



## ***BYLAWS OF THE***

# ***Grand Lodge of California***

**Revised June 2015**

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SECTION I

PAGE

## TABLE OF CONTENTS

GRAND LODGE.....	1
PURPOSE OF THE GRAND LODGE.....	1
COMPONENTS OF THE GRAND LODGE .....	1
POWERS OF THE GRAND LODGE.....	2
GRAND LODGE CONVENTIONS .....	3
ORDER OF THE DAY (AGENDA).....	4
PARLIAMENTARY PROCEDURES .....	4
THE GRAND COUNCIL.....	6
DISTRICTS.....	6
ELIGIBILITY AND CANDIDATES.....	6
ELECTIONS.....	7
POWERS & ATTRIBUTES OF THE GRAND COUNCIL.....	7
MEETINGS OF THE GRAND COUNCIL .....	10
EXECUTIVE COMMITTEE OF THE GRAND COUNCIL .....	10
STATE OFFICERS .....	11
STATE PRESIDENT.....	11
STATE VICE PRESIDENTS .....	13
IMMEDIATE PAST STATE PRESIDENT .....	13
STATE ORATOR.....	13
STATE RECORDING SECRETARY .....	14
STATE FINANCIAL SECRETARY .....	15
STATE TREASURER.....	16
SURETY BONDS.....	16
STATE TRUSTEES .....	16
STATE DEPUTIES .....	17
STATE ARBITRATION BOARD .....	19
COMMITTEES AND TRUSTS OF THE GRAND LODGE .....	19
NATIONAL DELEGATES AND ALTERNATES .....	23
INCOME, DISBURSEMENT, ACCOUNTING OF THE GRAND LODGE.....	24
LOCAL LODGES .....	25

## TABLE OF CONTENTS

GRAND LODGE.....	1
PURPOSE OF THE GRAND LODGE.....	1
COMPONENTS OF THE GRAND LODGE .....	1
POWERS OF THE GRAND LODGE.....	2
GRAND LODGE CONVENTIONS .....	3
ORDER OF THE DAY (AGENDA).....	4
PARLIAMENTARY PROCEDURES .....	4
THE GRAND COUNCIL.....	6
DISTRICTS.....	6
ELIGIBILITY AND CANDIDATES.....	6
ELECTIONS.....	7
POWERS & ATTRIBUTES OF THE GRAND COUNCIL.....	7
MEETINGS OF THE GRAND COUNCIL .....	10
EXECUTIVE COMMITTEE OF THE GRAND COUNCIL .....	10
STATE OFFICERS .....	11
STATE PRESIDENT.....	11
STATE VICE PRESIDENTS .....	13
IMMEDIATE PAST STATE PRESIDENT .....	13
STATE ORATOR.....	13
STATE RECORDING SECRETARY .....	14
STATE FINANCIAL SECRETARY .....	15
STATE TREASURER.....	16
SURETY BONDS.....	16
STATE TRUSTEES .....	16
STATE DEPUTIES .....	17
STATE ARBITRATION BOARD .....	19
COMMITTEES AND TRUSTS OF THE GRAND LODGE .....	19
NATIONAL DELEGATES AND ALTERNATES .....	23
INCOME, DISBURSEMENT, ACCOUNTING OF THE GRAND LODGE.....	24
LOCAL LODGES .....	25

## TABLE OF CONTENTS

INSTITUTION OF LOCAL LODGES .....	25
POWERS AND ATTRIBUTES OF THE LOCAL LODGES .....	27
REVENUES OF LOCAL LODGES.....	29
EXPENDITURES OF LOCAL LODGES.....	29
ADMINISTRATION OF LOCAL LODGES' FUNDS .....	30
LOCAL LODGE MEETINGS.....	30
LOCAL LODGE SUBSIDIARY COMPONENTS.....	32
THE COUNCIL OF LOCAL LODGES.....	32
LOCAL LODGE NOMINATIONS AND ELECTIONS .....	33
LOCAL LODGE VACANCIES.....	34
QUALIFICATIONS FOR ELIGIBILITY TO OFFICE IN THE COUNCIL.....	34
LOCAL LODGE PRESIDENT .....	35
LOCAL LODGE VICE PRESIDENT.....	36
LOCAL LODGE IMMEDIATE PAST PRESIDENT .....	36
LOCAL LODGE ORATOR.....	36
LOCAL LODGE RECORDING SECRETARY .....	37
LOCAL LODGE FINANCIAL SECRETARY.....	38
LOCAL LODGE TREASURER .....	40
LOCAL LODGE HISTORIAN.....	40
LOCAL LODGE TRUSTEES.....	41
LOCAL LODGE MASTER AND MISTRESS OF CEREMONY .....	41
LOCAL LODGE GUARD.....	41
LOCAL LODGE HERALD.....	41
LOCAL LODGE ARBITRATION BOARD.....	42
LOCAL LODGE COMMITTEES.....	43
LOCAL LODGE HEALTH COMMITTEE (IF APPLICABLE) .....	43
STATE DELEGATES .....	43
DEFAULTING LODGES .....	48
CAUSES FOR SUSPENSION OF A LOCAL LODGE .....	48
EFFECTS AND REMEDIES OF SUSPENSIONS.....	49
DISSOLUTION OF LOCAL LODGES .....	49
REORGANIZATION OF DISSOLVED LODGES.....	50
CONSOLIDATION OF LODGES .....	50
MEMBERSHIP IN MULTIPLE LODGES.....	51

## TABLE OF CONTENTS

SEPARATION OF A LODGE .....	51
ATTEMPTED SEPARATION FROM THE ORDER.....	52
MEMBERSHIP CLASSIFICATIONS.....	52
MEMBERSHIP CLASSIFICATIONS CONVERSION.....	55
APPLICATIONS FOR ADMISSIONS.....	55
MINIMUM INITIATION FEES .....	56
VOID MEMBERSHIP.....	57
DUTIES OF MEMBERS.....	57
RIGHTS OF MEMBERS .....	58
FEES, DUES AND ASSESSMENTS.....	59
ARREARS, DEFAULTS, CANCELLATIONS, AND REINSTATEMENTS.....	59
TRANSFERS.....	61
REGULATIONS PERTAINING TO MEMBERS ABROAD.....	63
MEMBERS SERVING IN THE ARMED FORCES.....	63
FUNERAL SERVICES .....	64
INCOMPATIBILITY OF OFFICE .....	64
FORFEITURE OF OFFICE .....	65
ELECTIONS REGULATIONS FOR ALL RANKING UNITS.....	66
ELECTORAL BOARD.....	67
ADMINISTRATIVE DEFECTS AND APPEALS.....	68
SALARIES AND REIMBURSEMENTS .....	69
REMOVAL FROM OFFICE.....	70
PRECEDENCE IN THE APPLICATION OF LAWS .....	72
DISPOSITIONS FOR PUBLIC CEREMONIES AND EVENTS .....	72
DISCIPLINARY MEASURES AND INQUESTS .....	73
INVESTIGATIONS BY THE STATE PRESIDENT.....	73
JUNIOR LODGES AND GROUPS.....	74
SECTION II	
HOSPITALIZATION BENEFIT PLAN .....	76
SECTION III	
DEATH BENEFIT PLAN .....	79
INDEX.....	83

## **SECTION I**

### **ARTICLE 1 - GRAND LODGE**

The Grand Lodge of California, Order Sons of Italy in America (OSIA), instituted the 20<sup>th</sup> day of September 1925, and legally authorized to transact business in the State of California, is a fraternal organization that derives its origin and its existence from the Supreme Lodge of the Order Sons of Italy in America. Originally called "Figli d'Italia", OSIA was established in the Little Italy neighborhood of New York City on June 22, 1905 by Vincenzo Sellaro, M.D. and five other Italian immigrants.

By the authority of the Supreme Lodge, and in conformity with its Constitution and Bylaws, the Grand Lodge of California exercises jurisdiction over all Local Lodges and members of the Order within the confines of the State of California, and those Local Lodges of other states that have been placed under its jurisdiction by the Supreme Lodge.

### **ARTICLE 2 – PURPOSE OF THE GRAND LODGE**

The purposes of this organization shall be:

- A. To enroll in its membership all persons of Italian birth or descent and all others as prescribed in Article 67 of these Bylaws;
- B. To promote national education and secure adequate laws for the benefit of its members by active participation in the political, social and civic life of our communities;
- C. To encourage the dissemination of Italian culture in the United States and uphold the prestige of the people of Italian heritage in America;
- D. To initiate and organize movements for patriotic and humanitarian purposes, thereby establishing a motto of "Liberty, Equality, and Fraternity".

### **ARTICLE 3 - COMPONENTS OF THE GRAND LODGE**

- A. The Grand Lodge is composed of the following components which shall have the right to vote on all matters concerning the Grand Lodge when in session:
  1. Members of the Grand Council called State Officers;
  2. Past State Presidents;
  3. State Delegates which include the Presidents of the Local Lodges;
  4. Current Emeritus. Future positions of Emeritus have been abolished.

- B. In order for one to become entitled to receive the privileges of a Past State President, such person shall serve a full term as Immediate Past State President.
- C. Chairpersons of Committees are not components of the Grand Lodge. Therefore, they are neither eligible for election to State Office nor entitled to vote unless they are currently elected State Delegates entitled to vote at the current Grand Convention.

#### **ARTICLE 4 - POWERS OF THE GRAND LODGE**

- A. The Grand Lodge has all those powers which it expressly or by implication derives from the Constitution and General Laws of the Supreme Lodge. Those powers are legislative, executive, administrative, judicial in character, and are exercised directly and exclusively within the limits of its jurisdiction, and also by means of subsidiary, dependent and auxiliary organizations.
- B. The legislative power belongs exclusively to the Grand Lodge in session. However, every law shall be submitted for its approval to the Supreme Council before it is published. In the exercise of this power the Grand Lodge may make laws:
  - 1. To regulate its conduct , its administration, its functions, and also the conduct, administration, and functions of its auxiliary, subsidiary, and dependent organizations;
  - 2. To regulate the activities and functions of the Local Lodges within its jurisdiction, such as the rights and duties of Local Lodge members;
  - 3. To regulate the relations and the reports of the various subsidiary organizations of the Order within its jurisdiction;
  - 4. To supervise and protect the material and moral interest of the Order within its jurisdiction.
- C. The Grand Lodge, when in session, shall have the following additional specific powers:
  - 1. To impose a personal or per capita tax to be paid by every member of Local Lodges within its jurisdiction in order to provide for the needs of its administration. It may impose other supplementary taxes for the maintenance and for the functioning of its subsidiary and auxiliary bodies, and also to provide for the development of the Order within its jurisdiction. It may determine the manner, method, and terms for the collection of these taxes;
  - 2. To control, ratify, and annul the deliberations of the Grand Council and of its other auxiliary and dependent bodies, excepting the State Arbitration Board;
  - 3. To establish the administrative organization for the functioning of its offices;
  - 4. To establish the place and days of its sessions;
  - 5. To elect and remove the Grand Council, the State Arbitration Board, and the National Delegates;

6. To purchase and administer property necessary for its purposes;
7. To establish and maintain funds for the Death Benefit Plan and the Hospitalization Benefit Plan;
8. To establish and maintain Committees of the Grand Lodge;
9. To establish and maintain a monthly publication as its recognized official publication;
10. To revise and amend its Bylaws by a two-thirds (2/3) vote of its members present at the Grand Convention while duly assembled;
11. To decide by an absolute majority (Article 7 B.10) of its members present, the prolongation for one or more days of its sessions.

#### **ARTICLE 5 - GRAND LODGE CONVENTIONS**

- A. The Grand Lodge meets in Ordinary and Extraordinary Sessions. Every meeting is called a Grand Convention which shall meet in:
  1. Ordinary Session every year at a location previously selected for three (3) days starting on the fourth Thursday of the month of June;
  2. Extraordinary Session when convened by deliberation of the Grand Council or by the request of the majority of the State Delegates. Such State Delegates shall have attended the immediately preceding Grand Convention and shall belong to Local Lodges which are, at the time of the request, in good financial standing with their obligations to the Grand Lodge.
- B. Not less than 30 days before each Grand Convention, the State Recording Secretary shall send the Credentials to each Component of the Grand Lodge. These Credentials shall be validated by the President and the Financial Secretary of the Local Lodge attesting that the State Delegate is current with the obligations to the Local Lodge.
- C. The meetings of the Grand Lodge shall be held as specified by the notice which shall set forth the place, date and hour of the commencement of the session.
- D. Such meeting shall be legal if at its commencement a majority of its members are present. The number of its members present shall be determined on the basis of the number of State Delegates elected and certified by the Local Lodges to the office of the State Recording Secretary, and, in addition, on the basis of the number of other members of the Grand Lodge.
- E. All subsequent sessions, duly recessed or continued, shall be valid and the deliberation thereof shall be legal regardless of the number of its members present.

## **ARTICLE 6 - ORDER OF THE DAY (AGENDA)**

- A. The order of the day (agenda) of every ordinary Grand Convention shall be as follows:
1. Opening of the Convention according to the Ritual;
  2. Announcement of the members of the committees previously appointed by the State President for the Convention;
  3. Reports of the Credential Committee;
  4. Minutes of the previous Convention;
  5. Assignment of proposals and resolutions to the proper committees for investigation, study and report;
  6. Nomination of candidates for all offices of the Grand Lodge; \*
  7. Reports of Officers of the Grand Lodge;
  8. Reports of the Committees of the Grand Lodge;
  9. Election of the State Officers, the State Arbitration Board and the National Delegates; \*
  10. Unfinished business;
  11. New business;
  12. Ratification of the site of the subsequent Convention;
  13. Installation of State Officers; \*
  14. Closing of the meeting according to the Ritual.

\*Eliminated from the order of the day in Grand Conventions where an election is not required by the Bylaws.

- B. The order of the day for every Extraordinary Session shall be determined by the Grand Council unless it is determined upon the request of an absolute majority (Article 7 B.10) of the State Delegates, in which case, it shall be based upon their request. No discussion on any subject not on the order of the day shall be permitted without majority consent of the assembly.

## **ARTICLE 7 - PARLIAMENTARY PROCEDURES**

- A. It is absolutely prohibited to have any political or religious discussion during the meeting of the Grand Lodge.
- B. The sessions of the Grand Lodge shall be regulated by the following parliamentary procedures and by other special rules that any or each session may adopt:
1. All proper resolutions which have been received by the State Recording Secretary shall be assigned to the special committees for study and report immediately after the announcement to the Grand Convention of the appointment of the members of the committee;

2. No member shall have the right to speak more than once on the same subject except at the discretion of the Presiding Officer, and only after any and all other members who desire to speak on the subject have been given an opportunity to exercise their right to speak. However, exception is made for the members who are making reports for the various committees. They shall have the right to speak again to close the discussion;
  3. The right to speak on the subject shall be limited to five minutes. However, exception shall be made for a member presenting a committee report;
  4. The vote shall be taken in accordance with the customary parliamentary procedure as described in Robert's Rules of Order. However, elections for State Officers shall be conducted by secret ballot. A vote by roll call or secret ballot shall be mandatory whenever no less than 20 members of the assembly request it in writing. The chair shall allow no more than 15 minutes for the required number of signatures to be obtained.
  5. No motion shall be discussed or voted upon if it is not seconded and announced by the chair;
  6. A motion for re-consideration can only be made and seconded by members who voted with the majority for approval or disapproval of the original motion;
  7. The motion to close the discussion or to adjourn the meeting, if seconded, shall be voted upon immediately and is not debatable;
  8. Points of law and motions of order shall be voted upon immediately and take precedence over all other motions;
  9. Relative majority vote shall mean the highest number of votes cast in any contest;
  10. Absolute majority vote shall mean more than one-half of the votes cast;
  11. In voting by secret ballot, unmarked ballots or those nullified shall not be considered in the counting of the votes;
  12. The parliamentary rules of procedure set forth in Robert's Rules of order shall regulate and govern the procedure and discussions in all matters not specifically covered by these rules or those which each Grand Convention may adopt.
- C. When appeals are made against the decision of the chair on points of law or motions of order, the following procedure shall be followed:
1. The Presiding Officer shall temporarily assign the chair to another officer, according to precedence;
  2. The Appellant, from the decision of the chair, shall first give the reasons for the appeal, and the former officer shall then give the reasons for the decision;
  3. After both have spoken, the temporary Presiding Officer shall submit, without any further discussion or debate to the assembly, the following question: "Shall the decision of the chair be sustained by the Grand Lodge?"

## **ARTICLE 8 - THE GRAND COUNCIL**

- A. The Grand Council is an auxiliary and dependent organization of the Grand Lodge that represents the Order within its jurisdiction when the Grand Lodge is not in session. The Grand Council exercises all the powers that are expressly and impliedly conferred upon it by the Constitution and the General Laws of the Supreme Lodge and from these Bylaws.
- B. The Grand Council is composed of Fifteen (15) State Officers whose title and precedence are established according to the following hierarchical order:
1. The State President;
  2. The State First Vice President;
  3. The State Second Vice President;
  4. The State Third Vice President;
  5. The Immediate Past State President;
  6. The State Orator;
  7. The State Recording Secretary;
  8. The State Financial Secretary;
  9. The State Treasurer;
  10. Six (6) State Trustees.

## **ARTICLE 9 - DISTRICTS**

The Grand Council shall create three districts to be known as North, Central and South, respectively. Before the nomination of State Officers, the Grand Lodge at Grand Convention may alter the composition of the districts created by the Grand Council.

## **ARTICLE 10 - ELIGIBILITY AND CANDIDATES**

- A. Eligibility for election to an office on the Grand Council, except for the office of State President, a member shall have completed at least one full term as a State Delegate.
- B. Eligibility for election to the office of State President, a member shall have completed at least one full term of office on the Grand Council.
- C. Candidates shall be selected from the components of the Grand Lodge listed in Article 3 present at Grand Convention. Exception shall be made for those in office, who for justifiable reasons are absent and such person may be nominated and elected to an office, provided the person submits a declaration in writing to the Grand Convention stating the specific office for which the person will accept nomination and election.

- D. Candidates for State Vice Presidents and the State Trustees shall be elected by the Grand Lodge and shall be:
  - 1. eligible for such office only in the district in which their respective Local Lodges belong.
  - 2. nominated by districts with one (1) State Vice President and two (2) State Trustees to be elected for each district.
- E. If there are no candidates for State Vice President or State Trustees to fill the offices in any district, then such offices shall be open to any and all State Delegates having the necessary qualifications.

### **ARTICLE 11 - ELECTIONS**

- A. The members of the Grand Council, with the exception of the Immediate Past State President, shall be elected by the Components of the Grand Lodge at the odd-numbered years Grand Convention, for a term of two years and they shall remain in office until their successors are installed.
- B. All State Officers, with the exception of the two (2) State Secretaries, shall not be elected to more than two (2) consecutive terms to the same office. For purposes of this article, election to any of the three (3) offices of State Vice President shall constitute election to the same office.
- C. A subsequent election shall be held to establish the precedence of the State Vice Presidents. The candidate who receives the greatest number of votes shall be the State First Vice President. The candidate who receives the next highest number of votes shall be the State Second Vice President. The remaining candidate shall be the State Third Vice President.

