

**GRAND LODGE OF NEW YORK  
ORDER SONS OF ITALY IN AMERICA**



**SUPPLEMENTAL BY-LAWS**

Adopted June 9, 1995  
New York State Convention  
Kiamesha Lake, NY

Approved by the Supreme Lodge  
August 15, 1995  
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and

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## **CHAPTER 1 - MEMBERS**

### **ARTICLE 1 - REQUISITES AND QUALIFICATIONS**

**B.L.1:** Applicants for membership must not be less than eighteen years of age.

**B.L.2:** Membership shall be on the basis of the calendar year, that is, from January 1 to December 31 next succeeding.

### **ARTICLE 2 - CLASSIFICATION**

#### **(c) MERITORIOUS MEMBERS**

**B.L.1:** Meritorious Members shall be members of the Grand Lodge, each shall pay dues of \$25.00 per year and there shall be at least one general meeting annually called by the State President.

#### **(f) AT LARGE MEMBERS**

**B.L.1:** At Large Members shall be members of the Grand Lodge and shall not be a member of, or be required to join or become a member of a Local Lodge. A proposed At Large Member may be nominated by any Local Lodge member in good standing, and approved by the Grand Council. A person shall become an At Large Member upon approval by the Grand Council and payment of application fees and annual dues.

**B.L.2:** An At Large Member shall not have the right to vote, may not be a State Delegate or an elected State Officer. If an At Large Member becomes a member of a Local Lodge, membership as an At Large Member shall immediately terminate upon initiation as a member of a Local Lodge.

**B.L.3:** An At Large Member shall pay dues annually to the Grand Lodge. The annual amount of dues shall be determined and fixed by resolution adopted by the Grand Council at a regular meeting of the Grand Council.

**B.L.4:** The privileges and rights of an At Large Member shall be determined by resolution adopted by the Grand Council at a duly convened meeting.

**B.L.5:** Resolutions proposed or adopted by the Grand Council referable to the rights and privileges of At Large Members shall be reported to and approved, adopted, or ratified by the State Delegates at the State Convention.

### **ARTICLE 4 – LODGE MEMBERSHIP LIMITATIONS**

**B.L.1:** Except for the occasion of a Founding Member, no member may be permitted to be a member of 2 lodges at the same time within the jurisdiction of the Grand Lodge of New York. A Founding Member of a Local Lodge may be eligible to be an officer in the founded lodge if he/she does not hold office in his/her original lodge, as per Art.105 (c).

### **ARTICLE 5 - LIMITATIONS ON RIGHTS**

**B.L.1:** To be elected as a member of the Arbitration Commission of a Local Lodge it is necessary that membership be had in the Local Lodge for at least two years prior to being nominated for that position.

**B.L.2:** To be elected to any office other than that of President of a Local Lodge, it is necessary that membership be had in the Local Lodge for at least six calendar months prior to being nominated for office. This six month limitation shall not apply to the office of State Delegate in that instance where a member has fulfilled the requirements set forth in B.L.4 of Article 5 hereof in a different Local Lodge other than the one in which such member seeks to be elected as a State Delegate.

**B.L.3:** To be elected as the President of a Local Lodge, it is necessary that the member have served at least one full term as a member of the council of such Local Lodge.

**B.L.4:** To be elected as a State Delegate from a Local Lodge, the member must have been elected to and have served at least one full term as a member of the council of a Local Lodge chartered by the Grand Lodge of

the State of New York. In the event a Local Lodge requires a greater number of State Delegates than its full complement of past and eligible present council members who are able to attend the State Convention, it shall elect the remainder of its allotted number of State Delegates from its general membership.

**B.L.5:** The limitations imposed by sections B.L.1 through B.L.4 of Article 5 hereof shall not apply to the charter members of a recently chartered Local Lodge, which has existed for less than one year.

