President with direction from the Board of Directors.

**SECTION 2:** All active members and participating retired and associate members have access to the Legal Counsel that has been selected by the Board of Directors and designated by the President.

**SECTION 3:** An Associate Legal Counsel may be obtained by the President on the direction of the Board of Directors to handle any litigation in which the Lodge may become involved.

**SECTION 4:** If a member has followed all the prescribed guidelines to gain representation from the Lodge, the Lodge will make every effort to assist the member if it has been determined that such assistance is in the pursuit of justice.

**SECTION 5:** The legal coverage provided by FOP Lodge #34 does not include all costs associated with many legal matters such as matters of a criminal nature, investigative costs, obtaining official reports, drug screening, expert witnesses, etc. Therefore, the member may incur some financial responsibility.

**SECTION 6:** The decision to cover or assist the member with legal fees will be made by the Board of Directors.

**SECTION 7:** The decision will be placed into the official minutes of the Board of Directors Meeting with the justification for the decision.

**SECTION 8:** A decision will be made, and the member will be notified without delay to not slow down the members' legal proceedings.

## ARTICLE XXIV

### *GENERAL*

#### **SECTION 1: AUDITS**

- Where it becomes necessary, the Board of Directors, the Commission of Lodge Trustees, or the General Membership with a write-in request from two thirds (2/3) of the active membership may request an audit. This audit may be performed by the Commission of Trustees or an impartial private firm that is hired by the Lodge. The audit may be for moneys, deeds, properties, and/or Lodge equipment. This is in addition to the audits that are required to be conducted by the Lodge Trustees.

#### **SECTION 2: DISEMBURSEMENTS OF FUNDS**

- The President and Treasurer may disburse funds in a lump sum in the name of the Lodge without consent up to and not exceeding \$2500.00
- No lump sum expenditures that exceed \$2500 but are less than \$10,000.00 may be dispersed by the President and/or Treasurer without consent of the Board of Directors Any lump sum payment falling into this category must be reported to the membership at the next General Membership Meeting.

- Any lump sum expenditure exceeding \$10,000 must be voted on by the Board of Directors and if approved by the Board of Directors, will then be voted on by the General Membership. A majority vote by the Members present is required for approval.

### **SECTION 3: LODGE MERCHANDISE**

- All items that represent the Lodge and/or its logo shall be owned by the Lodge and any proceeds shall be the right of the Lodge.

### **SECTION 4: APPEALS BY MEMBERSHIP FOR LEGAL MATTERS**

- Any member who needs legal counsel or representation will be granted such if the following guidelines are followed:
  - i) The member must be in good standing with the Lodge.
  - ii) The member has the option to be represented by a member from the Board of Directors or Lodge Attorneys that the Lodge has retained. The member must inform the President which they prefer.

### **SECTION 5: LODGE REPORTS**

- Monthly Reports - All members of the Board of Directors shall submit a monthly report in writing on Official Lodge Letterhead to the Lodge President and Secretary detailing all Lodge business they participated in during the previous month.
- Expense Reports - Board Members who have been issued Lodge credit cards and/or debit cards shall submit a monthly expense report detailing all expenses and attach receipts to the report for each expenditure. The expense report will be submitted on the official Lodge expense report form. This report will be submitted to the 1<sup>st</sup> Trustee or his designee at the monthly Board Meeting for review and approval by the Commission of Trustees. Once approved the 1<sup>st</sup> Trustee will submit the report to the Secretary for filing.
- Reimbursement Request – Any Lodge member who wishes to be reimbursed for expenses they incurred pertaining to Lodge business must submit a request on the official Lodge reimbursement form to the 1<sup>st</sup> Trustee for approval by the Commission of Trustees. The member must include all information on the form and attach a receipt to the request. Request for reimbursement will be approved or denied by the Commission of Trustees no later than the next Board of Directors meeting. If approved, the 1<sup>st</sup> Trustee will submit the reimbursement form to the Lodge Treasurer who will reimburse the member by check without undue delay. Once Funds are disbursed the Lodge Treasurer will submit the form to the Lodge Secretary for filing.



## ARTICLE XXX

### *LINE OF DUTY DEATH*

**SECTION 1:** If an officer of this agency and a member of this Lodge, FOP Lodge #34, dies in the line of duty, the Fraternal Order of Police Lodge #34 will ensure that the immediate family of the fallen Officer has all affairs taken care of. This will include, but is not limited to, ensuring that an FOP Liaison is assigned to the family, a driver is assigned to the family (usually the Liaison), meals in between viewings are coordinated, and family wishes, within reason, are followed.

**SECTION 2:** If an Officer of this agency and a member of this Lodge dies in the line of duty, the Fraternal Order of Police Lodge #34 will donate to their surviving spouse, a check in the amount of \$2,000 in the event the fallen officer does not have a spouse; the donation will proceed following the guidelines as outlined:

- 1) Surviving child(s) – The money will be divided equally amongst the children.
- 2) Surviving parents
- 3) Legal beneficiary listed on agency forms

**SECTION 3:** The Fraternal Order of Police Lodge #34 will pay for meals for the family in between viewings of the fallen officer, within reason as established by the Executive Board of Directors.

**SECTION 4:** FOP 34 will provide use of the Lodge Hall at no cost to the family of the officer if available.

## ARTICLE XXXI

### *INELIGIBLE TO HOLD OFFICE*

To maintain the best interests of the Lodge and to preclude any member of this Lodge from having any conflicts of interest between the Lodge and the Agency:

- A member of this Lodge who currently holds any position on the Board of Directors or the Commission of Trustees within this Lodge, and attains the appointed rank of Captain or above will resign their position in the Lodge effective 60 days after their promotion to the rank of Captain.
- A member of this Lodge may not serve on the Executive Board of Directors if they hold the rank of Lieutenant or above.

- A member of this Lodge who currently holds any position on the Executive Board of Directors and attains the rank of Lieutenant or above will resign their position in the Lodge effective 60 days after their promotion to the rank of Lieutenant.
- Any member of the agency that is in the appointed rank of Captain or above is prohibited from becoming a candidate for any position within the Lodge.

All sworn members within this agency who are in good standing regardless of rank may be a member of this Lodge.

**ATTACHMENTS:**

**F.O.P. Lodge #34 Official Logo**