### **ARTICLE 12 - POWERS AND ATTRIBUTES OF THE GRAND COUNCIL**

The Grand Council enforces the laws of the Order and Constitution and General Laws of the Supreme Lodge and has the following functions and powers:

- A. To administer the funds of the Grand Lodge, and assign to each of its activities that portion of the funds which it believes useful and necessary, and shall comply with the deliberations passed by the Grand Lodge in Grand Convention;
- B. To assemble the Grand Lodge in Ordinary or Extraordinary Session;
- C. To change the place and the date of an ordinary session of the Grand Lodge for reasons of necessity and unforeseen circumstances;

- D. To establish the compensation to be paid to the employees of the Grand Lodge, to the State Officers and to the Chairs and/or members of the Grand Lodge Committees;
- E. To employ an Office Manager and/or Executive Director and necessary staff for the Grand Lodge Office, and establish compensation, duties, responsibilities, and terms and conditions of employment;
- F. To hire employees for the non-management positions of the offices of the Grand Lodge, giving preference to the members of the Order, fixing the compensation to be paid, and in its discretion, to terminate said employees;
- G. To supervise and control all the Committees of the Grand Lodge;
- H. To fill vacancies that occur for any reason whatsoever in its own membership, limiting its choice to State Delegates. In case five or more vacancies occur, the Grand Council shall call an Extraordinary Session of the Grand Lodge to fill said vacancies;
- I. To submit proposals for Bylaw changes and additions, as well as internal and external resolutions, by majority vote of the Grand Council, to the Grand Lodge in Grand Convention. Any Bylaw changes and additions shall be mailed to the Local Lodges by the State Recording Secretary not later than April 30. Further, the Grand Council shall submit to the Supreme Council all laws passed by the Grand Lodge, and upon receiving the approval of the Supreme Council, the Grand Council shall publish them;
- J. To promote the organization of new Local Lodges in its jurisdiction, approve the requests for a Charter, transmit them to the National Council, and take care of the institution of new Local Lodges after the Charter has been granted by the Supreme Council;
- K. To supervise Local Lodges, exercising actions of ratification, modification, and nullification of their deliberations, Internal rules or Bylaws, and financial accounts; assume their direct administration whenever it is necessary to protect the best interests of the institution and the rights of the members, substituting its control for that of the Local Lodges whenever their actions are contrary to the laws of the Order;
- L. To approve, revise, correct, or reject any and all Internal Bylaws of Local Lodges within the jurisdiction of the Grand Lodge which shall be submitted to the Grand Council for approval before becoming effective;
- M. To adjudicate, after having heard the report of the State Orator, all violations of an administrative nature of the Local Lodges and/or members, and nullify or modify the actions and the deliberations of Local Lodges in conflict with the laws of the Order;
- N. To authorize the suspension of disability benefit payments on Local Lodges;

- O. To deliberate, after investigation by the State Orator or a State Officer expressly designated to carry on said investigation, the suspension of a Local Lodge in its jurisdiction for failure to pay its financial obligation, or as a disciplinary measure, propose to the National Council the dissolution of those Local Lodges which do not remedy in proper time the causes which brought about the suspension, and to administer the property and funds of the Local Lodges so dissolved;
- P. To deliberate, after investigation by the State Orator or of a State Officer expressly designated to carry on said investigation, the suspension of the Council of a Local Lodge, of any Officer from their position, of any Local Lodge members of all their rights, except for any economic rights, whenever they render themselves responsible for offenses which come under the jurisdiction of the Judicial Code, and submit them to the State Arbitration Board;
- Q. To give its consent for admission of persons in Local Lodges, authorize the transfer of members from one Local Lodge to another within its jurisdiction, approve requests for transfer from other jurisdictions and transmit them to the Supreme Council for the necessary authorization, and decree expulsion from the Order of any official or member who refuses to give to one of its duly authorized representatives the Charter, books of account, equipment and funds of a suspended Local Lodge;
- R. To issue decrees in cases of unforeseen and unexpected circumstances, and in cases not contemplated by the General Laws of the Order, or by these Bylaws. This power to issue decrees excludes the right to impose any new taxes or new financial obligations on members of Local Lodges, or any modification or nullification of regulations contained in these Bylaws. Any decree issued by the Grand Council is effective immediately, and the failure on the part of the Grand Lodge to ratify said decree does not have any retroactive effect;
- S. To secure, by referendum, the vote of the State Delegates when a necessity should arise to modify the Bylaws of the Grand Lodge or impose extraordinary assessments on the Local Lodge or on the members;
- T. To take the following disciplinary steps towards the State Financial Secretary, State Treasurer, or Chairperson of a Committee, if upon request of the State Trustees, they should refuse to give, or fail to submit, their books of account, bank books, documents of titles to property, and any and all other documents or papers at the time of the verification of accounts by the State Trustees:
  - 1. Demand of the offending party the immediate surrender to the Grand Council of the books or documents in that Officer's possession, and if necessary, take court action to obtain possession of the books and documents above mentioned;
  - 2. Suspend the offending party who has failed in his or her duty;
  - 3. Refer the offending party to the Supreme Arbitration Board for expulsion from the Order.

## **ARTICLE 13 - MEETINGS OF THE GRAND COUNCIL**

- A. The meetings of the Grand Council shall be as follows:
  - 1. Ordinary Session held at least once every six months at the time and place fixed by the Grand Council at the first meeting after its election;
  - 2. Extraordinary Session whenever called by the State President or when called at the request of at least five (5) State Officers;
  - 3. Emergency Session, when the meeting of the Grand Council is not scheduled in the near future, and the State President requests a vote in writing from the State Officers without convening a meeting.
- B. A meeting place of the Grand Council is not permanent. The location of the following meeting shall be established at each meeting of the Grand Council.
- C. A meeting of the Grand Council shall be valid only if a quorum is present at the commencement of the meeting. A quorum is defined for this purpose to require the presence of a majority of the Grand Council components (Article 3).
- D. State Officers participating at meetings of the Grand Council, whether salaried or not, shall have the right to be reimbursed for travel expenses and to the per diem corresponding to that allowed to State Delegates.
- E. Reimbursement of travel expense and per diem, as stipulated, shall also be granted to State Officers requested to visit Local Lodges away from their place of residence and to Past State Presidents when attending Grand Conventions.
- F. Any Member of the Order may attend open meetings of the Grand Council but they shall have no right to speak or vote.

## **ARTICLE 14 - EXECUTIVE COMMITTEE OF THE GRAND COUNCIL**

- A. The Executive Committee of the Grand Council is composed of:
  - 1.The State President
  - 2.The State First Vice President
  - 3.The State Second Vice President
  - 4.The State Third Vice President
  - 5.The Immediate Past State President
  - 6.The State Orator
  - 7.The State Recording Secretary
  - 8.The State Financial Secretary
  - 9.The State Treasurer

- B. The Executive Committee shall have the power to act in lieu of the Grand Council except that it may not issue decrees.
- C. The Executive Committee may be convened at any time by the State President whenever necessary and shall report all its actions to the next open Grand Council meeting.

## **ARTICLE 15 - STATE OFFICERS**

State Officers shall:

- A. Owe their Local Lodges no other duty than the obligation to pay dues and taxes. The rights and position of a State Officer are not dependent upon the status of that Officer's Local Lodge with the Grand Lodge and their positions shall not be questioned or disputed;
- B. Not be elected to an office in a Local Lodge, and shall be excused from attending the meetings or functions of the Local Lodge. When appearing at the Local Lodge wearing the Grand Lodge regalia, that Officer shall be considered a representative of the Grand Council. When appearing without wearing the regalia of the Grand Lodge office, that Officer shall be considered a Member of the Local lodge;
- C. Attend the meetings of the Grand Council and the sessions of the Grand Lodge; and if absent from three (3) consecutive meetings, shall automatically lose their position of State Officers;
- D. Deliver to their respective successors, when leaving office, all objects, regalia, books of account, documents, and all other property in their possession that belongs to the Grand Lodge. Whoever violates the spirit or intent of this article, if found guilty by the State Arbitration Board, may be expelled from the Order.

## **ARTICLE 16 - STATE PRESIDENT**

The State President is the head of the Grand Lodge and shall have the following duties and prerogatives:

- A. Presides at the meetings of the Grand Council and at the sessions of the Grand Lodge, and suspends or adjourns the meetings and sessions when the best interests and the decorum of the Order require it;
- B. Nominates Special State Deputies, Chairs and members of Committees of the Grand Lodge of which the State President is Chair ex officio. The nominees of the State President for Committee Chairs shall be subject to confirmation by the Grand Council;

- C. Signs orders of payment for all expenses of the Grand Lodge and the respective bank checks, minutes of the meetings, and correspondence; and is empowered to sign for and is responsible to the Grand Lodge for all documents, which fall under the authority of the office;
- D. Determines the interpretation of laws, after hearing the opinion of the State Orator, but shall allow the right of interested parties to appeal from the decision, first, to the Assembly, according to the rules contained in these Bylaws, and then to the Superior Authorities within ten (10) days;
- E. Appoints two Masters/Mistresses of Ceremonies, two Guards, a Herald and a Chaplain at the opening of each Grand Convention;
- F. Presents in writing at every Grand Convention, a report of the term of office, with suggestions and recommendations for the welfare and the development of the Order;
- G. Submits to the Judicial Authorities, any and all State Officers, Local Lodges or their Officers who may be guilty of infractions of law;
- H. Shall have the power to order an investigation which may be under the State President's personal direction, or assigned to a State Officer or to a Special State Deputy, whenever there is a reason to believe that there are irregularities of any nature in a Local Lodge; The procedures to be employed are covered in Article. 90 of these Bylaws.
- I. Is a National Delegate as a matter of right;
- J. Visits officially at least once a year, or have visited by another State Officer, all Local Lodges within the jurisdiction;
- K. Shall not make any pledges which exceed one thousand dollars (\$1000) towards any cause without the prior consent of the Grand Council or the Board of the Sons of Italy Western Foundation.
- L. May appoint a State Chaplain to conduct any religious exercises of the Grand Lodge;
- M. Appoints a Credentials Committee for each Grand Convention.

## **ARTICLE 17 - STATE VICE PRESIDENTS**

- A. The State First Vice President is the second ranking officer of the Grand Council. In the event the State President is absent or unable to act during the sessions of the Grand Council or of the Grand Convention, the State First Vice President shall assume the office of the State President and shall act in the State President's place, with like powers and prerogatives.
- B. If, for any reason, the State President ceases to occupy the State President's position, the position shall be filled by the State First Vice President by order of the Grand Council.
- C. The State Second Vice President is the third ranking Officer of the Grand Council.
- D. The State Third Vice President is the fourth ranking officer of the Grand Council.

## **ARTICLE 18 - IMMEDIATE PAST STATE PRESIDENT**

The immediate predecessor of the State President in office is a part of the Grand Council with the qualification and the title of Immediate Past State President. During the absence of the State President and the State Vice Presidents, the Immediate Past State President exercises all the duties and prerogatives of the State President. When the Immediate Past State President in office ceases to take part in the Grand Council, for any reason, the immediate predecessor shall succeed to the office as a matter of right.

## **ARTICLE 19 - STATE ORATOR**

The State Orator is the representative of the judicial power of the Grand Lodge, and shall have the following duties and prerogatives:

- A. Prosecutes accusations against the violators of laws of the Order as directed by the State President, or by the Grand Council, or initiated by the State Orator, with the prior approval of the Grand Council;
- B. Receives, rejects, or presents all accusations that are forwarded to the State Orator, and transmits them to the proper competent tribunals, who are required by law to decide them by judicial procedures;
- C. Presents the accusations and appeals before the State Arbitration Board;
- D. Makes a report, giving an opinion on all controversies and requests for remedies of an administrative nature, upon which the Grand Council shall be required to render a decision;
- E. Presents a written report at every Grand Convention on the judiciary activities during the term of office.

## ARTICLE 20 - STATE RECORDING SECRETARY

The duties of the State Recording Secretary shall be as follows:

- A. Custodian of the archives of the Grand Lodge;
- B. Keeper of the seal of the Grand Lodge;
- C. Takes the minutes of the Grand Conventions and Council meetings, and after approval, signs the records of the Grand Conventions and Council meetings. May employ a stenographer to take minutes at Grand Convention meetings;
- D. Publishes and sends, not later than April 30 proposed Bylaw changes to all members of the Grand Lodge, through Local Lodges, together with the Proposals and Resolutions received;
- E. Publishes and sends five (5) copies of all changes, deletions, and additions of Bylaws to each Local Lodge, within ninety (90) days from the date of approval by the Supreme Council. They must be in such form to be readily inserted, without modification, in the books of Bylaws of the Grand Lodge;
- F. Answers immediately the official correspondence of the Grand Lodge regarding matters of an informative nature and of ordinary administration, and submits to the State President all other correspondence for suggested action;
- G. Forwards to the National Recording Secretary within ten days from the date received any and all petitions pertaining to administrative defects. The opinions of the Grand Council shall be attached to the petitions that pertain to the National Judiciary powers in the first place, and the decision of the Grand Council shall be attached to those petitions in which the National Judiciary powers take jurisdiction as an Appellate Division;
- H. Is the only means, besides the State President, through which the Grand Lodge, Local Lodges officers and members can communicate with the Supreme Executive Council;
- I. Keeps up to date a list of all Local Lodges and a record of the members in the Jurisdiction;
- J. Is the Secretary of the State Arbitration Board;
- K. Operates those systems which best serve for the efficient functioning of the offices of the Grand Lodge;
- L. Carries out the directives of the State President and the Grand Council in addition to all other specified and unspecified duties pertaining to the Office and shall give special

attention to the programs and activities that focus on greater progress and expansion of the Order;

- M. Determines the number of State Delegates for each Local Lodge based on the memberships count at the end of the year preceding State elections;
- N. Remits to each Local Lodge Financial Secretary, not less than Thirty (30) days before the Grand Convention, the Credentials required for the State Delegates to attend the Grand Convention;
- O. Presents a written statistical report at every Grand Convention on the progress and the strength of the Grand Lodge.

#### **ARTICLE 21 - STATE FINANCIAL SECRETARY**

The duties of the State Financial Secretary shall be as follows:

- A. Custodian of the records of accounts;
- B. Collects revenues on behalf of the Grand Lodge and is the only official of the Grand Council authorized to do so;
- C. Collects the annual per capita tax due to the Supreme Lodge, and as such, has the obligation to insure that this tax shall not be used for other purposes and that it shall be sent every three months to the National Financial Secretary;
- D. Transfers to the State Treasurer all funds collected on behalf of the Grand and Supreme Lodges;
- E. Prepares and signs, together with the State President, the orders of payment based on justified documents of expense approved by the Grand Council, as well as those for ordinary administration, and then passes them to the State Treasurer for the required signature;
- F. Receives checks from the State Treasurer and delivers or mails them to the proper recipients based on the orders of payment;
- G. Keeps up-to-date record books of the property and funds received, as well as disbursements of the Grand Lodge, and shall present regularly an accounting of the same to the Grand Council at its sessions;
- H. Receives the Local Lodge Quarterly Financial Reports and the Local Lodge Monthly Membership Report, verifies that the required signatures have been affixed to them and returns to the Local Lodge the non-compliant forms;

- I. Notes the Local Lodges in default, solicits them to place themselves in good financial standing and reports them to the Grand Council and the Insurance Benefit Committee every three months for failure to fulfill their financial obligations;
- J. Presents at every Grand Convention the written Grand Lodge Financial Reports of the preceding fiscal year.

## **ARTICLE 22 - STATE TREASURER**

The duties of the State Treasurer shall be as follows:

- A. Maintains custody of the funds of the Grand Lodge by keeping the funds deposited in such banks as designated by the Grand Council;
- B. Deposits within three days the funds received from the State Financial Secretary;
- C. Maintains up to date a record of all collections and expenditures of the Grand Lodge;
- D. Prepares and signs checks based on the regular order of payment and within the limits of the funds established in the Budget, has them countersigned by the State President, and then transmits them to the State Financial Secretary;
- E. Obtains the authorization of the Grand Council to withdraw or transfer any sum from the savings accounts or execute any payment from them;
- F. Presents at every Grand Convention a written report on the conditions of the Treasury which has been previously approved by a majority of the State Trustees at the end of each Fiscal Year.

## **ARTICLE 23 - SURETY BONDS**

The State Financial Secretary, the State Recording Secretary, and the State Treasurer shall each be bonded by a Fiduciary Surety at the beginning of their term of office, at the expense of the Grand Lodge. The amount of the bond for each one of them shall be determined by the Grand Council.

## **ARTICLE 24 - STATE TRUSTEES**

The duties of the State Trustees shall be as follows:

- A. Elect a Trustee Chairperson from their ranks whose duties shall be determined by the Grand Council;

- B. Check and verify the books of account of the Grand Lodge every six (6) months;
- C. Review the records of the inventory and of the property of the Grand Lodge at least once a year;
- D. Present at every Grand Convention a report on the financial conditions of the treasury and inventory as verified by them;
- E. Verify the documents and books entrusted to the State Financial Secretary and the State Treasurer, and the Chairpersons of Committees whenever they deem it necessary to do so;
- F. Refer to the Grand Council for their appropriate disciplinary actions in accordance with Article 26 B, the State Financial Secretary, State Treasurer, or Chairperson of a Committee, who should refuse to give, or fail to submit, their books of account, bank books, documents of titles to property, and any and all other documents or papers at the time of the verification of accounts by the State Trustees, upon request of the State Trustees.

#### **ARTICLE 25 - STATE DEPUTIES**

A State Deputy is the representative of the State President and the Grand Council in the Local Lodge where assigned and remains in office until a successor is appointed. A Member of a Local Lodge shall not be assigned as a State Deputy to that Local Lodge except in situations when in the State President's discretion the distance is too great between Local Lodges and/or a qualified State Deputy is not available. A State Deputy has the following duties and prerogatives:

- A. Exercises authority of a general character, including moral and administrative control over the assigned Local Lodge on behalf and derived from the position as a representative of the State President and the Grand Council;
- B. Visits the assigned Local Lodge at least once every three months;
- C. Insures that the Local Lodge observes the Grand Lodge Bylaws and Ritual of the Order unless the Local Lodge, at that meeting, has elected to suspend the use of the Ritual;
- D. Insures that the books of account are properly kept, and that the administrative system of the Local Lodge is functioning properly, when inspecting the books of account, the minutes of the meetings, bank books, and any other matters or objects that are subject to the control of the Grand Council;
- E. Reports to the State Orator for proper action, any Officer who has altered, carried away, or destroyed legal documents, books of accounts, records, and minutes of the meetings, bank books, and any other matters or objects that are subject to the control of the Grand Council;

- F. Reports to the State Orator any Officer who is guilty of fraud or misappropriation of funds, or is in violation of the duties or of other serious malfeasance or nonfeasance while in office;
- G. Assumes the position of the Presiding Officer whenever requested to do so, or when determined necessary because of the incompetence of the Presiding Officer, or when intemperate and abusive language is being used which causes disorder in the Local Lodge and which offends the dignity of the Officer and the decorum of the assembly;
- H. Orders the Local Lodge that has failed to pay its per capita tax or other tax to make immediate payment of the same. If the Local Lodge fails to comply with the request, the State Deputy immediately shall notify the Grand Council;
- I. Assures that the books of account of the outgoing administration are in proper order and that the property and funds of the Local Lodge have been properly delivered to the new Officer and that the new bonds for the incoming Financial Officers have been obtained;
- J. Presides at installation ceremonies of Officers, unless the State President has otherwise provided;
- K. Sends to the Grand Council, at least once every three months, a detailed report, including installation ceremonies, every initiation in the assigned Local Lodge, and reports on what is observed of importance during each visit and of the action taken by the Local Lodge on these matters;
- L. Mediates disputes and differences that occur in the assigned Local Lodge if possible, using the Grand Lodge Bylaws, reason and common sense; but if an on-going controversy cannot be resolved within a reasonable time, shall refer the matter to the area State Vice-President for further mediation;
- M. Shall not exceed the established limits of authority, and other than as authorized by the Bylaws of the Order, shall not participate in the internal actions or discussions that may occur in the Local Lodge;
- N. Has the power to validate applications for membership;
- O. Shall be reimbursed for expenses incurred in the execution of their duties of office, but only after approval by the State President;
- P. May be directed by the State President to assist in the organization of a new Local Lodge;
- Q. May be removed from Office for not attending the meetings of the assigned Local Lodge at least once every three (3) months or for not complying with all the duties of the Office.

## **ARTICLE 26 - STATE ARBITRATION BOARD**

The State Arbitration Board is the judicial tribunal of the Grand Lodge. It is composed of five (5) members known as State Arbitrators, and five (5) substitutes, known as Assistant State Arbitrators. It functions as follows:

- A. The Grand Lodge in session elects them from among its members for a period of two (2) Years;
- B. The Board operates according to the general laws of the Order, contained in these Bylaws and the Supreme Lodge Judicial Code, and hears and determines the following cases as a Tribunal of the first instance:
  1. Accusations presented to it by the State Orator against any member of any Local Lodge;
  2. Accusations presented by a member of a Local Lodge in the Grand Lodge against a member of another Local Lodge in the Grand Lodge;
  3. Accusations presented against any Officer of a Local Lodge;
  4. Accusations presented to the Arbitration Board of a Local Lodge which is removed from its jurisdiction by the State Orator, and sent to the State Arbitration Board because the State Orator believes that a fair trial cannot be held before the Arbitration Board of the Local Lodge;
  5. Acts of violence, injury, and defamation committed by a member detrimental to the Officers or Arbitrators of that member's Local Lodge or detrimental to State Officers, State Arbitrators, State Deputies and State Delegates as such.
- C. The State Arbitration Board passes final judgment in all cases of appeal on any sentence or sentences imposed by the Arbitration Board of the Local Lodges, excepting cases which fall within the jurisdiction of section "B-5" of the preceding article, in which instance, there is a right of appeal to higher authorities.