**B.L.6:** To be nominated either by the Nominating Committee or from the floor of the State Convention for any office other than that of State President of the Grand Lodge, it is necessary that the member must be in attendance at the State Convention as a fully certified State Delegate and must have the following prerequisites:

A) At or before the opening of the State Convention, a letter from such member's Local Lodge is to be delivered to the Chairperson of the Nominating Committee certifying to the adoption at a regular meeting of the member's Local Lodge of a resolution supporting such member's nomination, which letter shall also set forth the following information: (1) the date of the Local Lodge's general membership meeting at which the resolution was adopted, and (2) the office of the Grand Lodge to which the Local Lodge member seeks to be nominated, and (3) the dates of and Local Lodge offices held by the proposed nominee; the President or Recording Secretary of such Local Lodge is required and directed to sign such letter; this subdivision "A)" shall not apply when the nomination is made from the floor; and

B) the member must have served at least one full term as a chair officer such member's Local Lodge (see: B.L.1 of Article 21 hereof); and

C) the member must have served one full term as a State Delegate for such member's Local Lodge (see: Article 34 hereof).

D) In the event that the letter referred to in subparagraph "A)" above is not signed and delivered as therein provided, a fine, as determined under B.L.5 of Article 22 hereof, shall be imposed and must be paid by such Local Lodge. If neither the President nor the Recording Secretary of such member's Local Lodge sign the letter as required under Subdivision "A)" hereof, any other officer of such member's Local Lodge may sign such letter on behalf of such member. Furthermore, such Local Lodge President, or Recording Secretary, or both, if such be the case, will be subject to suspension and removal and/or expulsion from the Order pursuant to Articles 8 and 9 of the General Laws. Nothing contained herein shall, in any way, prevent, prohibit or restrict the Grand Council, in the exercise of its discretion, from also declaring such Local Lodge in default and in violation of the laws of the Order in accordance with Article 41 of the General Laws.

**B.L.7:** To be nominated either by the Nominating Committee or from the floor of the State Convention for the office of State President, the member must deliver a letter as provided under B.L.6 A) above and have been elected to and have served one full term both as a chair officer of a Local Lodge and as a member of the Grand Council.

**B.L.8:** Not more than two members from the same Local Lodge may serve as officers of the Grand Council at the same time. In no event shall two members from the same Local Lodge serve simultaneously as Chair Officers of the Grand Council. The office of State Immediate Past President and all living State Past Presidents shall be excluded in making this determination.

**B.L.9:** Except as provided in B.L.1 of Article 59, the nominees as officers for the Grand Lodge shall be elected by a majority of votes cast by the State Delegates at the State Convention; however, if any nominee is unopposed, the State Recording Secretary shall cast one vote for such nominee who shall thereupon be duly elected to such office.

**B.L.10:** Before exercising the right to vote in an election of lodge officers, and/or delegates to the state convention, it is necessary that membership, in the local lodge, be had for at least ninety (90) days from the day of initiation.

## **ARTICLE 11 REINSTATEMENT**

**B.L.1:** An application for reinstatement must be approved at a regular meeting of the local lodge before being forwarded to the Grand Lodge, together with all required fees.

## **ARTICLE 12 - TRANSFERS**

**B.L.1:** Any Local Lodge member who is in good standing and who wishes to transfer from a Local Lodge to another Local Lodge shall be permitted to do so by notifying, in writing, the member's Local Lodge's President and Recording Secretary, as well as the President of the Local Lodge into which the transfer is to be made. The notice shall be forwarded to both Local Lodges. Any member who wishes to transfer must first obtain the prior approval of the transfer at a regular meeting of the Local Lodge into which the transfer is to be made. The President of the member's Lodge shall provide the President to which the member is transferring to with a letter stating the member is in good standing at the time of said transfer. The transfer shall become effective upon such approval(Rev.2011)

## **CHAPTER 2 - LOCAL LODGES**

### **ARTICLE 15 - FORMATION**

**B.L.I:** The signatures of all charter members of the proposed Local Lodge shall be not less than thirty-five (35) and no new Local lodge shall be instituted unless a minimum of twenty-five (25) of the charter members are present for the institution ceremony and installation of its officers.

### **ARTICLE 21 - ORGANIC STRUCTURE**

**B.L.I:** For all purposes hereunder, the chair officers of a Local Lodge shall consist of the President, Vice-President(s), Immediate Past President and Orator.

**B.L.I:** The Council of the local lodge shall consist of the President, Vice President(s), Immediate Past President, Orator, Recording Secretary, Financial Secretary, Corresponding Secretary (if applicable), Treasurer, Trustees, Masters or Mistresses of Ceremony and Guard.

**B.L.2:** A nominee for a position on the council of a Local Lodge must be a member in good standing of that Local Lodge. The position of any person elected as an officer of a Local Lodge shall terminate if such person is not, or does not remain a member in good standing at the time of installation as an officer and during such person's entire term of office.

**B.L.3:** Each Local Lodge has the option of having its officers elected for a one or two year term. Under no circumstances may a Local Lodge officer serve in the same office for more than two consecutive terms.

**B.L.4:** Each Local Lodge has the right to establish the additional offices of Second Vice President and/or Corresponding Secretary.

**B.L.5:** Each Local Lodge shall have not less than five or more than ten trustees.

**B.L.6:** The addition of the offices of Second Vice President or Corresponding Secretary, and/or increase of the number of Trustees must be approved by the membership at a regular meeting in accordance with resolutions adopted thereat. Any such changes may be approved at any time and need not be contained in the same resolution, or adopted at the same regular meeting.

**B.L.7:** Within thirty days after the adoption of any resolution which either allows the officers to be elected for an additional term of office where one term is currently allowed, or adds the office of Second Vice President, or adds the office of Corresponding Secretary, or both, or which increases the number of Trustees, whichever may be the case, a duplicate thereof, certified by the then President of the Local Lodge, is to be forwarded, by certified or registered mail return receipt requested, to the State Recording Secretary; such resolution, or resolutions, as may be the case, shall be deemed to have been properly filed and recorded with the Grand Lodge upon the Local Lodge receiving the return receipt for such certified or registered mailing.

**B.L.8:** The resolution, or resolutions, if such be the case, adding the office of Second Vice President, and/or the office of Corresponding Secretary, and/or increasing the number of Trustees of a Local Lodge, shall become effective on the first day of December after the next election of the council of officers of such Local Lodge.

**B.L.9:** The membership may amend or rescind any such resolution and abolish any additional office established by a prior resolution or resolutions, or decrease the number of Trustees to not less than five by a

resolution or resolutions adopted at a regular meeting of the Local Lodge, which amendatory resolution or resolution of rescission shall not be effective until:

A) on the 1st day of October after a duplicate of such amendatory resolution or resolution of rescission, certified by the then President of the Local Lodge, has been received by the Grand Lodge; or

B) upon an earlier effective date fixed by the Grand Council.

**B.L.10** A recently chartered local lodge in existence for less than one year shall not hold elections in the February immediately following its institution (6/2012).

## **ARTICLE 22 - PRESIDENT**

**B.L.1:** All Local Lodge Presidents must submit a correct and fully complete list of the Local Lodge's office holders, State Delegates and alternate State Delegates. This list must be certified as correct by the President and must be forwarded to the State Recording Secretary. This must be done by the President who is responsible to see that it is forwarded by certified mail, return receipt requested, no later than March 31 of each year. The failure to submit this list by March 31 shall result in the imposition of a fine, the amount of which is to be determined pursuant to B.L.5 of Article 22 hereof, which fine must be paid by the Local Lodge. It is further mandated that the failure to pay this fine and to submit the administration list, State Delegates and alternate State Delegate lists, by certified mail, return receipt requested, no later than thirty days prior to the opening day of the State Convention shall serve as a mandate that the State Delegation from that Local Lodge shall not be certified and seated and that the Local Lodge shall lose its representation at that year's State Convention. (Cross reference: Article 113, B.L.1.)

**B.L.2:** All Presidents must submit a correct and fully complete list of each of their Local Lodge members, their addresses and telephone numbers. This list must contain only the names of those members who were in good standing and whose dues had been paid through December 31 of the preceding year. This list must be forwarded to the State Recording Secretary no later than March 31 of each year. The Local Lodge President must certify the correctness of this list. In the event the President fails to submit this list by March 31, the President shall be given until thirty days prior to the opening day of the State Convention to submit the list. The failure to submit this list by certified mail, return receipt requested, no later than thirty days prior to the opening day of the State Convention, mandates that the State Delegation for that Local Lodge shall not be certified and seated, and that Local Lodge must lose its representation at that year's State Convention. (Cross reference: see Article 113). In addition, a fine will be imposed upon the Local Lodge, the amount of which is to be determined pursuant to B.L.5 of Article 22 hereof, which fine must be paid by the Local Lodge.