## **ARTICLE 27 - COMMITTEES AND TRUSTS OF THE GRAND LODGE**

- A. The Grand Lodge is authorized to establish Committees and these shall constitute auxiliary and dependent organizations of the Grand Lodge.
  1. A Committee may be established by the State President and/or Grand Council;
  2. Most Committees shall consist of a Chairperson and four (4) members. If appropriate and feasible, the State President shall select Committee members from all three Districts of the Grand Lodge. If deemed sufficient or necessary to perform its purpose, fewer or more members may be appointed by the State President;
  3. The term of the Chairperson and members shall not exceed the State President's term of office;

4. Vacancies shall be filled by the State President for the remainder of the unexpired term;
  5. Chairpersons and Members of Committees are not components of the Grand Lodge. Therefore they shall not be eligible for election to State Office nor entitled to vote on Grand Lodge matters unless they are currently elected State Delegates or other components of the Grand Lodge;
  6. The State President and/or Grand Council shall issue directives and regulations for the guidance of each Committee in the supervision and/or performance of their prescribed functions;
  7. The Chairpersons of a Committee may call and hold such meetings as are appropriate to carry out the duties and functions of the Committee. Compensation for attendance at such meetings may be allowed but only with the prior approval of the State President;
  8. For each Grand Convention and Grand Council meeting, each Committee Chairperson shall render a written report of the Committee's activities and accomplishments for the immediate preceding period. Such report shall be submitted with ample time to publish it in the report booklet for the meeting.
- B. The following Committees of the Grand Lodge are usually established by each State President and/or Grand Council and they shall carry out the functions, be responsible for, and perform the duties described in these Bylaws in addition to any other directives of the State President and/or the Grand Council:
1. Athletic. This Committee shall promote and coordinate all athletic activities within the Grand Lodge and the Local Lodges;
  2. Benefit Insurance. This Committee shall administer the Hospitalization Benefit Plan and the Death Benefit Plan according to the regulations established in these Bylaws SECTION II and SECTION III, respectively, and is composed of a Chairperson and four (4) members;
  3. Birth Defects Libraries. This Committee shall manage, encourage and coordinate the collection of donations for and the distribution and presentation of such funds to the Birth Defects Libraries;
  4. Budget and Finance. In addition to the Chairperson and Committee members appointed by the State President, the following State Officers shall be members of the Committee by virtue of their office: (a) State President, (b) State First Vice President, (c) State Financial Secretary and (d) State Treasurer. The Committee shall establish an annual operations budget for the Grand Lodge to be presented to the Grand Lodge when in session. When directed by the State President and/or Grand Council, the Committee shall audit the financial records of any Local Lodge. The Committee shall also serve as an instructing body whose duty shall be to set up books in proper form and instruct and guide the financial officers of Local Lodges;
  5. Garibaldi-Meucci Museum. This Committee shall be responsible for the Grand Lodge's participation in fund raising for and promotion of the Garibaldi-Meucci Museum;

6. Grand Lodge Home. This Committee shall function as the subsidiary organization of the Grand Lodge, which makes the recommendations to the Grand Council as to the administration and care of the Grand Lodge Home;
7. History. This Committee shall serve as the custodian and compiler of the history of the Grand Lodge. It shall keep adequate records and conduct research into the history of the Order within the jurisdiction of the Grand Lodge of California;
8. Italian Language and Culture. This Committee shall promote programs that would encourage the use of and teaching of the Italian language and to undertake activities that would promote the Italian culture;
9. Judiciary. This Committee, consisting of four members and the State Orator, "ex officio", shall have the following powers and responsibilities:
  - a. Supervise the publication, revision, addition and modifications of the Grand Lodge Bylaws and Regulations;
  - b. Consider the changes or repeals of Grand Lodge Bylaws to be presented for each Grand Convention and report its opinions of these proposals to the Grand Lodge in session;
  - c. Prior to its presentation to the Grand Lodge in session, all of its opinions shall be presented, in writing, to the first Grand Council session after March 1 of each year;
  - d. The Chairperson of the Judiciary Committee is responsible for keeping a copy of the Bylaws and Resolutions of the Grand Lodge and each Local Lodge at the Grand Lodge location;
  - e. The Committee must examine and be responsible for keeping copies of legal documents of the Local Lodges and the Grand Lodge dealing with the purchase and development of real estate and also to determine if the documents are in conformity with the laws of the Grand Lodge and the local civil jurisdiction.
10. Leadership. This Committee shall promote, educate and develop the purposes of the Order and the proper procedures for the administration of the Local and the Grand Lodge.  
In addition to the Chairperson and Committee members appointed by the State President, the State Vice Presidents from each of the districts of the Grand Lodge shall be members ex officio of the Committee;
11. Media. This Committee shall supervise the publication of the Grand Lodge newspaper, "Il Leone", each month except for the months of July and August, which shall be combined as one issue to be sent to all members of the Local Lodges under the jurisdiction of the Grand Lodge of California;
12. Medical Charities. This Committee shall be responsible for managing and supervising the Grand Lodge's participation in the National campaign for Alzheimer's, Cooley's Anemia and such other charitable fund raising as shall from time to time be assigned to the Committee;

13. Membership. This Committee shall promote, administer and coordinate all programs, functions and activities of the Grand Lodge to obtain and enroll new members, retain members and create new Local Lodges within the Order. The Chairperson of the Committee shall confer with the area State Vice President for the organization of new Local Lodges in their respective area. Where possible the area State Vice President shall be directly involved in new Local Lodge formations in their area;
14. Queen Pageant. This Committee shall administer, coordinate and promote all aspects of the Grand Lodge biennial Queen Pageant and Contest;
15. Ritual and Protocol. This Committee shall be responsible for maintaining, publishing, updating and proposing revisions as needed of the Grand Lodge Ritual and Protocol Book, and to provide assistance to Local Lodges on ritual and protocol matters;
16. Royal Court of the Golden Lion. This Committee shall oversee the Sons of Italy Western Foundation's Royal Court of the Golden Lion program;
17. Scholarship and Students to Italy. This Committee shall administer, coordinate and promote all activities, functions and programs of the Grand Lodge pertaining to the award of scholarships;
18. Social Justice. This Committee shall promote the character and reputation of the Italian American in the community and particularly in the media, and to coordinate its activities with the National Social Justice Commission;
19. Website. This Committee shall oversee the Grand Lodge website, revising and updating it as needed;
20. Youth. This Committee shall establish and promote the interest of the junior members of the Grand Lodge in all areas, including youth conventions and meetings, young people's programs (ages 8 to 12), teen year's programs and college age programs. The Chairperson of the Committee shall be the overseer of all Grand Lodge youth activities.

C. A Trust may be established to conform to appropriate Federal and State laws and regulations to establish scholastic and charitable programs.

1. The Sons of Italy Western Foundation Trust has been created and is operated for specific purposes including but not limited to, scientific, literary, social justice, educational and other charitable endeavors within the jurisdiction of the Grand Lodge.
2. The Sons of Italy Western Foundation Trust shall have its own Trustees, who are elected in accordance with its Internal Bylaws, and may accept donations from the Grand Lodge or from any other source the Trustees find acceptable.

## ARTICLE 28 - NATIONAL DELEGATES AND ALTERNATES

- A. Representatives of the Grand Lodge in the National Lodge are called National Delegates, and along with Alternate National Delegates are elected by the Grand Lodge in session in odd numbered years.
- B. The number of National Delegates and the number of Alternate National Delegates are determined on the numerical strength of the Per-Capita paying members of the Grand Lodge at the close of the quarter preceding the election of National Delegates and shall be determined on the basis of one National Delegate for each thousand members of the Grand Lodge or fraction thereof above 500:

Number of Members of Grand Lodge	Number of National Delegates
000 to 500	0
501 to 1,500	1
1,501 to 2,500	2
2,501 to 3,500	3
3,501 to 4,500	4
4,501 to 5,500	5
5,501 to 6,500	6

- C. Additionally, the Grand Lodge shall elect two (2) National Delegates for each National Trustee to which the Grand Lodge is entitled at the immediate preceding Supreme Convention.
- D. All members of the Grand Lodge who have been a component of the Grand Lodge for one (1) entire term before they are nominated for National Delegates are eligible to be elected National Delegates and Alternate National Delegates.
- E. National Delegates and Alternate National Delegates are all elected together and their election may be declared by a relative majority (Article 7 B. 9.) vote if the Grand Lodge deliberates to do so before the election.
- F. When the election is held by a relative majority vote (Article 7 B-9), the position of each candidate with respect to the final result is established by a graduating scale of votes. The candidate with the highest vote and those following on descending order have the right to be proclaimed elected as National Delegates according to the number of representatives the Grand Lodge is entitled to have represent it. The candidates following those who have been elected National Delegates in descending order have the right to be proclaimed elected as Alternate National Delegate.
- G. The State President, by virtue of the office, shall be a National Delegate for the term of the that office. The Immediate Past State President shall automatically be elected a National

Delegate until the next election of National Delegates by the Grand Lodge in Grand Convention.

- H. The first Alternate National Delegate shall have the right to take the place at the National Convention of any National Delegate who cannot participate, and also shall have the right to occupy the place of any National Delegate who loses their position for any reason whatsoever.
- I. The Second Alternate National Delegate shall have the same rights as the First Alternate, provided that the First Alternate cannot exercise this right for any reason, and thus, in sequence for the other Alternates.
- J. Any National Delegate who cannot participate in a Supreme Convention shall be required to give reasonable notice in advance of the date of the Convention to the State Recording Secretary, in order to give the State Recording Secretary proper time to provide for substitution. If at a Supreme Convention an elected National Delegate cannot participate for any reason, the State President shall appoint any member in attendance to serve as National Delegate who shall be entitled to per diem only.
- K. The daily allowance to be allotted to National Delegates shall not exceed the sums allowed for per diem established State Delegates, and in addition, they shall be allotted travel expenses to and from the meeting place of the Supreme Convention.

## **ARTICLE 29 - INCOME, DISBURSEMENT, ACCOUNTING OF THE GRAND LODGE**

- A. The Grand Lodge derives its income from the following:
  - 1. Per Capita Tax from the Local Lodges is composed of two (2) parts; one, to the Grand Council as passed by the Grand Lodge and; two, to the Supreme Council as passed by the Supreme Lodge and for which the Grand Council is the collector for the Supreme Council;
  - 2. Other taxes imposed by the Grand Lodge for the maintenance of its institutions, to wit, the Mortuary Fund, Official Bulletin and Special Fund, etc.;
  - 3. Sale of merchandise and supplies to the Local Lodges;
  - 4. The applicable fee accompanying accusations or appeals to the State Arbitration Board;
  - 5. Bequests, Donations, Fundraisers, Investments, Miscellaneous Fees and Other Income.
- B. The Disbursements of the Grand Lodge are the following:
  - 1. Per Capita to the Supreme Council payable as required by the Supreme Lodge;
  - 2. Expenses of ordinary administration;
  - 3. Extraordinary expenses passed by the Grand Lodge and/or the Grand Council, within the limits established by the laws of the Grand Lodge;

4. All checks issued by the Grand Lodge or by any of its subordinate Committees shall, by the terms thereof, not be honored more than ninety (90) days from the date thereof.
- C. The fiscal year of the Grand Lodge opens on the first of January and closes on the 31<sup>st</sup> of December of each year.
- D. At the annual Grand Convention, the Grand Lodge shall approve its expenditures for the preceding year and shall establish the budget for the ensuing year.
- E. If deficiencies occur in any item of the budget, the Grand Council may transfer funds from other accounts and shall submit said transfer for approval by the Grand Lodge.
- F. Vouchers for payments shall be signed by the State President and the State Financial Secretary.
- G. The State Treasurer shall pay each voucher by check within the limits of the funds established in the budget.

### **ARTICLE 30 - LOCAL LODGES**

The Local Lodge is the smallest collective unit of the Order, and may be composed of three types: masculine, when it is composed of all men; feminine, when it is composed of all women; and mixed, when it is composed of men and women. A name and a number shall distinguish each Local Lodge.

### **ARTICLE 31 - INSTITUTION OF LOCAL LODGES**

- A. With the approval of the Grand Council and the authorization of the Supreme Council, one or more Local Lodges may be instituted in any community within the jurisdiction of the Grand Lodge of California. Where a Local Lodge already exists in a community, the Grand Council shall decide if other lodges may be instituted but shall consider local conditions and potential members. A mutual benefit society or a club existing within the jurisdiction of the Grand Lodge of California may apply for membership as a new Local Lodge.
- B. In order to constitute a Local Lodge, the following procedure shall be followed:
  1. With the approval of the Grand Council, the organizers shall choose a sponsoring Local Lodge;
  2. The charter shall first be granted by the Supreme Council on recommendation and request of the Grand Council, and
  3. The new Local Lodge shall acquire the equipment prescribed by the Grand Lodge, and
  4. The application for charter must be returned to the Grand Lodge with the signatures of at least twenty-eight (28) persons with the required fees, and

5. The signers of the application for a charter shall possess all the qualifications and requisites necessary for admission as Regular or Associate members, and shall subject themselves to the same regulations and conditions for admission as prescribed by the laws of the Order.

C. The Local Lodge shall adopt a name that must be in accord with the purposes, ideals, and fundamental principles of the Order and shall not be of a living person. The name of another Local Lodge in the California Grand Lodge shall not be used unless that Lodge has been dissolved or eliminated from the Order for at least three (3) months. The name shall be submitted by the organizers for its approval by the Grand Council and then for the ratification by the Supreme Council;

D. The distinguishing number of the Local Lodge is assigned to it by the Supreme Council;

E. Before the institution of the Local Lodge, the signers shall purchase from the Grand Lodge, or acquire directly as instructed by the Grand Lodge, the following items:

1. Sixteen (16) regalia for Officers of the Council;
2. The regalia for the Herald;
3. The regalia for the State Deputy;
4. Eight (8) Ritual books;
5. Two (2) gavels;
6. A United States flag and an Italian flag;
7. A banner with the Emblem of the Order;
8. A ballot box for elections;
9. A seal with the Emblem of the Order, name and number of the Local Lodge, date of its institution and the name of the community where it is located;
10. Five (5) copies of the Grand Lodge Bylaws and two (2) copies of the Supreme Bylaws;
11. All books required for its administration.

F. After the charter has been granted, the signers shall hold a meeting under the direction of a State Officer or State Deputy, at a place designated by the organizers of the new Local Lodge, and shall proceed to the election of Officers.

G. The name of any of the signers of the Charter who has been expelled from the Order shall be substituted by the name of another member chosen by the assembly.

H. A Member of the Order who organized the formation of the new Local Lodge may join as a Charter Member on the occasion of the institution of the new Local Lodge.

I. The institution of the new Local Lodge shall be conducted according to the rules contained in the Ritual of the Order. The Sponsoring Lodge shall participate in the institution of the Lodge and the initiation of its members. The organizers shall invite all Lodges in the vicinity who shall send a delegation to the ceremony. The State President shall direct the ceremony, unless unable to attend; then, a Special State Deputy shall be chosen for the occasion.

J. The signers who are initiated at the ceremony of the institution of the lodge shall be recognized as the Founders.

K. A signer who was elected as an Officer of the Local Lodge and is not present at the institution ceremony without justifiable reasons shall forfeit the rights conferred as an Officer. At the first meeting following the institution ceremony, the Local Lodge shall hold an election to fill the vacancy.

L. At the first meeting after the institution of the Local Lodge, the President shall appoint members to all positions which must be filled and hold an election to fill any vacant elected positions. At this meeting, the Local Lodge shall determine the amount of annual dues to be paid by each member as well as establish the day, place, and hour for all future ordinary meetings.

M. Any Local Lodge having acquired proper Flags and Standards and wishing to christen them shall advise the Grand Council and the appropriate ceremony shall be made in a public manner under the direction of the State President or of a State Officer appointed by the State President in the presence of all the members and including sponsors for each of the Flags and the Standard.

### **ARTICLE 32 - POWERS AND ATTRIBUTES OF THE LOCAL LODGES**

The functions and powers of the Local Lodge shall be to:

A. Legislate on all matters that concern the material and moral welfare of its members in accordance with the laws of the Supreme Lodge and the Grand Lodge;

B. Exercise its executive power within the limits of the laws of the Order when in session, and by means of its Council when not in session;

C. Exercise its judicial power for violations of laws by its members by means of the Arbitration Board;

D. Admit as members persons of good reputation and in conformity with the requirements contained in the Supreme General Laws and in these Bylaws;

E. Establish and collect dues from its members and any and all other supplementary taxes and/or assessments that are deemed necessary for its development. There shall be no vote on any assessment or obligatory tax without first notifying all members by inserting the relevant proposal in the notice of the call of the meeting in which the proposal is to be discussed and

voted upon. Said notice shall be sent by regular mail and/or e-mail at least five (5) days before the meeting;

F. Determine and pay to its disabled members a benefit according to the Local Lodge's Internal Bylaws, and to provide, if it is deemed necessary, a health service for its members;

G. Suspend the payment of disability benefits for any length of time by a majority vote, provided that a written notice of the proposal is sent to all members by regular mail and/or e-mail at least five (5) days before the meeting at which the proposal is to be discussed and voted upon. If the Local Lodge should vote to suspend the payment of the disability benefits, the Grand Council shall approve it before it can be put into effect;

H. Administer its funds in conformity with these Grand Lodge Bylaws and the Supreme General Laws;

I. Control, ratify, or annul the deliberations of its Council;

J. Present every year during the month of January, any proposals or resolutions to be considered at the following Grand Lodge Grand Convention. These shall be forwarded to the State recording Secretary not later than January 31;

K. Acquire and administer real and personal property necessary for its functions and activities, but any legal documents pertaining to the purchase and development of real estate shall, prior to signing, be forwarded to the State Recording Secretary who shall refer them to the State Judiciary Committee to ensure they are in conformity with the Grand Lodge Bylaws, the Supreme Bylaws, and the laws of the local civil jurisdiction;

L. Promote and conduct social and fund-raising functions for its purposes and shall obtain the authorization of the State President prior to delivering to another Local Lodge any unsolicited tickets for any occasion of a fund-raising nature, or the remittance of requests for subscriptions;

M. Submit to the Grand Council for approval its own formulated Bylaws, and any amendments thereto, which shall comprise only those rules and regulations that are not contained in the Bylaws of the Grand Lodge and of the Supreme Lodge; such Internal Bylaws shall include only those items which are considered useful to the interest of the membership and shall not become effective until approved;

N. Any new Local Lodge Bylaws shall be submitted to the Grand Council for approval not later than two months from the date of initiation and shall not take effect unless approved by the Grand Council;

O. Exercise all those powers that it expressly and impliedly derives from the Supreme General Laws and the Grand Lodge Bylaws.

### **ARTICLE 33 - REVENUES OF LOCAL LODGES**

The Local Lodge derives its revenue from the following sources:

- A. Application and initiation fees from applicants;
- B. Dues and assessments fixed by its Internal Bylaws, by the Grand Lodge Bylaws, or the Supreme Lodge Bylaws;
- C. Special assessments imposed by the deliberations of the assembly of the Local Lodge.
- D. Dues and assessments collected for and on behalf of the Grand Lodge on account of the participation of the members in the institutions established by the Grand Lodge or the Supreme Lodge;
- E. The applicable filing fee which is to accompany a complaint filed with the Local Lodge Arbitration Board.
- F. Bequests, Donations, Fundraisers, Investments, Miscellaneous Fees and Other Income.

### **ARTICLE 34 - EXPENDITURES OF LOCAL LODGES**

The disbursements of the Local Lodge shall be the following:

- A. Payment of the Per Capita Tax, which shall be paid quarterly to the Grand Lodge not later than January 15th, April 15th, July 15th, and October 15th of each year by forwarding it to the State Financial Secretary. In the event that payments for the Per Capita Tax and/or any other authorized assessments arrive later than thirty (30) days after the due date, interest at the rate of eighteen per cent (18%) per annum, computed daily, shall be added to all delinquent payments and charged to the offending Local Lodge;
- B. Payment of sick or disability benefits afforded by the Local Lodge Internal Bylaws;
- C. Payment of any death benefits afforded by the Local Lodge Internal Bylaws;
- D. Payment of ordinary administrative expenses;
- E. Payment of extraordinary expenses provided they have been authorized in conformity with the laws of the Order;
- F. Payments to the Grand Lodge or the Supreme Lodge of monies collected as taxes or assessments on their behalf;

- G. When asked to do so by superior authorities and after having initiated a drive for money for whatever purposes, shall send the sums pledged by or received by the Local Lodge to the Grand Council for final disbursement to the superior authorities.