**B.L.3:** In the event the Grand Council has reason to believe that the number of members who were in good standing and whose dues had been paid as described in B.L.2 or Article 22 hereof is not accurately reflected in the list submitted by the Local Lodge President, it may cause an investigation to be made. If the investigation uncovers any wrongdoing, then charges shall immediately be brought against those responsible. If, after charges have been brought and the trial had, anyone is found guilty of intentionally falsifying the membership list with the intent to deceive, then all said guilty parties shall be expelled from the Order. In addition the Local Lodge shall not be entitled to any representation at the next two State Conventions, and a fine, the amount of which is to be determined pursuant to B.L.5 of Article 22 hereof, shall be imposed and must be paid by the Local Lodge.

**B.L.4:** The President of each Local Lodge is responsible to make certain that all per capita taxes have been paid. The failure to have all per capita tax payments forwarded to the State Financial Secretary by certified mail, return receipt requested, no later than thirty days prior to the opening of the State Convention of each year, mandates that the State Delegation from that Local Lodge shall not be certified and seated, and the Local Lodge shall lose its representation at that year's State Convention. (Cross reference: see Article 113.) In addition, the Local Lodge shall pay a fine, the amount of which is to be determined pursuant to B.L.5 of Article 22 hereof, which shall be imposed and must be paid by the Local Lodge.

**B.L.5:** The determination of the amount of the fines for violation of a particular By-Law under Article 22 hereof shall be established by the Grand Council and ratified by the State Delegates at the first State Convention thereafter convened; the amount of the fine shall remain in effect until changed in accordance with the procedure above set forth. In order for any such fine to be enforced, the State Corresponding Secretary must give written notice of the schedule of fines to each Local Lodge, which notice, among other things, shall set forth the date of the Grand Council meeting at which the determination was made. No further notice need be given to the Local Lodges unless and until a change in the amount of any fine is thereafter made.

**B.L.6:** Neither the determination of any fine, nor the imposition and collection thereof, nor the imposition of any penalty as set forth in By-Laws 1 through 5 of Article 22 hereof shall, in any way, prevent, prohibit, or restrict the Grand Council, in the exercise of its discretion, from also declaring a Local Lodge in default and in violation of the laws of the Order in accordance with Article 41 of the General Laws.

#### **ARTICLE 26 - RECORDING/CORRESPONDING SECRETARY**

**B.L.1:** A letter from individual members of a Local Lodge addressed to any or all of the other Local Lodges of the State of New York, regarding the policy of the Order, or disputes involving policies of the Order, shall not be read at the regular meeting of the Local Lodges as a communication until the questions involved in the letter are answered or clarified by the Grand Council or the Executive Committee of the Grand Council. The letter shall be forwarded to the State Corresponding Secretary for immediate action by the Grand Council or the Executive Committee of the Grand Council.

**B.L.2:** If the office of Corresponding Secretary is established by a Local Lodge, pursuant to B.L.2 *et seq.* of Article 21 hereof, the duties of the Corresponding Secretary shall be as follows:

1. to maintain a file of all Local Lodge correspondence;
2. to write letters as directed by the President;
3. to notify members of meetings;
4. to make and keep up to date the Local Lodge membership lists;
5. to be the sole officer through whom a member may communicate with the Grand Council;
6. to read all pertinent correspondence at meetings; and
7. to perform such other duties as may be assigned by the President concomitant with the office of Corresponding Secretary.

#### **ARTICLE 34 - STATE DELEGATES**

**B.L.1:** The State Delegation of a Local Lodge shall consist of its President, Immediate Past President, those members who are National Officers, or members *BENE EMERITUS*, and those members in good standing, who are elected as State Delegates.

**B.L.2:** The President and Immediate Past President shall be members of their Local Lodge's State Delegation, with the same rights, powers, and privileges as elected State Delegates, and are required to attend the State Convention. However, in the case of the President, said person may be excused on the same basis that an elected State Delegate is excused and should such event occur, the President shall be replaced by the person set forth in the, and pursuant to the, provisions of Articles 23 and 24 of the General Laws of the Supreme, and such person shall be vested with the same rights and privileges as an elected State Delegate.

**B.L.2, sub. A** – If the Immediate Past President cannot attend the Grand Lodge Convention he/she must submit a letter to the State President, countersigned by the Local Lodge President, requesting to be excused from that upcoming year's convention. If excused, the local lodge must fill the position from the preceding former Presidents, in good standing, in inverted order of their tenure of office. (In accordance with Art. 24, General Laws). In the event that no Past President can attend, the Local Lodge must then use Alternate Delegates from their administration list. (In accordance with Art. 34, B.L.8, General Laws).