### **ARTICLE 35 - ADMINISTRATION OF LOCAL LODGES' FUNDS**

In the administration of its funds, each Local Lodge shall adhere to the following regulations:

- A. No sum can be appropriated or spent, directly or indirectly for religious or political purposes;
- B. In cases of charitable assistance to members of any Local Lodge or their families, a Local Lodge shall not appropriate or pay an amount greater than \$100 dollars for each member of a family in any one year;
- C. In cases where a proposal is made to appropriate a sum greater than \$250 dollars for whatever purposes, the proposal for the appropriation shall be placed in the order of the day of the notice of the call of the meeting in which it is to be discussed and voted upon. The notice shall be sent by regular mail and/or e-mail to each member of the Local Lodge at least five (5) days before the meeting;
- D. In no case shall the funds of the Local Lodge be disbursed and distributed among the members of the Local Lodge;
- E. Shall not contribute or subscribe to exterior (non-Sons of Italy) financial drives without the authorization of the Grand Council.

### **ARTICLE 36 - LOCAL LODGE MEETINGS**

- A. Meetings of the Local Lodge are composed of Ordinary and Extraordinary Meetings. The Regular Meetings are called Ordinary Meetings and shall be held at least once a month at the time and place designated by the Local Lodge. Extraordinary Meetings shall be called by the order of the Local Lodge President, or by deliberations of its Council, or upon written demand of at least one-third of the Local Lodge members who are in good financial standing.
- B. Ten (10) members of the Local Lodge are necessary to constitute a quorum to open a meeting and ten (10) members shall be present at all times to legally transact any business. The meeting must be opened, conducted, and closed according to the Ritual.
- C. In the absence of the President, the Vice President, and the Immediate Past President, the meetings are presided over by the highest ranking Officer present. That Officer shall have the same rights as the Presiding Officer has under these Bylaws. In the absence of all Officers of the Local Lodge, then a member designated by the members at the same meeting shall preside.

- D. The order of the day (agenda) of an ordinary meeting shall be as follows:
1. Opening according to the Ritual unless suspended by a majority vote of the members present or by a majority vote of the Local Lodge Council prior to such meeting;
  2. Roll call of Officers and the State Delegates;
  3. Reading of the minutes of the preceding meeting;
  4. Report of the Health Committee (when applicable);
  5. Report of bills and communications;
  6. Consideration of applications for new members;
  7. Initiation of new members;
  8. Unfinished business;
  9. New business;
  10. An Italian heritage or community interest program;
  11. Good and welfare of the Order.
- E. The rules of parliamentary procedure prescribed in Article 7 of these Bylaws for the meetings of the Grand Lodge shall apply also to the meetings of the Local Lodge.
- F. It shall be absolutely prohibited to have any political or religious discussion during the meeting of a Local Lodge.
- G. During the “Good of the Order” only those subjects which are truly for the good and progress of the Order are permitted. The President has discretionary power and can deny the floor to the member violating the rule of the “Good of the Order”.
- H. The approval of every proposal requires a majority vote as defined in Article 7 B. 9 and Article 7 B. 10.
- I. Every deliberation or decision made by a Local Lodge that is in conflict with the Supreme General Laws, or with the Grand Lodge Bylaws, is null and void.
- J. For Extraordinary Meetings, the notice of call shall be sent by regular mail or e-mail to each member of the Local Lodge at least five (5) days before the date established, shall contain the order of the day, and shall specify the date, hour, and place of the meeting. Only those matters of business that are included in the order of the day may be discussed at an Extraordinary Meeting.

## **ARTICLE 37 - LOCAL LODGE SUBSIDIARY COMPONENTS**

The subsidiary components of the Local Lodge are:

- A. The Council,
- B. The Herald,
- C. The Arbitration Board,
- D. The Health Committee (when applicable),
- E. The State Delegates,
- F. Every other permanent or temporary committee created by it for the purpose of carrying on its activities.

## **ARTICLE 38 - THE COUNCIL OF LOCAL LODGES**

The Council is the administrative and controlling body of the Local Lodge when the assembly is not in session. It acts as its agent in a representative and executive capacity. It enforces the deliberations and decisions of the Local Lodge and the decrees of the Grand Lodge and the Supreme Lodge. The powers of the Council are expressly or impliedly derived by it from the Supreme General Laws and these Bylaws.

A. The Council of the Local Lodge is composed of the following officers whose rank and precedence are established by the following hierarchical order:

- 1. President;
- 2. Vice President;
- 3. Immediate Past President;
- 4. Orator;
- 5. Recording Secretary;
- 6. Financial Secretary;
- 7. Treasurer;
- 8. Historian;
- 9. Five (5) Trustees for Local Lodges with more than one hundred (100) members, and not less than three (3) nor more than five (5) Trustees for Local Lodges with one hundred (100) or less members;
- 10. Two (2) Masters and/or Mistresses of Ceremonies;
- 11. Guard.

B. The Local Lodge Council must meet in session any time the President deems it necessary, or upon the request of five (5) or more officers.

C. The Local Lodge Council is absolutely prohibited from:

1. Imposing taxes or new assessments;
2. Incurring expenditures that are not of an ordinary administrative nature except in cases of emergency when it may, by a majority vote, spend a sum not exceeding Two hundred and Fifty dollars (\$250) which shall be reported to the members at the next meeting;
3. Modifying, altering, or annulling deliberations or decisions of the Local Lodge or the regulations or decrees of the Grand Lodge or the Supreme Lodge.

D. At the close of each term, during the meeting in which the new officers are to be installed, the Local Lodge Council shall present the following documents and accounts for approval by the Local Lodge:

1. A complete financial accounting for the entire term of office;
2. An accounting of the last quarter of the term of office;
3. A record containing the complete inventory of all the property and monies delivered by the outgoing officers to the new Council, signed by the officers of both Councils and the State Deputy;
4. Surety bonds for the new Treasurer and Financial Secretary.

#### **ARTICLE 39 - LOCAL LODGE NOMINATIONS AND ELECTIONS**

- A. The members of the Council, with the exception of the Immediate Past President, shall be elected by the Local Lodge at its meeting during the month of October or November of each even- numbered year and shall be installed in the following January, excepting in cases where the Grand Council grants authority to Local Lodges for justifiable reasons to install their officers during the month of February. They remain in office until their successors are installed.
- B. Nominations of candidates for any and all offices of the Local Lodge, for General and Special elections, shall be held in the meeting preceding and/or at the meeting wherein the elections are held, as may be decided by the Local Lodge.
- C. The Recording Secretary shall notify all members by mail or email at least five (5) days prior to any nominations or elections.
- D. An elected officer, including the Immediate Past President, shall participate in the installation exercises. When absent from the installation exercises of the Officers, and such absence is not excused by the Local Lodge at its subsequent meeting, the officer loses the position to which elected; and in every case, excepting for illness, if not installed in office for two subsequent meetings.

#### **ARTICLE 40 - LOCAL LODGE VACANCIES**

- A. Vacancies which occur in the Council shall be filled by additional elections at the meeting following the one in which the vacancies were recorded, except as provided for in this Article.
- B. If the President of a Local Lodge is absent for three consecutive meetings without being excused by the Local Lodge, the position shall be declared automatically forfeited during said third meeting under "new business" of the Local Lodge, by the then Presiding Officer. The Vice President shall then be installed by the State Deputy as President for the rest of the term, and a new Vice President shall be elected.
- C. If any officer of a Local Lodge, including the Immediate Past President, is absent for three consecutive meetings of the Local Lodge without being excused for said absences by the Local Lodge, the position shall be declared automatically forfeited by the President under "new business" of the Local Lodge, during the third meeting of unexcused absence.

#### **ARTICLE 41 - QUALIFICATIONS FOR ELIGIBILITY TO OFFICE IN THE COUNCIL**

In order to be eligible for any office of the Local Lodge, the following qualifications shall apply:

- A. Candidates for President or Vice President shall have served an entire term in a subordinate position of the Council of any Local Lodge. If there are other qualified candidates for the office, a Local Lodge President shall not be elected for more than three (3) consecutive two (2) year terms;
- B. Candidates for any other office of the Council shall have been a member of the Order for at least six (6) months prior to nomination for any office;
- C. If there are no eligible candidates for any office, any Local Lodge Regular or Associate member may be elected to any office;
- D. All Local Lodge officers other than the President may be elected for unlimited terms;
- E. The above eligibility requirements do not apply to cases of Founders of a Local Lodge which has less than one year of existence. In that case, any member shall have the right to be elected to any office of the Local Lodge.

## ARTICLE 42 – LOCAL LODGE PRESIDENT

The Local Lodge President is the head of the Local Lodge and shall have the following duties and prerogatives:

- A. Calls and presides over all the meetings of the Council and of the Assembly;
- B. Sees that the laws of the Local Lodge are observed and the deliberations of the Council and of the Assembly are carried out;
- C. Sees that the laws of the Order are respected and observed, and the orders of the Supreme Lodge and of the Grand Lodge are obeyed;
- D. Controls the affairs of the Local Lodge and supervises the performance of duties by the other Officers of the Council;
- E. Requires the Local Lodge Orator to report to the State Orator those Officers who commit violations of Bylaws;
- F. Signs the minutes of the meetings of the Council and of the Assembly and all orders of payments, checks, correspondence, and all documents which invest the responsibility of the Local Lodge and those required to be signed to safeguard the interests of the Local Lodge;
- G. Verifies every time deemed necessary the financial condition of the Local Lodge;
- H. Appoints all committees of the Local Lodge and is a member ex officio of all committees unless the Internal Bylaws of the Local Lodge provide otherwise;
- I. Is the custodian of all bonds;
- J. Refrains, when presiding, from making proposals or participating in the discussions at the meeting other than to clarify the issues presented, and votes after a tie on any motion;
- K. Hears the opinion of the Orator and then rules upon controversies involving application of the Bylaws. The interested member who disagrees with the ruling and the interpretation by the President may appeal to the State President within ten days of the decision;
- L. May silence or censure any member or members causing a disorder during a meeting of the Assembly or of the Council; and when such member or members persist in causing

disorder, may levy a fine of up to \$ 10.00 (ten dollars) each, expel the member or members from the hall, or suspend the meeting;

- M. May appoint a Chaplain to perform any religious exercises of the Local Lodge;
- N. Fulfills all the duties and exercises all the rights herein not specified that are derived from laws and decrees of the Supreme Lodge or Grand Lodge, and also from any internal Bylaws of the Local Lodge;
- O. Validates the Credentials of the State Delegates along with the Local Lodge Financial Secretary.

#### **ARTICLE 43 – LOCAL LODGE VICE PRESIDENT**

The Vice President is the second ranking officer of the Local Lodge and shall have the following duties:

- A. Takes the place and assumes all rights and duties of the President when the President is absent;
- B. Succeeds to the Office of President whenever the President, for any reason whatsoever, ceases to occupy the position and shall be legally installed in the Office of President as soon as possible.

#### **ARTICLE 44 –LOCAL LODGE IMMEDIATE PAST PRESIDENT**

The immediate predecessor of the President in office, who has completed an entire term as President, is a part of the Council with the qualification and the title of Immediate Past President. During the absence of the President and the Vice President, the Immediate Past President shall exercise all the duties and prerogatives of the President. When the Immediate Past President in office ceases to take part in the Council, for any reason, the previous immediate predecessor shall succeed to the office as a matter of right.

#### **ARTICLE 45 –LOCAL LODGE ORATOR**

The Orator is the representative of judicial powers of the Local Lodge and shall have the following duties and prerogatives:

- A. Gives opinions concerning the application and interpretation of the laws of the Order;
- B. Observes that the laws of the Order are properly applied;

- C. Is subordinate to the President in matters relating to the administration of the Local Lodge;
- D. Is subordinate to the State or National Orator in matters relating to the exercise of judicial powers;
- E. May present on the Orator's own initiative, and shall present on the order of the President or on the deliberations of the Local Lodge, written accusations against any non-officer member of the Local Lodge who has committed any infraction of the laws of the Order, by first submitting them to the State Orator and then presenting the charges at the hearing before the local Arbitration Board;
- F. Presents charges against Officers of the Local Lodge only when ordered by the President and shall forward these charges to the State Orator;
- G. Shall call to the attention of the President any statutory violation or ritualistic or regulatory infractions that are observed;
- H. Retains the right to speak last in all discussions relating to the interpretation and application of the laws of the Order.

#### **ARTICLE 46 –LOCAL LODGE RECORDING SECRETARY**

The Recording Secretary shall have the following duties and prerogatives:

- A. Is the sole custodian of the archives and seal of the Local Lodge;
- B. Takes, records and maintains faithfully in a separate book the minutes of the Council and the Assembly meetings of the Local Lodge, including the financial statements of the Financial Secretary, and submits them for the approval of the Council and the Local Lodge at their respective subsequent meetings;
- C. Maintains an up-to-date record in a separate book of the membership roll of the Local Lodge;
- D. Answers the correspondence from members and immediate superior authorities and informs the members of the lodge at the meetings of the important correspondence received, and any answered thereto;
- E. Is the sole Officer through whom the members of a Local Lodge can communicate with the Grand Council;
- F. Sends notices for the call of meetings;
- G. Exercises the duties of Secretary of the Arbitration Board of the Local Lodge except in cases in which the Recording Secretary is an interested party;

- H. Transmits to the State Recording Secretary within ten days from the time received, petitions presented or sent to the Recording Secretary by members pertaining to administrative defects, accompanying them with the opinions of the Council of the Local Lodge;
- I. Executes, as much as possible, the orders and requests of the Local Lodge, the President, or higher ranking officers of the Order;
- J. Provides written ballots for all Local Lodge elections;
- K. Transmits to the State Recording Secretary the list of the Local Lodge Officers and State Delegates, including Alternates, immediately following any elections;
- L. Files monthly with the State Recording Secretary a list of all applicants who have been rejected as a result of an unfavorable vote by the Local Lodge;
- M. Invites the members of the Local Lodge to a visitation of a deceased member on the day and hour the President has established in consultation with the family of such deceased member;
- N. Informs the Recording Secretary of the Local Lodge from which a member transferred and the State Recording Secretary that the Local Lodge has accepted the transfer of a member within a week after the meeting in which a Transfer Card is processed;
- O. Notifies all members by mail or email at least five (5) days prior to any nominations or elections;
- P. Examines membership applications to verify that the applicant has answered all questions put forth in the application.

#### **ARTICLE 47 – LOCAL LODGE FINANCIAL SECRETARY**

The Financial Secretary shall have the following duties and prerogatives:

- A. Collects dues and assessments from each member and gives a written receipt in accordance with the regulations established by the Local Lodge;
- B. Is the custodian of the assets, including equipment of the Local Lodge;
- C. Prepares the orders of payment and signs them together with the President, deducting first any amounts due to the Local Lodge from the payee;
- D. Forwards orders of payments to the Treasurer who issues checks thereon, which checks the Financial Secretary presents to the payee;

- E. Keeps up to date the following books of accounting which are obtained from the Grand Lodge:
  - 1. A ledger;
  - 2. A journal;
  - 3. A book of financial statements;
  - 4. A book of orders of payment.
  
- F. Notifies each member in arrears of their situation 15 days before the last meeting of the third month of delinquency, urging them to place themselves in good financial standing and warning them of the loss of their rights because of their failure to pay the proper dues and taxes;
  
- G. Notifies by mail a defaulting member of the Local Lodge's intention to strike the member from the Local Lodge membership rolls fifteen (15) days prior to the date of the meeting in which such defaulting member name would be stricken;
  
- H. Informs the members of the amount of money collected and the disbursements of the day, at the end of every meeting, if possible;
  
- I. Prepares a detailed Monthly Membership Report, on a form that is currently in use and provided by the State Financial Secretary and mails the original to the State Financial Secretary and a copy to the Local Lodge president at the end of each month;
  
- J. Prepares and presents a detailed financial report, verified and signed by at least three Trustees on a form provided by the State Financial Secretary and mails a copy to the State Financial Secretary at the end of each quarter; and in addition, by not later than the end of the second calendar quarter (June 30<sup>th</sup>), forwards to the State Financial Secretary a copy of Form 990 or 990EZ which must have been filed by mail or electronically with the Internal Revenue Service by May 15<sup>th</sup> of each year. Also, any applicable state tax forms must be timely filed with that state and a copy forwarded to the State Financial Secretary;
  
- K. Pays the per capita tax promptly, no later than January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup>, and October 15<sup>th</sup>, according to the number of members in the records, who have paid at the end of the quarter and makes these payments without any deliberation of the Local Lodge. This payment must be made on time in order to avoid incurring the interest charges as provided for by Article 34 A;
  
- L. Processes the payments of the per-capita tax with precedence over any other obligations of the Local Lodge. The failure to make these payments, according to the regulations established, determines the suspension of the Local Lodge and of its members from all its rights, including the economic right to the Mortuary Fund and disability benefits;

- M. Executes, whenever possible, orders pertaining to financial matters in accordance with the laws and deliberations of the Local Lodge, or orders of the President, or higher ranking Officers of the Order;
- N. Forwards the original membership application to the State Financial Secretary within 10 days following the acceptance of a member;
- O. Gives written notice by mail to the Grand Council, at least thirty (30) days prior to the date of declaration of default when the member who is in default is a State Officer before such a member may be declared in default;
- P. Validates the Credentials of the State Delegates along with the Local Lodge President.

#### **ARTICLE 48 – LOCAL LODGE TREASURER**

The Treasurer shall have the following duties and prerogatives:

- A. Keeps, as custodian, the funds of the Local Lodge deposited in such banks as designated by the Local Lodge Council;
- B. Maintains up to date a monthly record of all collections and expenditures of the Local Lodge in a “Cash Book”;
- C. Deposits within three days the funds received from the Financial Secretary in the bank account designated by and in the name of the Local Lodge;
- D. Prepares and signs checks based on the regular order of payment and has them countersigned by the President, and then transmits them to the Financial Secretary;
- E. Obtains the written authorization of the President and Financial Secretary to withdraw or transfer any sum from the savings or execute any payment from the savings accounts;
- F. Reports the amount of money collected by the Financial Secretary for which the Treasurer must give a receipt to the Financial Secretary and states to the members the financial conditions of the treasury, which shall be recorded in the minutes at the end of each meeting, if possible.

#### **ARTICLE 49 – LOCAL LODGE HISTORIAN**

Local Lodges may elect an Historian of the Local Lodge whose duties are to compile and keep the records of the history of the Local Lodge.

## **ARTICLE 50 – LOCAL LODGE TRUSTEES**

The Local Lodge Trustees shall have the following duties and prerogatives:

- A. Act as the guardians of the economic interests of the Local Lodge;
- B. Check and verify the administrative books of the Financial Secretary and Treasurer;
- C. Check and verify the quarterly accounts of the Financial Secretary and guarantee their accuracy by their signatures on the prescribed form, signed by not less than three Trustees, to be forwarded to the State Financial Secretary;
- D. Review the Membership Ledger Book of the Financial Secretary;
- E. Fulfill all other duties conferred upon them by the Internal Bylaws of the Local Lodge and the Grand Lodge.

## **ARTICLE 51 – LOCAL LODGE MASTER AND MISTRESS OF CEREMONY**

The Mistresses and/or Masters of Ceremony prepare the hall for the meetings and fulfill all the functions prescribed for them by the Ritual or the Local Lodge President.

## **ARTICLE 52 – LOCAL LODGE GUARD**

The Guard is the doorkeeper of the Local Lodge whose duties shall be as follows:

- A. Admits members who request admission to the hall;
- B. Refuses admission to strangers;
- C. Announces to the President the members who have made themselves known before their admission.

## **ARTICLE 53 – LOCAL LODGE HERALD**

- A. The Herald is a ceremonial Officer of the Local Lodge appointed for the occasion by the Presiding Officer during the meetings of the assembly of the Local Lodge;
- B. The duties of the Herald are to assist the Presiding Officer, in conformity to the laws of the Order and in due ritualistic form, on the occasion of the institution of the Local Lodge, the installation of officers and the initiation of new members in the Local Lodge.