**B.L.3:** A member who is an elected National Officer, and a member *BENE EMERITUS* shall be permitted to attend the State Convention as a State Delegate with all of the rights, powers, and privileges enjoyed by an elected State Delegate, paid for by the member *BENE EMERITUS*, except as such member's Local Lodge may underwrite such cost, in whole or in part.

**B.L.4:** Grand Lodge officers, including all Past State Presidents, shall be State Delegates to the State Convention by virtue of their office, with all of the rights, powers, and privileges as enjoyed by State Delegates, the cost of which shall be paid by the Grand Lodge.

**B.L.5:** In addition to those designated in B.L.2 of Article 34 hereof, State Delegates shall be elected by the Local Lodges on the basis of one for every thirty Local Lodge members (Rev.2007)

**B.L.6:** Where a Local Lodge has less than twenty-five members it shall not be entitled to seat a State Delegation at the State Convention (cross reference: Article 44, B.L.1).

**B.L.7:** Local Lodges which are entitled to elect State Delegates shall elect one additional State Delegate on the basis of fifteen members or a greater number thereof less than thirty(Rev 2007)

**B.L.8:** The election of State Delegates shall be by plurality vote; those candidates who are not elected as State Delegates shall serve as Alternate State Delegates, with the order of their standing determined by the number of votes received.

**B.L.9:** The number of State Delegates to which a Local Lodge shall be entitled shall be determined by the number of members in good standing as of December 31 of the year immediately preceding their election as State Delegates. Any Local Lodge which willfully submits a false or misleading certification of the numerical amount of members in good standing shall be treated in accordance with L.5 and B.L.6 of Article 22 hereof.

**B.L.10:** State Delegates from the Local Lodges and all *Bene Emeritus* State Delegates in attendance at the State Convention shall pay a State Convention registration fee. No registration fee shall be charged to any guest at the State Convention.

**B.L.11:** Each Local Lodge must be represented by its State Delegation at the State Convention. The attendance of the entire State Delegation of each Local Lodge is required. The failure of a Local Lodge to be represented at the State Convention, or the failure of any State Delegate of a Local Lodge to be present at the State Convention shall result in the Grand Lodge forwarding a bill for the total amount of registration fees due for the Local Lodge's State Delegation, less a credit for any registration fees previously paid. The failure of the Local Lodge to remit the amount invoiced to it, in the discretion of the Grand Council, may be declared in default and in violation of the laws of the Order in accordance with Article 41 (b) of the General Laws.

**B.L. 12:** The spouse of the sitting Grand Lodge President, who is a member in good standing of a Local Lodge, shall be an automatic Delegate to the Grand Lodge Convention, at the expense of the Grand Lodge, with all rights and privileges afforded to any other elected Grand Lodge Delegate.

#### **ARTICLE 36 - RECEIPTS**

**B.L.1:** All dues are due and payable on or before December 31 for the forthcoming year. All dues must be paid in advance or the member will be in arrears. The Local Lodge may permit its members to make the dues payment in semi-annual installments (January 1 and July 1) or quarterly installments (January 1, April 1, July 1, October 1) but this shall in no way alter the requirements that dues be paid in advance.

**B.L.2:** A Local Lodge may adopt a fiscal year different from that of the Grand Lodge by resolution adopted at a regular meeting. Within thirty days after the adoption of such resolution, a duplicate thereof certified by the President of the Local Lodge is to be forwarded, by certified or registered mail, return receipt requested, to the State Recording Secretary; such resolution shall be deemed to have been properly filed and recorded with the Grand Lodge upon the Local Lodge receiving the return receipt for such certified or registered mailing. If a Local Lodge has heretofore adopted a fiscal year different from that of the Grand Lodge, written notification thereof is to be given to the Grand Lodge. This By-Law shall not change any fiscal year previously adopted by a Local Lodge which gives notice thereof to the Grand Lodge as herein provided. Any Local Lodge which fails to comply herewith shall be deemed to have the same fiscal year as the Grand Lodge.

#### **ARTICLE 41 - SUSPENSION**

**B.L.1:** It is the declared public policy of the Order as fixed by this Grand Lodge in convention assembled that no illegal activity of any kind shall be countenanced or permitted by or in any Local Lodge. It is further mandated that any violation of this policy declaration by any Local Lodge which permits or countenances the conduct of any illegal activity shall be grounds for the revocation of the charter of the Local Lodge.