## **ARTICLE 54 – LOCAL LODGE ARBITRATION BOARD**

- A. The Arbitration Board is the Judicial Tribunal of the Local lodge, whose powers and attributes are specified by the Judicial Code in both the Supreme and Grand Lodge Bylaws;
- B. It is composed of five (5) elected members known as Arbitrators, and five alternates known as Alternate Arbitrators;
- C. Arbitrators and their Alternates shall be elected by the Local Lodge from among its members at the same meeting when the election for the Local Lodge Council is held. The election for Arbitrators and their Alternates shall be held after the election of Officers. They remain in office until their successors are elected. To be eligible for the position of Arbitrator or Alternate, a member must have completed two years of membership in the Order, must be able to read and write and have never been disciplined for a violation of laws of the Order. The Founders of Local Lodges, with less than a year of membership in the Order, provided they have the other necessary requisites, shall be eligible to be elected Arbitrators or Alternates;
- D. Before seeking recourse to the Arbitration Board, the parties shall endeavor to specify and adjust the differences existing between them through the medium of a Jury of Honor (Mediation Panel/Mediators) composed of three members. Each side involved in the dispute shall appoint one member of the Jury of Honor, and the two members of the Jury of Honor shall select a third member. Only those differences that cannot be adjusted, after having been submitted to the Jury of Honor, shall be presented to the judicial powers of the Order beginning with the Local Lodge Orator;
- E. A Regular or Associate Member, as well as the Orator of the Local Lodge, may bring an Accusation against another member of the same Local Lodge. The Accusation shall be presented to the Orator of the Local Lodge. The Orator then presents the Accusation to the Recording Secretary. The Recording Secretary, being the Secretary of the Local Lodge's Arbitration Board shall submit the Accusation to the State Orator;
- F. If the State Orator believes that a fair trial cannot be held before the Local Lodge's Arbitration Board, the State Orator shall present the Accusation to the State Arbitration Board for adjudication. If the State Orator believes that a fair trial can be held before the Local Lodge's Arbitration Board, then the Local Lodge Arbitration Board shall adjudicate the Accusation and the Local Lodge Orator shall present the accusation to the Local Lodge Arbitration Board.

## **ARTICLE 55 – LOCAL LODGE COMMITTEES**

- A. Any committee of a temporary or permanent nature may be appointed by the President or mandated by the Local Lodge Assembly.
- B. Each Committee shall have those attributes and powers conferred upon them at the time of their formation in accordance with the regulations of the Local Lodge, and shall remain in office for a period of time necessary to complete their duties not to exceed the term of the Local Lodge President.
- C. The Chair of the Committee shall present a report upon completion of its business or at any time as requested by the President or by the Local Lodge Assembly.

## **ARTICLE 56 – LOCAL LODGE HEALTH COMMITTEE (IF APPLICABLE)**

- A. Any Local Lodge may establish for its members in good financial standing a Disability (or Illness) Benefits program to provide for payments to any member suffering from disability or illness. Such payments may be made in such amounts, at such times, and with such qualifications and/or limitations as the Local Lodge shall determine.
- B. The Health Committee is the agency of the Local Lodge that exercises the duties of supervising its sick and disabled members who are receiving benefits because of illness or disability according to the Internal Bylaws of the Local Lodge. The number of members, their appointment, and the length of time of service are left to the discretion of the President unless the Bylaws of the Local Lodge provide otherwise.

## **ARTICLE 57 - STATE DELEGATES**

State Delegates are the representatives of the Local Lodges in the Grand Lodge.

- A. Each Local Lodge shall have the right of representation to the Grand Lodge based on the State Delegates count specified by the State Recording Secretary as follows:
  - 1. One State Delegate for the first 25 members;
  - 2. One State Delegate for each additional 40 members (i.e. 40, 80, 120, etc.);
  - 3. One State Delegate for a fraction over one half of 40 members (i.e. 21 or more);
  - 4. Junior members shall not be included in calculating the total membership count;
  - 5. The number of State Delegates of any Local Lodge shall not change for a period of two years regardless of the variations in the numerical strength of that Lodge.
- B. For every State Delegate, a Local Lodge shall elect an Alternate.

**NOTE:**

To facilitate the computation of the appropriate number of State Delegates and Alternates required to be present at each State Convention, the Table below has been designed and inserted:

<u>Eligible</u> <u>Members</u>	<u>Min. – Max</u>	<u>State</u> <u>Delegates</u>
25	25 - 45	1
25+21	46 - 85	2
25+40+21	86 - 125	3
25+80+21	126 - 165	4
25+120+21	166 - 205	5
25+160+21	206 - 245	6
25+200+21	246 - 285	7
25+240+21	286 - 325	8
25+280+21	326 - 365	9
25+320+21	366 - 405	10

C. Eligibility for State Delegates and Alternates shall be:

1. The Local Lodge President in office at the time of the Grand Convention is a State Delegate ex officio, and is included in the number of State Delegates to which each Local Lodge is entitled. The Local Lodge President who cannot attend the Grand Convention shall be substituted by the Vice President. If the Vice President is already a State Delegate, or does not have the qualifications, the President shall be substituted by the first Alternate Delegate.
2. Any member who has completed an entire term as a State Delegate or as an officer of a Local Lodge previous to their nomination as State Delegate is eligible to be elected State Delegate or Alternate. However, the member shall have attended not less than half of the meetings of the Local Lodge, including excused absences, during the prior two years. However, if there are no eligible and interested candidates for a position, any Regular or Associate Local Lodge member may be so elected. The presence at the meetings is established by the member signing the Register of the Local Lodge.
3. The Founders of a Local Lodge which has been in existence for less than one year at the time of election are all eligible candidates for the Office of State Delegate and Alternate.

D. Procedures for Elections of State Delegates and Alternates:

1. The election of the State Delegates and their Alternates shall be held by every Local Lodge from among their members every two (2) years in the month of February, preceding the Grand Convention in which the Grand Council is elected. The election may be declared by a relative majority vote (ARTICLE 7 B. 9) by deliberation of the Local Lodge at the same meeting prior to the voting.
2. When an election is held by a relative majority vote, and there is to be elected only one State Delegate and only one Alternate, the candidate who receives the highest number of votes shall be declared elected State Delegate, and the candidate with the lesser number of votes shall be declared elected Alternate.
3. When the election is held by a relative majority vote, and there are two or more State Delegates and Alternates to be elected, the position of each candidate, with respect to the result, is determined by the graduating scale of votes. Those candidates with the greater number of votes shall be the State Delegates. Then, when all State Delegates seats are filled, an equal number of Alternates shall be selected in the same manner.

E. Changes in assignment of State Delegates and Alternates:

1. The first Alternate State Delegate shall replace a Local Lodge State Delegate who cannot participate at any sessions of the Grand Convention. The first Alternate State Delegate shall replace any Local Lodge State Delegate who, for any reason whatsoever, should cease to hold the office. The second Alternate shall exercise the same rights as the first, when, for any reason, the first Alternate cannot exercise such rights. The same rule shall apply for the other Alternate Delegates.
2. If subsequent to an election, the Local Lodge discovers that a State Delegate, who has been elected to office, was ineligible to be nominated for that office, no new election to State Delegates shall be required but the first Alternate State Delegate shall replace the ineligible State Delegate. The same procedure shall apply as provided by this Article for succession by Alternate State Delegates who replace State Delegates who cease to hold office.
3. In the event that at Grand Convention an elected State Delegate or Alternate State Delegate in attendance cannot participate for any reason, the Local Lodge President may appoint any member of that Local Lodge in attendance to serve as State Delegate and who shall be entitled to payment of per diem only.
4. The State Delegate and any Alternate shall assume office at the Grand Convention following their election and remain in office for a period of two years or until their successors are qualified.

F. All State Delegates and Alternates shall be required to attend the meetings of the Local Lodge. Their names shall be added to the roll of officers and shall be called at the roll call of officers at each session. If any State Delegate or Alternate is absent for three consecutive meetings and is not excused by the Local Lodge for their absences, their position shall be declared forfeited.

G. In order to obtain proper credentials to attend a Grand Convention:

1. The election of every State Delegate shall be called to the attention of the State Recording Secretary;
2. When the Local Lodge is neither in default nor suspended, the State Delegate has the right to receive from the State Recording Secretary, through the Local Lodge, a document known as a "Credential";
3. The Credential shall be delivered to the State Delegate at least ten days prior to the opening of the Grand Convention;
4. Such Credential document shall attest to the State Delegate's election, good financial standing with the Local Lodge, and the good financial standing of that Lodge towards the Grand Lodge.

H. State Delegates or their Alternates, in order to take part at the Grand Convention, shall, at the beginning of each session, present their credentials to a committee previously appointed by the State President known as the "Credentials Committee".

I. During each session of a Grand Convention, the Credentials Committee shall adhere to the following procedures:

1. The Credentials Committee shall report to the State President the names of the State Delegates or their Alternates, who have valid credentials, and who shall be recognized to have the right to participate in the Grand Convention;
2. In the event of a questioned or a contested Credential, the Committee shall then refer to the Assembly thus composed, case by case, the names of those State Delegates or Alternates whose credentials have been questioned or contested, giving the reasons for and against the contested credentials and their recommendation for the decision which the State Delegates shall consider in every case;
3. The member contesting the credential shall then have the right to speak first to the members of the Assembly thus composed, giving the reasons for objecting to the credential; then, the member whose credentials are being contested shall have the right to give the reasons for sustaining the validity of their credentials;
4. After these two parties have been given an opportunity to speak, the State President, without further discussion, shall submit the following question to the Assembly for a vote; "Shall the recommendation of the Credentials Committee be accepted?"

J. The reimbursement of Grand Convention Expenses is subject to the following provisions:

1. The Local Lodge shall advance to its State Delegates the sum of twenty-six (26) cents per mile for each direction of ground transportation or lowest coach fare of air transportation, whichever is lesser, and the payment of \$100.00 per diem for overnight stays, and the payment of \$40.00 per diem when there is no overnight requirement;

2. In order to reduce Grand Convention expenses, the Local Lodge may provide an alternative method of compensation to its State Delegates in lieu of the above per diem and travel payments. For example, if two or more delegates share a room, the Local Lodge may choose to pay the cost of the room plus tax, and if two or more delegates travel together in one car, the lodge may reimburse only the driver or owner of the vehicle for mileage;
3. The Grand Lodge shall do the same for its State Officers, Past State Presidents, invited Chairpersons of Committees, etc. but shall not pay the overnight stay per diem for attendees not staying at the designated Grand Convention hotel unless a timely reservation was attempted and the allocated rooms were no longer available;
4. A State Delegate or Alternate who is absent from one or more sessions of the Grand Convention, and who is not excused by the Grand Lodge shall lose all rights as State Delegate or Alternate and shall not be reimbursed for traveling expenses and the per diem for all the days of Grand Convention.

K. A State Delegate who is unable to attend the Grand Convention:

1. Shall be required to notify the President of the Local Lodge at least five days before the Grand Convention in order to give the President time to provide for an Alternate Delegate;
2. Shall lose the office of State Delegate and shall be prohibited from holding any office in the Grand Lodge for a period of two years, if the State Delegate fails to notify the President in due time.

L. In case all the State Delegates and all the Alternates of a Local Lodge are not able to be present at a Grand Convention, no other member shall be substituted for them, unless the Local Lodge, at an Ordinary or Extraordinary Meeting, authorizes or appoints a person or persons to represent them at the Grand Convention, and notifies the State Recording Secretary accordingly, at least three days before the Grand Convention. In this case, a credential, signed by the President and Financial Secretary, shall be given to each such representative of the Local Lodge, and this credential shall be accepted by the Credentials Committee in the Grand Convention.

M. Every Local Lodge shall be legally required to send all its representatives to every Grand Convention, and if it fails to do so, or if it should send fewer representatives than the total number it is legally required to send, the Local Lodge shall pay to the Grand Lodge, within two (2) months from the date of the Grand Convention, a fine corresponding to the amount of \$200.00 per absent delegate multiplied by the number of days the State Delegate was so absent.

Notwithstanding the foregoing provisions, the Grand Council, upon application of the Local Lodge, and upon showing of good cause, may suspend any fine or other sanctions resulting from a failure of a Local Lodge to comply with the provisions of this article.

## **ARTICLE 58 - DEFAULTING LODGES**

- A. A Local Lodge shall be in default with the Grand Lodge when it has failed for two consecutive matured quarters to pay to the Grand Lodge the taxes or financial obligations prescribed.
- B. The default of a Local Lodge in its payment toward the Grand Lodge shall be communicated to the Local Lodge by the State Financial Secretary by a registered letter, or through the State Deputy.
- C. The members of a defaulting Local Lodge shall not lose their rights in the Local Lodge, but together with the Local Lodge, shall lose the rights that they are entitled to from the Grand Lodge, including the right to representation at a Grand Convention.

## **ARTICLE 59 - CAUSES FOR SUSPENSION OF A LOCAL LODGE**

The suspension of a Local Lodge shall be decreed by the Grand Council for the following causes:

- A. The Local Lodge has failed, within ninety (90) days after notice of such default, to pay the arrearage which induced its default;
- B. The Local Lodge has knowingly violated the laws of the Order;
- C. The Local Lodge has tacitly and passively permitted its members, individually or collectively, to defame the Order, its institutions, and its ranking units, or has permitted its members to become indifferent and insubordinate to the laws of the Order;
- D. The Local Lodge has tacitly and passively permitted its members, individually or collectively, to become affiliated with any publication – newspaper, magazine, or periodical – the purpose of which is to defame or to destructively criticize the Order, its ranking units, its institutions or its members;
- E. The Local Lodge has tacitly and passively permitted its members, individually or collectively, to divulge confidential documents of its assembly or to disclose to the public the possession of confidential documents by the ranking units of the Order;
- F. The Local Lodge has tacitly and passively permitted its members, individually or collectively, to send letters or circulars to other Local Lodges intending to create factional groups with the Order, its ranking units, its institutions, or its members.

## **ARTICLE 60 - EFFECTS AND REMEDIES OF SUSPENSIONS**

- A. During the period of suspension, caused by default in payments to the Grand Lodge, the sanctions imposed under Article 58 C shall be applied to the Local Lodge and its members pertaining to their rights.
- B. The suspension for all other causes enumerated under Article 59 determines the interruption of all rights of the Local Lodge and of its members, even though the members and the Local Lodge are in good financial standing, excepting however, members of Local Lodges who occupy positions in the Grand or Supreme Council whose position shall not in any way be affected by the state of suspension of their Local Lodge.
- C. A Local Lodge that is suspended for any reason whatsoever, when requested by the Grand Council, shall deliver to the representative of the Grand Council its charter, its equipment, and its funds which shall remain in the custody of and be administered by the Grand Council on behalf of the Local Lodge.
- D. Any Officers or members who refuse to deliver any property of the Local Lodge in their charge shall be automatically expelled from the Order by a decree of the Grand Council and shall remain expelled even though the Local Lodge is reinstated and is given back its rights.
- E. The Local Lodge that has been suspended shall be subject to the following remedies:
  - 1. If for default in payment, cures its financial position within ninety days from the date of the decree of its suspension and shall re-acquire automatically all its rights;
  - 2. If for disciplinary reasons, reacquires all its rights if it eliminates the causes for its suspension within sixty (60) days from the date of the decree of its suspension, provided the Grand Council agrees to the removal of the suspension;
  - 3. In removing the causes for its suspension, a Local Lodge shall be assisted by a representative of the Grand Council.

## **ARTICLE 61 - DISSOLUTION OF LOCAL LODGES**

- A. A Local Lodge suspended for any reason, which fails to remedy its state of suspension according to the terms of these Bylaws, shall be declared dissolved by the Supreme Council upon the proposals of the Grand Council.
- B. A Local Lodge which reduces its membership to less than twenty-five (25) members may be dissolved if it does not gain the necessary legal number of members within six (6) months, and during this time, when it lacks the necessary number, the Local Lodge loses its right of representation in the Grand Lodge.
- C. The members of a Local Lodge, which is dissolved because of default in payments, or because of deficiency in number of members, shall be considered withdrawn members of the dissolved Local Lodge. If they are enrolled members of another Local Lodge, then they remain members of that Local Lodge with all their rights as members.

- D. Members of a Local Lodge, which has been dissolved because of default in payment or deficiency in number of members, who are in good standing with their own Local Lodge and the Grand Lodge at the time of the suspension or dissolution, shall have the right to obtain a Transfer Card in order to transfer to any other Local Lodge designated by the Grand Council.
- E. Members of a Local Lodge which is dissolved because of disciplinary measures shall be considered expelled from the Order and shall be stricken from the rolls of any other Local Lodge in which they may have membership. Members who were not responsible for the cause of dissolution of a Local Lodge, and who are recognized by the Grand Council as such, if they are not already enrolled in another Local Lodge, shall have the right to receive an individual Transfer Card to permit them to transfer to another Local Lodge of their own choice, or to one designated by the Grand Council.
- F. All rights to the property possessed directly or held indirectly by means of Trustees for a Local Lodge dissolved because of default in payments to the Grand Lodge, or because of disciplinary measures, including the rights to equipment, flags, books, real property, paraphernalia, funds, charter, and any and all property of whatever nature shall pass to the Grand Lodge and shall be administered by the Grand Council. In the event that a dissolved Local Lodge is reorganized or re-admitted, or if the larger part of its members join another Local Lodge, then the properties which have passed to the Grand Lodge shall be returned by the Grand Council after deducting the necessary expenses of administration. In case of failure of reorganization or readmission, or failure of the joining of a larger part of the members to another Local Lodge within two (2) years from its dissolution, then all the rights, title, and interest to the property, as above specified, shall conclusively pass to the Grand Lodge.

#### **ARTICLE 62 - REORGANIZATION OF DISSOLVED LODGES**

A dissolved Local Lodge may be re-organized within two (2) years, provided that it subjects itself to all the requirements necessary for the institution of a new lodge but a person expelled from the Order shall not be re-admitted as a member.

#### **ARTICLE 63 - CONSOLIDATION OF LODGES**

- A. The consolidation of two or more Local Lodges into a single Local Lodge shall require the permission of the Grand Council which shall establish the provisions for the consolidation.

- B. The ways and means of the consolidation shall be supervised by a representative of the Grand Council who shall proceed to the election and installation of the Local Lodge Council upon the completion of the consolidation of the treasuries of the Local Lodges. The Representative shall deliver the new charter released by the Supreme Council and it shall contain the chosen name and the number of the older or oldest Local Lodge of the consolidating Local Lodges.
- C. A Local Lodge formed by the consolidation of two or more Local Lodges shall be responsible for all the obligations of the original Lodges.

#### **ARTICLE 64 - MEMBERSHIP IN MULTIPLE LODGES**

No one may be a member in two or more Local Lodges, except in the following circumstances:

- A. When a member of a Local Lodge is also a member of a society or club which joins the Order and transforms itself into a Local Lodge and, the member shall be allowed to remain a member of his original Local Lodge and also become a member of the Local Lodge so formed.
- B. When a member of a Local Lodge becomes interested in the formation of a new Local Lodge, in which case that member may be permitted to enroll as a Founder of the new Local Lodge and remain a member of the original Local Lodge.
- C. Recreational and Athletic Clubs who should desire to affiliate themselves with the Order Sons of Italy without losing their identity for their respective athletic, cultural and recreational activity, may do so within the rules and regulations that the Grand Council shall require.
- D. Members of the Order who belong to more than one Local Lodge shall retain all of the rights as members of those Local Lodges but shall only receive Death Benefit Plan benefits from one Local Lodge. Members that belong to more than one Local Lodge shall decide of which Lodge they desire to be Officers and notify the Grand Lodge in writing of that decision.

#### **ARTICLE 65 - SEPARATION OF A LODGE**

Members of a Local Lodge, that for valid reasons accepted by the Grand Council, desire to separate from the Mother Lodge, in number of not less than one-third of the total regular membership and in good standing with the Mother Lodge, may do so under the following conditions:

- A. They shall secure twenty eight (28) applications of new members to form a new Local Lodge;

- B. They shall give a formal request to the Grand Council, giving reasons for said request of separation, giving names and addresses and signed by each one requesting separation;
- C. Transfer to the new Local Lodge shall be made by "Transfer Card" released by the Grand Council on the day of initiation of the new Local Lodge formed by them. The Mother Lodge shall pay to the new Local Lodge to which said members have transferred a sum equal to the fraction of the number of Regular and Associates members that are separating divided by the total number of Regular and Associates Members multiplied by the cash funds of the Mother Lodge;
- D. Members of the Mother Lodge, so admitted to the new Local Lodge, shall retain all of the rights of Senior Members. Health and Death Benefits shall be assumed by the new Local Lodge and shall immediately be in effect. They shall have no rights of any kind in the Mother Lodge because the payment of the per capita tax from its funds divests itself from any responsibility for the payment of any benefits.

#### **ARTICLE 66 - ATTEMPTED SEPARATION FROM THE ORDER**

- A. A Local Lodge shall not voluntarily disband or separate from the Order.
- B. If three (3) members object to such purposes the Local Lodge shall remain in the Order and those abandoning the Local Lodge shall forfeit all rights.
- C. If less than three (3) members object to the attempted separation from the Order, all other members of the Local Lodge proposing or voting for separation or disbanding from the Order, shall be accused of such deeds before the State Arbitration Board and the entire Local Lodge shall be subject to the dissolution proceedings specified.
- D. As long as three (3) members of a Local Lodge remain faithful to the Order and oppose any secession or schism, the Local Lodge shall remain a part of the Order with all of its properties, funds, and equipment, and those members who secede or break away from the Local Lodge shall lose all of their rights.

#### **ARTICLE 67 - MEMBERSHIP CLASSIFICATIONS**

All members of the Order in the Grand Lodge of California are required to be of good moral character and are called "Brothers" or "Sisters". They shall be admitted only to the classification to which they qualify. The members shall be divided into the following categories: Regular, Associate, Social, At-Large, Meritorious, Honorary, and Junior.

A. Regular Members are those who are:

1. Men and women of Italian descent; or
2. Descendants of a parent of Italian descent or extraction who has married a person of another nationality; or
3. Children adopted by a parent of Italian origin; or
4. The spouse of a person of Italian descent or extraction, whatever their nationality.

Any of the above persons who are of the age of 18 and less than 66 years when joining the Order, shall pay applicable Local Lodge dues and be entitled to all benefits.

Regular Members who have elected to join the Death Benefit Plan by paying the required admission fees and dues shall have made such election only at the time of application to join the Order.

B. Associate Members are those who meet the criteria of a Regular Member but who are of the age of 66 and over when joining the Order or have elected not to join the Death Benefit Plan at the time of application to join the Order. They shall not be entitled to Death Benefits, but may become members of the Hospitalization Benefit Plan if qualified under the rules of said plan.

C. Social Members are those members not of Italian descent and not related or married to one of Italian descent. Social Members may not hold office but have the right to vote on the business of the Local Lodge and may serve on Committees. Social Members of the age of 66 or over when joining the Order shall not be entitled to join the Death Benefit Plan and may not become members of the Hospitalization Benefit Plan.

D. Members-At-Large are those of an age greater than 18 when joining the Order who desire to be a member of the Grand Lodge of California but who because of age, distance, disability or inability to commit enough time to the Order cannot take an active part in a Local Lodge. A Member-At-Large shall be enrolled as a non-voting member of the Grand Lodge. A Member-At-Large shall not hold an office in a Local Lodge or in the Grand Lodge except and unless the Member-At-Large transfers through the Grand Lodge office out of their current status and into a Local Lodge and meets the criteria of the office. The Member-At-Large believes in the ideals and purposes of the Order, desires to foster and promote those ideals, agrees to abide by the laws of the Grand Lodge and the Supreme Lodge, and agrees to perform the duties of a Regular Member as described in these Bylaws.

E. Meritorious Members are those nominated directly by the Grand Council or by proposal of a Local Lodge and ratified by the Grand Council. These shall be enrolled in the proposing Local Lodge or in the Local Lodge indicated by the Grand Council. The ceremony of initiation shall consist of the consignment of the pertinent diploma. These members shall not have any of the rights of Regular, Associate or Social Members.

The essential requisites for nomination of a Meritorious Member are:

1. Distinguished service and exemplary conduct;
2. Outstanding service rendered to the Order;
3. Conspicuous achievements in cultural, moral, social, economic, or scientific fields.

F. Honorary Members are those nominated by the State Officers and State Delegates in Grand Convention or by the Grand Council on its own initiative or at the request of the Council of a Local Lodge.

1. The names of Honorary Members shall be inscribed in the Roll of Honor which consists of a permanent record kept by the Grand Lodge.
2. Nomination to Honorary Membership shall be restricted to men and women distinguished in learning, outstanding in achievements, or conspicuous in cultural attainments, who have given proof of their sympathy and good will toward the Order, its principles and ideals.
3. The Nomination to Honorary Membership shall be evidenced by an appropriate certificate to be presented at the initiation ceremony which is to be marked by appropriate solemnity.
4. The classification of membership of the certificate to be presented shall be of Regular or Associate Member.

G. Junior Members are those who are fourteen (14) days and less than eighteen (18) years of age, and shall enjoy all of the benefits consistent with these Bylaws except that they shall not be allowed to hold office or vote in a Local Lodge. A Junior Member who is attending high school, college, or other advanced schooling on a full time basis shall have the option, upon reaching eighteen (18) years of age, of becoming a Regular Member, or continuing as a Junior Member until attaining twenty-six (26) years of age. They shall be exempted from payment of Per Capita Tax, Dues or Admission Fees but are required to pay no more than the established Death Benefit Fees if they elected to join the Plan.

They shall have no right to representation in the Grand Lodge, but may be appointed as members of social committees, and are subject to the following classifications:

1. Junior Regular Members are those who meet the requirements of a Regular Member except as to age and schooling when appropriate;
2. Junior Associate Members are those who meet the requirements of a Regular Member except as to age and schooling when appropriate and have elected not to join the Death Benefit Plan;
3. Junior Social Members are those who do not meet the requirements of a Regular Member except as to age and schooling when appropriate.

## **ARTICLE 68 - MEMBERSHIP CLASSIFICATION CONVERSION**

When Junior Members are no longer eligible for Junior status, having finished school or attained twenty-six (26) years of age, they shall have the further option of electing to join or not join the Grand Lodge Death Benefit Plan and thereupon shall be a Regular Member or Associate Member according to the option selected. Junior Social Members who are no longer eligible for Junior status, having finished school or attained twenty-six (26) years of age shall be classified as Social Members.

The following procedure is required to formalize the change in classification from Junior to Adult (Regular, Associate or Social) Member:

- A. When Junior Members desire to remain in the same Local Lodge, they shall be present at:
  - 1. the next Local Lodge meeting, as soon as notified, and be obliged to answer any and all questions put forth, especially the questions contained in the questionnaire of the application, which the member is required to sign;
  - 2. the initiation meeting when notified that initiation is to take place, and be initiated not later than ninety (90) days from the date of notification.
- B. If the Junior Member desires to transfer to a different Local Lodge, the requirements of the Transfer Card procedure in Article 76 shall apply.

## **ARTICLE 69 - APPLICATIONS FOR ADMISSIONS**

- A. In order for an applicant to obtain admission to the Order, it is necessary that the applicant be proposed by a member who is called the sponsor. The application for admission shall be filled out completely on a form prescribed by the Grand Council and shall be signed by the applicant and by the sponsor.
- B. The application together with admission fees shall be given or returned by the applicant to the Recording Secretary of the Local Lodge which the applicant intends to join.
- C. As part of the examination of the application, the Recording Secretary shall verify that the applicant has answered all questions put forth in the application.
- D. Every application shall be submitted for a majority vote to the assembly of the Local Lodge and subsequently approved as provided for by the Bylaws of Grand Lodge.

- E. A person whose application is accepted shall be notified by the Recording Secretary of such acceptance, and the time and place of the meeting when the initiation ceremony will take place. Initiations of new members shall take place periodically; however, no one shall be initiated within ninety (90) days after approval by the Local Lodge. The newly accepted members may elect not to attend the initiation ceremony, provided their applications, as received by the Recording Secretary, contain the oath and are signed by the applicants. Members who elect not to attend the initiation ceremony shall not be eligible to vote or hold office until such time as they have completed the initiation requirement.
- F. If the application is rejected by the Local Lodge, the applicant may, six (6) months after notification of the rejection, present another application to the same Local Lodge or another Local Lodge, and in case of a second rejection, the applicant shall have no right to renew the application.
- G. Before a person is initiated as a Regular Member, that person shall pay an initiation fee and an enrollment fee to the Death Benefit Plan and every other tax or financial obligation established by the Grand Lodge or by the regulations of the Local Lodge.
- H. The application for a Member-At-Large shall be mailed by the applicant, along with the application fee and one year's membership dues, to the Grand Lodge office where the application shall be processed by the Grand Lodge office staff and reviewed by the State President or a State Vice President. The State Recording Secretary shall notify the applicant in writing of the acceptance or rejection of the application. No initiation ceremony will be required for a Member-At-Large provided the application which bears the oath is signed by the applicant and received by the Grand Lodge office. The amount of annual dues payable by a Member-At-Large shall be set from time to time by the Grand Council at a regular scheduled meeting.

#### **ARTICLE 70 - MINIMUM INITIATION FEES**

- A. The minimum fees for all members shall be in conformity with the Supreme Laws and set by the Grand Lodge in Grand Convention.
- B. The person who is to be initiated as an Associate Member shall not pay an enrollment fee to the Death Benefit Plan but shall pay the initiation fee established by the Local Lodge and shall pay any other fees, financial obligations, or future assessments prescribed by the Grand Lodge or by the Local Lodge.

## **ARTICLE 71 - VOID MEMBERSHIP**

- A. An applicant who belongs to the “Independent Order” or to other dissident Orders shall not be admitted as a member.
- B. If any Local Lodge accepts a candidate as described in paragraph A. above, or accepts any other candidate whose application for membership has been rejected, said acceptance of membership, after ascertainment of facts by due process by the Grand Council, shall be declared null and void, according to law. The member, illegally admitted, shall be canceled without recourse.
- C. The members of the “Order Sons of Italy” who would join any dissident Order shall be canceled from the rolls without any reimbursement.
- D. The person admitted into a Local Lodge without having been subjected to the requirements prescribed in these rules and regulations shall not be considered a member of the Order. Such person shall be immediately canceled from the roll of membership and shall forfeit all fees paid. The officers responsible for this illegal admission shall be denounced by the State Orator to the State Arbitration Board.
- E. Whenever it becomes known that a person has fraudulently obtained admission into the Order, the Orator of the Local Lodge to which that person belongs shall file charges for expulsion to the Arbitration Board of the Local Lodge provided that person is not an officer, or to the State Arbitration Board if that person is an officer of the Local Lodge.

## **ARTICLE 72 - DUTIES OF MEMBERS**

The duties of all members shall be to:

- A. Obey and respect the authorities of the Order;
- B. Pay dues, assessments and other financial obligations;
- C. Conform with the laws and rituals of the Order;
- D. Strive always to create friendly relations with any and all other members, and giving helpful and praiseworthy assistance to members in misfortune or in need;
- E. Aid in the transmission of information of the ideals of the Order for the purpose of bringing to it greater prestige, recognition, and greater membership;
- F. Wear the official insignia of the Order with pride as a means of promoting the Order;

- G. Refrain from demonstrating any resentment against the officers, members or subsidiary organizations of the Order outside of the meeting place, or in the presence of strangers or by means of the public press;
- H. Perform each and every other duty which the members impliedly or expressly derive from the General Laws, these Bylaws, and from the regulations and any Internal Bylaws of their Local Lodges;
- I. Settle any grievances that may arise by submitting this grievance to the proper authorities of the Order or to the assembly of the Local Lodge while in session;
- J. Not resort to any civil court to enforce any claim, demand, right or cause of action which the member may have against any Local Lodge, Grand Lodge, or the Supreme Lodge, or against any of their respective institutions, or against any of the officers, as such, unless and until the member shall have pursued and exhausted all remedies provided by the laws of the Order.

#### **ARTICLE 73 - RIGHTS OF MEMBERS**

Subject to the exclusions listed in Article 67 and Article 69, all members in good financial standing shall have the following rights acquired immediately after initiation:

- A. The right to attend and participate at the meetings and at the deliberations of the Local Lodge; however, the right to participate in and vote on any discussion relative to benefits is reserved for only those members paying for and enjoying said benefits;
- B. The right to attend any and all meetings of any other Local Lodge in the United States and Canada, where they have a right to speak only at the close of the meeting under the "Good and Welfare of the Order", on an impersonal basis, on matters which reflect on the life and better development of the Order;
- C. The right to vote;
- D. The right to become eligible for any administrative or representative office, subject to the limitations contained in the General Laws and in these Bylaws;
- E. The right to propose persons for membership to the Local Lodge;
- F. The right to disability benefits, subject to the provisions and regulations contained in the Bylaws of the Local Lodge;
- G. Every other right not specified herein, which is derived from the General Laws, these Bylaws and the Local Lodge Internal Bylaws, if any.

## **ARTICLE 74 - FEES, DUES AND ASSESSMENTS**

- A. No Local Lodge shall be permitted for any reason to reduce the admission fee for any applicant. It shall be the prerogative of the Grand Council to declare, for those periods held opportune, a general reduction of the initiation fee. If so, then, Local Lodges may elect to reduce the admission fees as declared.
- B. Other than the insurance premiums for the Death Benefit Plan, which are regulated by the Grand Lodge, the dues paid by all members shall be established by the Local Lodge. It is, however, mandatory that the Dues shall be not less than twelve dollars (\$12.00) per year for each member and that no dues be charged to Junior members.
- C. Each member shall be required to pay, within the time established, any other tax or fine that may be imposed within the limitation of the Bylaws of the Local Lodge, the Grand Lodge, or the Supreme Lodge.
- D. Taxes due to the Local Lodge, the Grand Lodge and the Supreme Lodges, as well as payment of fines, shall have priority over dues payable. After the expiration of the time allowed for payment of said taxes and/or fines, the Financial Secretary shall not accept a member's dues until the taxes and/or fines are paid in full.
- E. Payments of annual dues shall not be set aside in cases of illness. In the event that a Local Lodge pays disability benefits, the Local Lodge may withhold the prorated dues from the payment of said benefit.
- F. Annual dues shall be payable on January 1<sup>st</sup> unless the Internal Bylaws of the Local Lodge provide for a different payment schedule. Payments of dues, taxes, fines, etc., are considered paid when paid at a meeting. If payments are made outside of meetings, these shall be considered paid at the date of the following meeting, provided that said payment, made outside of meetings, is made to the Financial Secretary.

## **ARTICLE 75 - ARREARS, DEFAULTS, CANCELLATIONS, AND REINSTATEMENTS**

- A. Arrears.
  - 1. Members shall be in arrears when they have not paid the current dues, fines and assessments to the Local Lodge, and are in default when in arrears with the payment of dues, fines, and assessments to the Local Lodge for a period of three consecutive months.
  - 2. The consequences of being in arrears shall be: loss of sick or disability benefits (if available in the Local Lodge), loss of the privilege of the floor and of the right to vote, and the loss of the right to run for office or to hold office, if an officer.

## B. Default.

1. The consequence of default shall be the loss of death benefits from the Death Benefit Plan of the Grand Lodge.
2. Members shall be in default when by the first day of the fourth calendar month they have not removed the cause of such default and shall be stricken from the rolls of membership in the Order.
3. The Financial Secretary of the Local Lodge shall notify the member who is in default of the Local Lodge's intention to strike the member from the rolls of the Order by mail at least fifteen (15) days prior to the date of the meeting in which such defaulting member's name would be so stricken.
4. When the member who is in default is a State Officer, the member does not forfeit the office held unless declared to be in default by the Local Lodge. Before such a member may be declared in default, written notice thereof by mail shall be given to the Grand Council by the Financial Secretary, at least thirty (30) days prior to the date of such declaration of default. No provision of this paragraph shall prevent the Local Lodge from declaring the member to be in default as far as it pertains to participation in the benefits of the privileges afforded by the Local Lodge.
5. If the member fails to receive the notice of default, such failure shall not affect the action to have such member stricken from the rolls; provided such notice was sent to the last known address of such member.
6. The member, in order to be reinstated in good financial standing and avoid default, shall pay the Financial Secretary of the Local Lodge the amount of the indebtedness, not later than the end of the third consecutive month of arrearage.
7. The member who returns to good financial standing shall immediately reacquire the right to the Death Benefit Plan, the right to speak, the right to vote and the right to eligibility to office. The rights to a member's disability benefits, if available throughout the Local Lodge, shall be reinstated to the member who returns to good financial standing thirty (30) days after reinstatement, provided the member is in good health.
8. A member who is in default and is disabled for work at the time shall not reacquire the right to disability benefit payments for the entire duration of the present illness or disability, even after returning to good financial standing.
9. A member who has lost the office as State Delegate because of financial default shall reacquire the office after returning to good financial standing.

## C. Cancellations/Terminations.

1. The member who intends to terminate affiliation with a Local Lodge may resign by presenting or sending a written declaration of said intention to the Recording Secretary, and the resignation shall be accepted and may be rejected in cases where the resigning member is under charges.
2. The name of the resigning member shall be canceled from the rolls of the Local Lodge.

D. Reinstatements.

1. A member canceled by a Local Lodge because of default or resignation shall be reinstated to the Local Lodge without the necessity of a vote for readmission provided that member:
  - a. Is morally worthy, and
  - b. Applies for readmission within ninety (90) days from cancellation, and
  - c. Pays all dues and taxes owed at the time of cancellation or resignation.
  
2. The member shall immediately reacquire, upon readmission, the person's seniority in the Local Lodge with every right, excepting rights to disability benefits and the right of eligibility to administrative or representative office. Disability rights are reacquired after ninety (90) days provided the member is in good health at the time of readmission. Eligibility rights to administrative or representative office shall be reacquired after ninety (90) days.

**ARTICLE 76 - TRANSFERS**

In order to obtain authorization for transfer from one Local Lodge to another Local Lodge the following procedures shall be followed:

- A. The Transfer Card is the necessary document to be used by which permission is granted to a member to transfer from one Local Lodge to another Local Lodge;
  
- B. The request for transfer shall be filed on a form prescribed by the Grand Council, and in every case, may be presented or sent by the applicant to the Local Lodge, which, in turn, shall forward it to the State Recording Secretary;
  
- C. Any member in good standing may transfer from one Local Lodge to another Local Lodge. The granting of the Transfer Card is within the power of the Grand Council for the transfer from one Local Lodge to another Local Lodge within the Grand Lodge of California. Members who change their residence outside the jurisdiction of the Grand Lodge of California may, but in no event shall they be required to, apply for transfer to a Local Lodge under the jurisdiction of the Grand Lodge in the State of their new residence;
  
- D. In order to file an application for a Transfer Card, the member shall be in good financial standing with regard to payment of dues and assessments to the Local Lodge up to and including the month in which the application is presented, and shall not be under charges or under a definite sentence of the Arbitration Board;
  
- E. A member, subject to the provisions of the preceding articles, shall have the right to receive a Transfer Card in the following cases:

1. When the member changes residence from one town or city to another town or city in the jurisdiction of the Grand Lodge or when the member establishes residence in another jurisdiction;
2. When the Local Lodge is suspended or dissolved because of its financial indebtedness to the Grand Lodge, or because of disciplinary measures, provided however that the member was not involved in the cases which brought about the suspension or dissolution of the Local Lodge.

F. The Grand Council shall have the discretionary power to grant a Transfer Card in cases where the applicant desires to transfer from one Local Lodge to another within the same city or town, provided that the application is determined by the Grand Council to be motivated by good and sufficient reasons.

G. Within a week after the meeting in which a Transfer Card is accepted, the Recording Secretary of the receiving Local Lodge shall inform the Recording Secretary of the Local Lodge from which the member transferred and the State Recording Secretary of the acceptance of the member by the receiving Local Lodge;

H. The name of the member who has been accepted for transfer shall be canceled from the rolls of the Local Lodge from which the member transferred and shall be inscribed on the rolls of the receiving Local Lodge;

I. The transfer of rights, excepting that of disability benefits, and the transfer of duties of the member who has obtained a Transfer Card, shall go into effect on the first of the month immediately succeeding the month the Transfer Card was accepted;

J. All financial obligations up to that date shall be paid to the Local Lodge from which the member transferred and the receiving Local Lodge shall forward any of said funds collected by it to the Local Lodge from which the member transferred;

K. The right to disability benefits in the receiving Local Lodge shall commence six (6) months after the acceptance of the Transfer Card, if the Transfer Card is issued by a Local Lodge within the jurisdiction of the Grand Lodge of California, or one year if outside of its jurisdiction. If during this time, the member should become ill or disabled for work, the member may ask the Local Lodge from which the member transferred for disability benefits if said Local Lodge pays such benefits;

L. If the Transfer Card ceases to be valid because it is not within the prescribed sixty (60) days from the date of its issuance, the member shall return it at the following meeting to the issuing Local Lodge and shall pay any amounts due in order to place the member in good financial standing and to reinstate all member's rights.

## **ARTICLE 77 - REGULATIONS PERTAINING TO MEMBERS ABROAD**

- A. A member in good financial standing with the Local Lodge, who goes for a visit abroad, or establishes residence there, shall be exempted from the payments of all Local Lodge dues or assessments for the length of the member's stay outside the United States.
- B. In order to continue to enjoy rights to the Death Benefit Plan and privileges of the Grand Lodge, payments of the Death Benefit Plan fees and of the per Capita Tax of the Grand Lodge shall be regularly made.
- C. Members shall notify the Local Lodge of their intention to leave the United States prior to departure.
- D. If the member goes abroad or establishes residence there without first giving notice to the Local Lodge, the member shall lose the privilege of exemption from the payment of all Local Lodge dues or assessments as specified.
- E. In every case, such members shall lose their rights to any Local Lodge disability benefits during the time they reside outside the United States.
- F. Members under this exemption, upon return to the jurisdiction of the Local Lodge and in order to be re-admitted to the enjoyment of all rights, shall notify the Recording Secretary of the Local Lodge of their return within a month from the date of arrival.
- G. If a member did not notify the Local Lodge of the departure and was canceled from the rolls because of default in payments, the member shall submit to the regulations concerning readmission or reinstatement before rejoining the Order.

## **ARTICLE 78 - MEMBERS SERVING IN THE ARMED FORCES**

- A. Members serving in the Armed Forces of the United States shall be suspended of all rights and duties toward the Local Lodge. Those members may elect to waive this provision by payment of dues and/or assessments.
- B. In order to continue to enjoy rights to the Death Benefit Plan and privileges of the Grand Lodge, payments shall be regularly made of the Death Benefit Plan fees and of the per Capita Tax of the Grand Lodge.
- C. Those members, having received an Honorable Discharge from the Armed Forces, not later than six (6) months from date of discharge, shall reacquire all financial and social rights, from the day following the meeting of the Local Lodge in which they have made their payment of dues.

## **ARTICLE 79 - FUNERAL SERVICES**

- A. Upon the death of a member, after having been notified by the deceased member's family, the Recording Secretary shall invite the members of the Local Lodge to visit the deceased member on the day and hour the President has established after having consulted the family.
- B. Funeral services to be rendered to the departed member shall be as established by the Ritual. In the event a member dies in another city, the closest Local Lodge may perform the Ritual at the request of the family.
- C. If the departed member is without family or other persons who take charge of the funeral, this duty may be assumed by the Local Lodge. The Local Lodge shall not spend any amount in excess of the benefits available from the deceased member Death Benefit Plan provided the Local Lodge is the named beneficiary.

## **ARTICLE 80 - INCOMPATIBILITY OF OFFICE**

It is the policy of the Order to spread the offices in the Order among the greatest possible number of members. To implement this policy, no member shall be allowed to occupy offices which are incompatible. With the exception of the offices of the Immediate Past Presidents of the ranking units of the Order, the following shall be considered incompatible:

- A. To be a member of the Arbitration Board of the Local Lodge and of the State Arbitration Board, or of the Supreme Arbitration Board, or of any two units at one and the same time;
- B. To be an officer of the Council of the Local Lodge, of the Grand Lodge, or of the Supreme Lodge, or of the Benefit Insurance Committee, or of any two units at one and the same time;
- C. To be an officer in more than one Local Lodge when the member belongs to more than one Local Lodge;
- D. To be a State Officer and the Chairperson of a committee of the Grand Lodge at one and the same time;
- E. To entrust one salaried office of any ranking unit of the Order, while a vacancy occurs, to another salaried officer, the objective of this section being to prevent the ranking units of the Order from filling the vacancy of the office of Treasurer by the Financial Secretary and vice-versa;
- F. To permit the Financial Secretary and Treasurer of the ranking units of the Order to occupy another office in the Local Lodge, the Grand Lodge or the Supreme Lodge Council at one and the same time;

- G. To permit first and second degree blood relatives to be members of the same Arbitration Board;
- H. To permit a member of the Arbitration Board of a ranking unit of the Order to appear as a defense counsel in cases which arise within such ranking unit or in the lower ranking units under the jurisdiction of such ranking unit;
- I. To permit a member of the Arbitration Board of a Local Lodge in the Order to appear as defense counsel in cases which arise in such Local Lodge;
- J. To permit a member of the Arbitration Board to sit in cases where the accused or the accuser is a first or second degree blood relative of such member;
- K. To permit a member of the Arbitration Board to sit in cases where such Board member has a personal interest in the outcome of the matter to be adjudged and unable to render an impartial verdict;
- L. To permit the Recording Secretary of any unit in the Order to function as Clerk (Recorder of the minutes of meetings) of the Arbitration Board when the accused or accuser are first or second degree blood relatives of such Recording Secretary or such Recording Secretary has a personal interest in the outcome of the matter to be adjudged and unable to render an impartial verdict. Whenever the Recording Secretary shall be disqualified to function under this section, the Clerk shall be substituted by another member of the Council of such unit appointed by the highest ranking officer thereof;
- M. To permit the Orator of any ranking unit of the Order to serve as a member of any Arbitration Commission.

#### **ARTICLE 81 - FORFEITURE OF OFFICE**

- A. The elected officers of the ranking units of the Order shall forfeit their office when, without justifiable cause as determined by the Council of the ranking unit, they failed to attend three (3) consecutive meetings of the Local Lodge or its Council, or of the Grand Council;
- B. The appointed officers of the ranking units of the Order shall forfeit their office when without justifiable cause as determined by their appointing authority, they fail to attend three (3) consecutive meetings of the institution or committee;
- C. The State and National Delegates who fail to tender a notice of resignation, or fail to submit such a notice within ample time to permit substitution by alternates, or are absent from participation in the Grand Convention shall forfeit their office, provided such absence is not due to circumstances beyond their control. Absence due to usual occupation shall in no case be a sufficient excuse.

## ARTICLE 82 - ELECTION REGULATIONS FOR ALL RANKING UNITS

Voting in General or Special elections shall be by written ballot for all offices and shall be governed by the following provisions:

- A. The Recording Secretary of the ranking units shall provide a written ballot, with the names of all candidates arranged according to precedence of office and for each office the name of candidates shall be placed on the ballot in the order as determined by drawings. By unanimous consent of the members at the election, a speedier method may be adopted by either the Local Lodge or the Grand Lodge;
- B. When more than one candidate must be elected to a given office or delegate position, the ballot which contains either more or fewer votes than the number of officers which must be elected to that office, shall be null and void. However, a ballot rendered void for a particular office shall be valid as to any other office listed on the same paper if it otherwise conforms to law. The names of the Candidates must be listed on the ballot in order of their drawings, by the Recording Secretary of the ranking unit, under the supervision of the Electoral Board and the candidates;
- C. In addition to the other conditions prescribed for election to the various offices of the Local Lodge and the Grand Lodge by the General Laws or by these Bylaws, the members, the Local Lodge Officers or State Officers who are in arrears with their own Local Lodge or with the Grand Lodge shall not be candidates and are ineligible to be elected to any office;
- D. In all elections the rule of absolute majority (Article 7 B.10) shall be applied, but in the election of State Delegates or National Delegates, State Trustees and State Arbitrators, upon a deliberation taken by the members at the same meeting, the rule of relative majority (Article 7 B.9) may be adopted;
- E. In all elections, the following cases may occur:
  1. If there is only one candidate, that person shall be declared elected by acclamation;
  2. If there are two (2) candidates for one (1) office, the candidate who receives an absolute majority vote shall be declared elected, and in case of a tie vote, then the member who has seniority membership in the Order shall be declared elected;
  3. If there are three (3) or more candidates for one office, and no one candidate receives an absolute majority vote, then the two candidates who receive the highest and the second highest number of votes according to the graduating scale of votes, shall be voted upon for the second time, and all other candidates shall be eliminated.

- F. In counting of votes, blank ballots and ballots nullified by the Electoral Committee shall not be counted. A ballot shall be nullified because it has upon it some evident and apparent signs of recognition of the member who cast the vote, or because the ballot does not clearly show the intent of the person casting the same, or because it bears the name of a person who is not a candidate.

### **ARTICLE 83 - ELECTORAL BOARD**

The Electoral Board of the ranking unit shall be appointed by the Presiding Officer and shall be composed of a Chairperson and four examiners. The nomination of candidates shall be directed by the Presiding Officer. Any member who is a candidate for office shall not be appointed to the Electoral Board.

The Electoral Board shall function as follows:

- A. During an election, cases may arise where a member has been nominated but lacks the necessary qualifications for the office, or cases may arise where a member is about to vote without having a legal right to do so. In these cases, as soon as the irregularity is observed, it shall be necessary to immediately call this matter to the attention of the Local Lodge or the Grand Lodge which shall decide the merits of the questions. From the decision of the Local Lodge in the above cases, the member shall have the right to appeal to the Executive Grand Council and from the decisions of the Grand Lodge in the above cases the member shall have the right of appeal to the Supreme Council;
- B. Protests for any irregularities shall be made to the Electoral Board before the proclamation of the result of the election. These irregularities may be observed during the voting or in the counting of the votes. On every protest to the Electoral Board the member shall have the right of appeal first to the Local Lodge and then to the Executive Grand Council if the matter pertains to an election in a Local Lodge, or, to the Grand Lodge and then to the Supreme Council if the matter pertains to an election of the Grand Lodge;
- C. The proclamation of those who are elected shall be made by the Chairperson of the Electoral Board;
- D. In questions concerning elections in Local Lodges, the decision of the Grand Council shall be final and cannot be appealed. In questions concerning the elections of the Grand Lodge, the decision of the Supreme Council shall be final and cannot be appealed;
- E. Elections in violation of the rules and regulations contained in these Bylaws or in the General Laws shall be null and void as a matter of right and fact.

## ARTICLE 84 - ADMINISTRATIVE DEFECTS AND APPEALS

A Local Lodge member shall have the right to appeal to the Grand Council, in the first instance, when a decision or erroneous application of the Bylaws is considered by the member as contrary to the member's interest, contrary to the Bylaws, or the member's rights have been violated.

The following procedures shall be followed:

- A. The appeal shall be in writing and shall contain all of the facts and shall cite which article of the Bylaws has been violated.
- B. The appeal shall be sent within ten (10) days of the date on which the decision or violation occurred; or within ten (10) days of the receipt of a communication in case the member was absent at the meeting. Appeals made after said ten (10) days shall not be accepted.
- C. The appeal shall be sent to the Grand Council through the proper channels of the Local Lodge. A document is considered sent through the proper channels or offices if it is received by the Grand Council with the signature of the Local Lodge President or of the Recording Secretary, along with a cover letter sending same to the Grand Council on the Local Lodge letterhead.
- D. Appeals or protests of any nature be they for elections, decision of a Local Lodge, or of a Local Lodge Council, not sent through the proper channels shall be returned to the sender by the Grand Council or by authorized persons.
- E. Exception shall be made from the foregoing dispositions for those that can prove that it was necessary to submit it directly because the officers of the Local Lodge refused to accept said protest or appeal or having accepted it would not transmit it to the Grand Council within ten days of the appeal.
- F. The appeal shall be discussed at the next meeting of the Grand Council, and when considered necessary, the Grand Council may request documents from the Local Lodge or from the interested member, and may also call witnesses.
- G. Whenever the interested parties desire to be heard at a discussion of an appeal before the Grand Council, they shall be invited to the meeting by the State Recording Secretary with at least a seven (7) day notice.
- H. The absence from the hearing of any party involved shall not invalidate the decision of the Grand Council.
- I. In the case where the calling of witnesses is necessary, the witnesses shall not have the right to compensation if they reside in the same locality wherein the Grand Council meets. If the witnesses live beyond the local area, to wit, fifty (50) miles, expenses incurred by them shall be reimbursed by the Grand Council, who shall have the right to be compensated for said charges from the losing party.

- J. The Grand Council shall establish the appropriate time for the testimony of the witness considering the witness' occupation and other time constraints.
- K. After hearing the opinion and the conclusions of the State Orator, the Grand Council shall render its decision. The decision of the Grand Council shall be sent by the State Recording Secretary to the interested parties. That party may, within fifteen (15) days from the date of the postmark, take recourse to the Supreme Council. After said fifteen (15) days, recourse shall not be permitted.
- L. The recourse to the Supreme Council shall be sent to the Grand Council and the State Recording Secretary shall forward it with any observations of the Grand Council to the Supreme Council.
- M. If, as the result of the investigation of the State Orator, or as the result of the hearing, there is sufficient proof to show that the violation was not the result of an error, but the result of fraud, misrepresentation, or deceit, the officer or the entity guilty of the commission of the fraud, misrepresentation, or deceit, shall be suspended by a decree of the Grand Council, and charges against the accused party or parties shall be referred to the State Arbitration Board through the medium of the State Orator.
- N. When the action to be appealed is alleged to have been committed by the Grand Lodge, members, Local Lodges, and entities, who are damaged thereby, may appeal to the Supreme Council within ten (10) days of discovery of the violation. The decision of the Supreme Council shall be final and shall not be appealed.

## **ARTICLE 85 - SALARIES AND REIMBURSEMENTS**

Payment of Salaries and reimbursements are subject to the following terms:

- A. When an election is to be held, at the meeting for nomination of candidates for offices, a Local Lodge shall fix any salaries that may be set for the Recording and Financial Secretaries, and the Treasurer, and/or the compensation that may be allotted to other officers;
- B. Such salaries and compensation shall remain unchanged for the duration of the term of the administration. However, at the end of the term, the Council may propose to the Local Lodge a bonus to be paid for special work or services rendered by the officers;
- C. The Council of Local Lodges ordering Arbitration shall determine the daily allowances to be paid to witnesses in these cases before the Local Lodge Arbitration Board. They shall also determine the witness fees to be allowed to members who will testify at hearings upon appeal before the Grand Council;
- D. The daily allowance shall be paid for the actual days spent in the fulfillment of their duties, including those expenses incurred in traveling to and from their habitual residence to the locality in which their duties are to be transacted;

- E. Daily allowances and reimbursements of traveling expenses shall be paid by:
1. Local Lodges for its State Delegates;
  2. The Grand Lodge for its officers, members of its Committees, National Delegates, State Arbitrators, and State Deputies;
  3. No daily allowance shall be paid to members of Committees of the Grand Lodge who reside within fifty (50) miles of the site at which the meetings of the Committees are held.
- F. The State and National Delegates shall be entitled to daily allowance only for those days in which they actually participated in the business of the Grand or Supreme Convention and for the days of travel, but they shall lose this allowance, as well as that for reimbursement of travel expenses, if they fail to take part in any of the sessions of the Grand or National Convention without justifiable reasons.

#### **ARTICLE 86 - REMOVAL FROM OFFICE**

Each Council, Committee and constituent member thereof, shall be subject to Removal from Office, by the members of the ranking unit which elected them. If the proposal is made by the Assembly it shall be in writing and signed by not less than one-eighth (1/8) of the members qualified to vote on such proposal at the meeting of the assembly called in session to vote. If the proposal is made by the members of the Council or Committee to remove one of their own members, at least one-third (1/3) of the members of said Council or Committee, with just cause, shall have signed a proposal for said removal. The following procedure and requirements shall be met:

- A. Before the motion by the Assembly can be voted upon by its members, it shall first be presented to the Assembly during the preceding session thereof and inserted in the order of the day;
- B. The consideration and vote on the proposal for Removal from Office pursuant to the above paragraph shall take place at the succeeding meeting from that in which it was proposed, provided due notice therefore has been sent to each of the members which are to act upon such proposal;
- C. To be valid, the proposal shall receive the affirmative vote of no less than an absolute majority of the votes cast and such vote shall be by secret ballot. A tie vote shall be considered as being against the proposal;
- D. The object of the vote of Removal from Office is to deprive the Officer or Member of a Committee of the office held. The Officer or Member of a Committee affected by the vote of Removal from Office may, within ten (10) days from the date such vote is taken, appeal to the Council of the higher unit in the Order;

- E. The Council to which the appeal is taken shall review the case and either confirm or nullify it. The decision of the Council of the higher unit shall be final and not subject to further appeal;
- F. If the Council of the higher unit finds that the vote of Removal from Office was unfounded, or contrary to the laws of the Order, then it may order the Officer or Member restored to their office or to membership in the Committee from which removal was sought through the vote. Unless those responsible for the proposal and action taken thereon acted in good faith and upon reasonable cause therefore existing at the time the proposal was made and the action thereon taken, they shall be denounced to the Board of Arbitration of the higher unit in the Order and dealt with in conformity with the laws of the Order;
- G. Pending the appeal, the Officer or Member of a Commission or Committee affected by the vote of Removal from Office shall vacate their office and forego the salary connected therewith and such office may be filled temporarily by the appropriate Council pending the determination of the appeal. If the vote of Removal from Office is sustained on appeal, the occupant of the vacancy retains the office for balance of the term. Otherwise, if not sustained, the office shall be restored to the Officer or Member removed by virtue of the vote of Removal from Office. If the office from which removal was effected through the vote of Removal from Office was a salaried office, then the Officer to whom it is restored upon determination of the appeal shall be paid the salary foregone pending such appeal;
- H. The vote of Removal from Office against the Council, or Committee, as a body, shall have the effect of vacating all the offices occupied by the constituent members of such body. The vacancies thus created shall be filled by special election held for that purpose, but the members affected by the vote of Removal from Office shall be precluded from nomination and election to fill such vacancies;
- I. The election to fill the vacancies shall be held:
  - 1. At the succeeding meeting of the Local Lodge following the one in which the vote of Removal from Office was taken; or
  - 2. During the meeting of the Grand Lodge in which the vote of Removal from Office was taken.
- J. If the vacancies occur in an appointed body by reason of a vote of Removal from Office, then the vacancies shall be filled temporarily by members appointed by the Council of the ranking unit in which the vote of Removal from Office was taken. The members affected by the vote of Removal from Office shall be precluded from any subsequent appointment to fill such vacancies.
- K. The Officer or Member of a Committee affected by the vote of Removal from Office shall be ineligible for elective or appointive office during two successive terms following the term in which the vote of Removal from Office was taken.

## **ARTICLE 87 - PRECEDENCE IN THE APPLICATION OF LAWS**

The following precedence shall be applied to all the laws of the Order Sons of Italy in America:

- A. In cases of conflict between the Laws of the Supreme Lodge, the Bylaws of the Grand Lodge, and the Bylaws of a Local Lodge, the Laws of the Supreme Lodge shall always prevail;
- B. In cases of conflict between the Bylaws of the Grand Lodge, and the Bylaws of a Local Lodge, the Bylaws of the Grand Lodge shall always prevail;
- C. In cases of conflict between the Laws of the Supreme Lodge and the Ritual of the Grand Lodge, the Laws of the Supreme Lodge shall always prevail;
- D. In cases of conflict between the Ritual of the Grand Lodge and the Bylaws of a Local Lodge, the Ritual of the Grand Lodge shall always prevail;
- E. When a conflict exists between a general rule and a specific rule in the Laws of the Supreme Lodge, in these Bylaws, or in the regulations of the Order, then the specific rule shall always prevail;
- F. Regarding parliamentary procedures, Robert's Rules of Order shall always prevail only if there are no applicable rules of the Order.

## **ARTICLE 88 - DISPOSITIONS FOR PUBLIC CEREMONIES AND EVENTS**

When hosting a public ceremony or social event, the following requirements shall be met:

- A. The Local Lodge shall invite the State President and the State Officers residing in the County wherein the Local Lodge is situated. The attending State Officers shall be introduced and the honors and courtesies due them shall be rendered;
- B. When not available, the State President may nominate a representative;
- C. When participating in a parade, members and Officers of the Local Lodge may use uniforms or wear only the regalia and emblem of the Order as appropriate.

## **ARTICLE 89 - DISCIPLINARY MEASURES AND INQUESTS**

A Local Lodge whose officers fail to send membership reports or other requested information to the State Recording Secretary within thirty (30) days of the closing of the quarter, to wit, January 30, April 30, July 30, and October 30, shall be subject to fines.

If an Officer or Officers are accused of altering the Local Lodge quarterly reports of membership, the matter shall be reported to the State Recording Secretary who shall refer the matter to the Grand Council to decide if an investigation shall be conducted. If the Grand Council believes that there is sufficient evidence of wrongdoing, a hearing shall be conducted before the State Arbitration Board.

## **ARTICLE 90 - INVESTIGATIONS BY THE STATE PRESIDENT**

Whenever there is a reason to believe that there are irregularities of any nature in a Local Lodge, the State President has the power to order an investigation which may be under the State President's personal direction, or assigned to a State Officer or to a Special State Deputy.

- A. The Officer(s) under investigation may be temporarily suspended from office by the State President until the investigation is concluded.
- B. If the Officer suspended is the President, the Vice President shall replace the President. If it is the Recording Secretary, the Financial Secretary or the Treasurer, the person in charge of the investigation shall nominate a replacement who shall temporarily take the office. Should no member of the Local Lodge accept to act, members of other Local Lodges may be chosen as replacements.
- C. During the time that a temporary suspension exists of the entire administration of a Local Lodge, the State President, or the person appointed by the State President, shall oversee and administer to the operations of the Local Lodge.
- D. The Officer(s) under investigation shall immediately deliver to the State President, or to the person appointed by the State President, all of the books and documents of administration and whatever records of their office that are in their possession.
- E. When any Local Lodge Officer refuses to deliver said books, documents and articles in their possession, the Officer, by action of the State President, having heard the opinion of the State Orator, shall be removed from office pending a hearing and judgment before the State Arbitration Board.
- F. The party in charge of the investigation shall have the right to gather all of the evidence and depositions necessary from the subpoenaed witnesses to the State Arbitration hearing.

- G. Such an investigation shall be concluded within sixty (60) days of the date of its authorization, and a decision shall be rendered not later than an additional thirty (30) days.
- H. The Grand Council shall take action under the Judicial Code against any witness who gives false testimony, refuses to testify at the hearing, or fails to appear at the hearing without justifiable reasons.
- I. A written report of the investigation and subsequent hearing before the State Arbitration Board shall be submitted to the Grand Council for its deliberation and judgment.
- J. Should the entire administration of a Local Lodge be found guilty by the State Arbitration Board, the administration shall be dissolved by the Grand Council and further charges shall be made as provided by these Bylaws and the Judicial Code.

### **ARTICLE 91 - JUNIOR LODGES AND GROUPS**

Junior Members are those members classified in accordance with Article 67 G.

A. Separate Junior Local Lodges may be formed when twenty eight (28) or more Junior members wish to unite and form their own administration and Bylaws in accordance with the Grand Lodge Bylaws.

- 1. The administration shall be by the elected Junior Officers under the direct guidance and control of the Officers nominated by the Grand Council.
- 2. No check can be issued without the signature of two of those Officers nominated by the Grand Council.

B. Whenever it is not possible to unite twenty-eight (28) Junior Members, whatever the number, they may be aggregated to the Mother Lodge as the Junior Group of said Local Lodge.

C. Junior members who have proven their abilities to be responsible shall maintain the Junior Members' Treasury and its administration. However, no payment shall be made from the Junior Members' Treasury without the authorization of the President of the Local Lodge. The President of the Local Lodge shall countersign all checks drawn on the Junior Members' Treasury.

D. The members of the Junior Groups or of the Junior Lodges shall be subject to all of the laws and dispositions of the existing laws of the adult Local Lodges.

E. Junior members shall have the right to attend the meetings of the adult Local Lodges, to attend the social functions, commemorations, initiation of new Local Lodges, etc. The members of the adult Local Lodges may visit the Junior Local Lodges.

F. Junior Groups who should desire to affiliate themselves with the Order Sons of Italy without losing their identity for their respective athletic, cultural and recreational activity, may do so within the rules and regulations that the Grand Council shall require.

## SECTION II

### HOSPITALIZATION BENEFIT PLAN

#### ARTICLE 1

The Grand Lodge of California Order Sons of Italy in America continues in effect and does ratify and re-establishes its Hospitalization Benefit Plan.

#### ARTICLE 2

The Hospitalization Benefit Plan will consist of dues paid by the members of the Order participating in it. They will receive benefits according to these rules in case of illness and confinement in a hospital legally approved by the State Board of Health or equivalent body in other jurisdictions. No member exercising the privilege of Article 78 or any other article suspending the payment of Lodge dues shall be entitled to the payment of benefits during the exercise of such privilege or suspension of dues.

The terms "hospital" and "illness" and "confinement" as used herein shall be defined in the insurance contract between the insurance carrier and the Grand Lodge.

#### ARTICLE 3

All members of the age of eighteen (18) years through sixty-five (65) years may join the Hospital Benefit Plan. Members shall not be entitled to any benefits for any illness, ailment, disease, disability, deformity or physical impairment of any kind existing at the time the member joins the Hospitalization Benefit Plan. Aggravation of any such pre-existing condition shall likewise preclude entitlement to any benefits for such conditions.

#### ARTICLE 4

- A. The Benefit Insurance Committee shall set the annual fee for adult members and Junior members, payable yearly in advance to the Financial Secretary of the member's lodge as of January 1<sup>st</sup> of each year.
- B. New adult and Junior members shall pay pro rata per month for each of the full remaining months of the unexpired calendar year in which they are admitted to membership and pay their first installment of dues.
- C. For purposes of this Section III, "Dues" means payments to the Hospitalization Benefit Plan; "Lodge Dues" means obligations to the member's Local Lodge, the Grand Lodge or to the Supreme Lodge of the Order.

## ARTICLE 5

The dues for the Hospitalization Benefit Plan shall be paid to the Financial Secretary of the Local Lodge, who will transmit the dues to the State Financial Secretary no later than ten (10) days after demand thereof by the Grand Lodge.

## ARTICLE 6

The Local Lodges shall be absolutely prohibited to advance dues to this fund from their respective funds.

## ARTICLE 7

Any member of the Hospitalization Benefit Plan may receive benefits for the period of January 1 to January 31 of each year if their dues are paid by January 31. If the member's dues remain unpaid after January 31, the member shall be in default and shall not be entitled to any benefits and shall automatically be cancelled from the Hospitalization Benefit Plan.

## ARTICLE 8

Benefits for hospitalization for illness existing before membership in the Hospitalization Benefit Plan and requiring treatment after membership in the Plan shall be paid or refused payment according to the definitions in the insuring contract between the Grand Lodge and the Insurance Company.

## ARTICLE 9

The member, who is up to date with the payments to the Hospitalization Benefit Plan and not in default with the Local Lodge as of the first day of their hospitalization, shall have the right to the benefits defined in the insuring contract between the Grand Lodge and the Insurance Company.

## ARTICLE 10

- A. To receive benefits from the Hospitalization Benefit Plan, the member shall send to the Financial Secretary of the Local Lodge the original or a copy of the Hospital bill and a certificate of hospitalization or treatment or such other documents as the Insurance Benefit Committee may from time to time designate.
- B. If the member is not in default and is eligible for benefits, the Financial Secretary shall so certify and forward the application to the State Financial Secretary.
- C. Payments to members of the plan for hospitalization in hospitals where the member is not required to make payments for services rendered shall be made upon presentation of such form as the Benefit Insurance Committee may from time to time prescribe.
- D. The Hospital Bill and medical certificate shall be received by the Grand Lodge within the time limits defined in the insurance contract between the insuring company and the Grand Lodge.

#### ARTICLE 11

The Hospitalization Benefit Plan is administered by the State Recording Secretary and the State Financial Secretary who shall present a report to the Grand Council every three (3) months and one to the State President not later than twenty-four (24) hours after request. The Benefit Insurance Committee is authorized to prepare and promulgate in the administration of the Hospitalization Benefit Plan reasonable forms, questionnaires and certificates to be completed by applicants, members, doctors and hospitals for use by the Plan to review and determine eligibility of any applicant to join the Plan and the entitlement of any member for any benefits.

#### ARTICLE 12

The Grand Council has the right to approve changes and modifications to the Insurance Contract between the Grand Lodge and the Insurance Company subject to the ratification of the State Delegates at the next Grand Convention.

#### ARTICLE 13

The Benefit Insurance Committee shall have the right to inspect and examine all records at any reasonable time.

#### ARTICLE 14

The funds of the former Hospitalization Fund accumulated prior to the adoption of the Hospitalization Benefit Plan shall be retained in reserve accounts by the Grand Lodge and invested by the Investment Committee until future modification of this Bylaw.

**SECTION III**

**DEATH BENEFIT PLAN**

**ARTICLE 1**

The Grand Lodge of California Order Sons of Italy in America, continues in effect and does ratify and re-establish its Death Benefit Plan in accordance with the provisions hereinafter appearing.

**ARTICLE 2**

The Death Benefit Plan of the Grand Lodge shall pay to the beneficiaries of a deceased member thereof the following death benefits, which are payable from the first day of membership in the plan, provided that such member was at the time of death a member in good standing with the Local Lodge and the Death Benefit Plan:

ELIGIBILITY

BENEFIT AMOUNT

All regular members who are 65 and over and in good standing with the Order and all regular members who were over 66 and in good standing with the Order on the day before the commencement of INA contract (6/1/88), and were in fact insured under the Order's benefit plan then in effect and who were eligible to receive comparable benefits;

\$500.00

All Regular members age 50 through age 64;

\$1000.00

All Regular members through the age of 49;

\$2000.00

All Junior members (age 14 days through 5 months)

\$500.00

Junior members (age 6 months through 17 years)

\$1000.00

Junior members (18 years through 25 years)  
With proof of school enrollment

\$1000.00

All Life Insurance Benefits shall pay double indemnity for accidental death.

**ARTICLE 3**

The Death Benefit Plan shall not consider itself an independent body but a unit for the payment of death benefits to the member therein enrolled and subject to all Rules and Regulations of the Grand Lodge of California.

#### ARTICLE 4

Enrollment of members, collection of dues, payments of benefits and all other contacts between the Death Benefit Plan and its members shall be conducted through the medium of the Local Lodge.

#### ARTICLE 5

It is the duty of the Local Lodge to immediately forward to the State Financial Secretary the application for admission of the new member.

#### ARTICLE 6

Payments shall be made only to those persons and in those instances where the records of the Death Benefit Plan establish eligibility.

#### ARTICLE 7

At the end of each quarter annum each Local Lodge shall forward to the Death Benefit Plan all dues collected of its members within the quarter.

#### ARTICLE 8

A Local Lodge that would withdraw from the Order Sons of Italy in American shall relinquish all rights to the Death Benefit Plan. Members of such Local Lodge, who intend to remain in the Order, shall continue to enjoy their rights, providing they transfer to another Local Lodge, abandoning the dissenting Local Lodge.

#### ARTICLE 9

Every person whose dues have not been received by the Plan within 90 days after the quarter annum for which they are payable shall be delinquent and shall forfeit all benefits during said delinquency.

#### ARTICLE 10

Each Local Lodge shall immediately notify the Grand Lodge of the death of a member and shall furnish the following information.

- A. Death Certificate from the Board of Health, if death occurred in the United States, or from competent authorities if occurred abroad;
- B. Declaration on proper forms furnished by the Benefit Insurance Committee and signed by the Local Lodge President and the Financial Secretary, with personal knowledge that the deceased member was in good standing with the Local Lodge. The Benefit Insurance Committee reserves the right to investigate the books of the Local Lodge in each case.

## ARTICLE 11

Benefits shall be paid to the following in order of higher priority to the exclusion of those in lower priority:

- A. Beneficiary specified in writing by Insurance Plan maker.
- B. Surviving spouse of decedent.
- C. Surviving children of decedent.
- D. Surviving parents of decedent.
- E. Surviving brothers and sisters of decedent.
- F. Probate Estate of decedent but if no claim is made by an executor or administrator within 90 days after date of death, then to the legal heirs of decedent presenting claims within four (4) months after date of death.

## ARTICLE 12

The Death Benefit Plan shall be administered by the Benefit Insurance Committee composed of five (5) members, appointed by the State President and selected from among members enrolled in the Death Benefit Plan. The Committee Chairperson shall make regular reports to the Executive Grand Council of benefits paid.

## ARTICLE 13

The State Financial Secretary shall be the Secretary of the Benefit Insurance Committee.

## ARTICLE 14

The Benefit Insurance Committee shall present a yearly budget of the necessary expense to conduct the affairs of the Death Benefit Plan.

## ARTICLE 15

The heirs of a member currently in good standing with the Local Lodge and with the Death Benefit Plan, leaving the United States, shall, in case of death, be entitled to the death benefit, providing that the family shall furnish to the Local Lodge and to the Death Benefit Plan a Death Certificate certified by competent authorities and the latest receipt of dues payments made.

## ARTICLE 16

Newly initiated members shall pay dues to the Death Benefit Plan only for that portion of the quarter remaining after their initiation.

ARTICLE 17

In addition to the annual payments, the following are the one time enrollment fees to be paid by new members in the Death Benefit Plan effective July 1, 1988.

A. -- INSTITUTED LODGES

Junior Members	NO CHARGE
Regular Members	\$5.00

B. -- NEW LODGES

Junior Members	NO CHARGE
Regular Members	\$5.00

ARTICLE 18

The funds of the former Mortuary Fund accumulation prior to the adoption of the Death Benefit Plan shall be retained in reserve accounts by the Grand Lodge and invested by the Investment Committee until future modification of this Bylaw.

absolute majority, 3-5, 66, 70  
account, 8, 9, 11, 15-18, 24, 25, 33, 40, 41,  
78, 82  
Alternate, 23, 24, 38, 42-46  
appeal, 5, 12, 13, 19, 24, 35, 67-69, 70, 71  
Arbitration Board, 2, 4, 9, 11, 13, 14, 19, 24,  
27, 29, 32, 37, 42, 52, 57, 61, 64, 65, 69,  
73, 74  
Arbitrator, 19, 42, 66, 70  
archives, 14, 37  
Armed Forces, 63  
arrears, 39, 48, 59, 60, 66  
Associate, 26, 34, 42, 44, 52-56  
Athletic, 20, 51, 75  
At-Large Member, 52, 53, 56  
attendance, 20, 24, 45  
audit, 20  
ballot, 5, 26, 38, 66, 67, 70  
bank, 9, 12, 16, 17, 40  
Benefit Insurance, 20, 64, 76-78, 80, 81  
Birth Defects Libraries, 20  
bond, 16, 18, 35  
Budget and Finance, 20  
Chairpersons of Committees, 2, 17, 47  
Chaplain, 12, 36  
Charter Member, 26  
Committees, 2-5, 8, 11, 17, 19-22, 25, 35,  
43, 53, 54, 70  
conflict, 8, 31, 72  
consolidation, 50, 51  
Council of the Local Lodge, 32, 38, 64  
Credentials, 3, 4, 12, 15, 40, 46, 47  
Death Benefits, 29, 52, 53, 60, 79  
decree, 9, 11, 32, 33, 36, 48, 49, 69  
defaulting, 39, 48, 60  
disbursements, 15, 24, 29, 39  
disciplinary, 9, 17, 49, 50, 62, 73  
district, 6, 7, 19, 21  
dues, 11, 27, 29, 38, 39, 53, 54, 56, 57, 59,  
61, 63, 76, 77, 80, 81  
elections, 2, 4-7, 10, 15, 20, 23, 24, 26, 27,  
33, 34, 38, 42, 44-46, 51, 53, 66, 67, 69,  
71  
Electoral Board, 66, 67  
eligibility, 6, 34, 44, 60, 61, 78-90  
Emeritus, 1

employees, 8  
equipment, 9, 25, 38, 49, 50, 52  
ex officio, 11, 21, 25, 35, 44  
Executive Committee, 10, 11  
expenditures, 16, 25, 29, 33, 40  
expenses, 10, 12, 15, 16, 18, 24, 29, 46, 47,  
50, 68, 69, 70, 81  
expulsion, 9, 57  
Extraordinary Session, 3, 4, 7, 8, 10  
fees, 24, 25, 29, 53–57, 59, 63, 69, 76, 82  
Financial Secretary (LL), 3, 6, 9, 10, 15–17,  
20, 25, 29, 32, 33, 36–41, 47, 48, 59, 60,  
64, 73, 76–78, 80, 81  
fines, 36, 47, 59, 73  
funds, 3, 7, 9, 15, 16, 18, 20, 25, 28, 30, 40,  
49, 50, 52, 62, 77, 78, 82  
Garibaldi-Meucci Museum, 20  
Good of the Order, 31  
Grand Convention, 21, 24, 25, 28, 44–48,  
54, 56, 65, 70, 78  
Grand Council, 1–3, 6–21, 24–28, 30, 33,  
37, 40, 45, 47–57, 59–62, 65, 67–69,  
73–75, 78, 81  
Grand Lodge, 1–9, 11–29, 31–33, 35, 36,  
39, 41–43, 46–54, 56, 58–64, 66, 67, 69–  
72, 74, 76–80, 82  
Guard, 32, 41  
Herald, 12, 26, 32, 41  
Historian, 32, 40  
History, 21  
Hospitalization Benefit Plan, 1, 20, 53, 76–  
78  
Immediate Past President (LL), 30, 32–34,  
36, 64  
Immediate Past State President, 2, 6, 7, 10,  
13, 23, 30  
income, 24, 29  
initiation, 18, 26, 28, 29, 31, 41, 52–56, 58,  
59, 74, 81  
Insurance, 16, 20, 59, 64, 76–81  
Italian Language and Culture, 21  
Judiciary, 2, 9, 12–14, 19, 21, 27, 28, 36, 37,  
42, 74  
Junior Member, 22, 43, 54, 55, 59, 74, 76,  
79, 82  
Leadership, 21

## PAGE INDEX

- Local Lodge, 1–3, 7–12, 14–22, 24–74, 76, 77, 79–81  
majority, 3–5, 8, 10, 16, 23, 28, 31, 33, 45, 55, 66, 70  
Master/Mistress of Ceremonies, 12, 32, 41  
Media, 21  
Medical Charities, 21  
meetings, 3, 10–12, 14, 17, 18, 20, 22, 27, 30, 31, 33–35, 37, 41, 44, 45, 58, 59, 65, 70, 74  
Member-At-Large, 52, 53, 56  
Members, 1, 20, 23, 44, 50–56, 59–61, 63, 74, 76, 80, 82  
membership, 1, 8, 15, 18, 22, 25, 28, 37–43, 49–51, 54, 56–58, 60, 66, 71, 73, 76, 77, 79  
motions/ proposals/resolutions 4, 5, 8, 14, 21, 27, 28, 30, 31, 35, 49, 53, 70,71  
National Delegate, 2, 4, 12, 23, 24, 65, 66, 70  
nominations, 4, 6, 33, 34, 38, 44, 54, 67, 69, 71  
Orator (LL), 6, 8–10, 12, 13, 17–19, 21, 32, 35–37, 42, 57, 65, 69, 73  
order of the day, 4, 30, 31, 70  
Ordinary Session, 3, 7, 10  
Past State President, 1, 2, 6, 7, 10, 13, 23, 47  
per capita tax, 2, 15, 18, 24, 29, 39, 52, 54, 63  
powers, 2, 7, 13, 14, 21, 27, 28, 32, 36, 37, 42, 43  
President (LL), 3, 27, 30–32, 34–41, 43–45, 47, 64, 68, 73, 74, 80  
proposals/resolutions/motions, 4, 5, 8, 14, 21, 27, 28, 30, 31, 35, 49, 53, 70,71  
public ceremony, 72  
qualifications, 7, 26, 34, 43, 44, 67  
Queen Pageant, 22  
quorum, 10, 30  
Recording Secretary (LL), 32, 33, 37, 38, 42, 55, 56, 60, 62–66, 68, 69, 73  
regalia, 11, 26, 72  
relative majority, 5, 23, 45, 66  
reorganization, 50  
resolutions/motions/proposals, 4, 5, 8, 14, 21, 27, 28, 30, 31, 35, 49, 53, 70,71  
revenues, 15, 29  
rights and duties, 2, 36, 63  
Ritual, 4, 17, 26, 30, 31, 37, 41, 57, 64, 72  
Ritual and Protocol, 22  
Robert’s Rules of Order, 5, 72  
Royal Court of the Golden Lion, 22  
Scholarship and Students to Italy, 22  
separation, 51, 52  
Social Justice, 22  
State Arbitration Board, 2, 4, 9, 11, 13, 14, 19, 24, 42, 52, 57, 64, 69, 73, 74  
State Delegates, 1–4, 7–10, 15, 19, 20, 24, 31, 32, 36, 38, 40, 43–47, 54, 66, 70, 78  
State Deputy, 12, 17, 18, 26, 33, 34, 48, 73  
State Financial Secretary, 6, 9, 10, 15–17, 20, 25, 29, 39–41, 48, 77, 78, 80, 81  
State Immediate Past President, 2, 6, 7, 10, 13, 23, 30  
State Officers, 1, 4–8, 10–12, 19, 20, 47, 54, 66, 72,  
State Orator, 6, 8–10, 12, 13, 17–19, 21, 35, 37, 42, 57, 69, 73  
State President, 2, 4, 6, 7, 10–21, 23–28, 35, 46, 47, 56, 72, 73, 78, 81  
State Recording Secretary, 3, 4, 6, 8, 10, 14, 16, 24, 28, 38, 43, 46, 47, 56, 61, 62, 68, 69, 73, 78  
State Treasurer, 6, 9, 10, 15–17, 20, 25  
State Trustees, 6, 7, 9, 16, 17, 66  
State Vice Presidents, 6, 7, 10, 13, 20  
Supreme Council, 2, 8, 9, 14, 24–26, 49, 51, 67, 69  
Supreme Lodge, 1, 2, 6, 7, 15, 19, 24, 27–29, 32, 33, 35, 36, 53, 58, 59, 64, 72, 76  
Transfer Card, 38, 50, 52, 55, 61, 62  
Treasurer (LL), 32, 33, 38, 40, 41, 64, 69, 73  
Trusts, 19, 22  
Trustees (LL), 22, 32, 39, 41, 50  
vacancies, 8, 20, 34, 71  
Vice President (LL), 30, 32, 34, 36, 44, 73  
Website, 22  
Western Foundation, 12, 22  
Youth, 22