#### **ARTICLE 44 - DISSOLUTION**

**B.L.1:** Where the membership of a Local Lodge has decreased to less than twenty-five, it may be ordered dissolved in compliance with this Article. While the membership remains below 25 twenty-five, the Local Lodge loses its representation to the Grand State Convention (cross reference Article 34, B.L.6).



## CHAPTER 3 - GRAND LODGE

### ARTICLE 47 - REQUISITES AND FORMATION

**B.L.1:** The fiscal year for the Grand Lodge is hereby as commencing on April 1<sup>st</sup> and ending on March 31<sup>st</sup> next. This By-Law became effective on April 1, 1981.

### ARTICLE 48 - COMPONENTS

(d) The Commissions, Committees, or Boards...prescribed in its laws.

**B.L.I:** The following are established as the standing commissions, committees, or boards of the Grand Lodge:

- A) Budget and Finance;
- B) By-Laws;
- C) Convention;
- D) Credentials;
- E) Electoral;
- F) Fund Raising;
- G) Membership;
- H) Nominating;
- I) Scholarship.

**B.L.2:** Each committee, commission or board shall consist of at least one member from each of the state's districts plus a chairperson, all of whom shall be appointed by the State President. In addition, there shall be such other members as may specifically provided in the particular By-Law referable to each particular committee, commission or board. All appointees must be members in good standing of the Order. The State President shall be an *ex officio* member of every committee, commission and board, except the Nominating Committee. The chairperson may not vote except in the case of a tie vote.

**B.L.3:** In addition to the duties specifically assigned to a committee, commission or board, each committee, commission and board shall have and perform such other duties which are concomitant with its functions and powers as may be prescribed by the State President or Grand Council, including, but not limited to, reports and reporting requirements.

#### **B.L.4: BUDGET COMMITTEE**

A) The State Treasurer and State Financial Secretary shall be *ex officio* members of this committee.

B) This committee shall prepare an annual budget for the Grand Lodge's ensuing fiscal year which shall be presented to the Grand Council for review and approval. The annual budget shall be submitted at the Grand Council meeting immediately preceding that year's State Convention. The budget as so approved shall be presented to the State Delegates at the State Convention immediately following such Grand Council meeting for consideration, adoption and provision for funds which shall constitute the operating funds of the Grand Lodge. The annual budget shall be prepared in accordance with accepted accounting principles.

C) the members of this committee shall be appointed at least three months prior to the opening of each State Convention and shall be discharged upon submission and adoption of its report at such State Convention.

#### **B.L.5: BY-LAWS COMMITTEE**

A) The State Orator shall be an *ex officio* member of this Committee.

B) The Committee shall review and recommend revisions to the By-Laws of the Grand Lodge; receive, review and make recommendations with respect to requests for amendments, modifications, revisions and additions to the By-Laws which are received from Local Lodges and/or from members of the Grand Lodge; submit a written report at the State Convention and present such report to the State Delegates at the State Convention for final action and for approval and adoption or disapproval.

#### **B.L.6: CONVENTION COMMITTEE**

A) This Committee shall investigate and visit various sites at which the State Convention may be held and shall provide information and particulars with respect to proposed sites to the State Delegates at each State Convention. The State Delegates shall choose, by vote, the site at which each State Convention is to be held three years in advance of the date of such State Convention. Upon selection of a site for the State Convention, the committee shall, in a due and timely manner, make arrangements to house and board the State Delegates at such site, including, but not limited to by way of specification, rooms, meals, accommodations, use of a convention hall, entertainment, dining facilities, and similar conveniences as may be available for use of and by the State Delegates during the State Convention; and shall obtain the room cost for submission to the Grand Council for distribution to the Local Lodges and their respective State Delegations.

#### **B.L.7: CREDENTIALS COMMITTEE**

A) The State President shall designate the Chairperson at least ninety days prior to the opening of the State Convention. All members of the Committee must be qualified State Delegates and/or members of the Order then attending the State Convention. The formation and appointment of the entire Committee shall be made prior to the opening of the State Convention at which the Credentials Committee is to function and render its report.

B) This Committee shall receive and review the records of each Local Lodge attending the State Convention and determine that such Local Lodge's State Delegates are qualified, and are entitled to be seated as part of a Local Lodge's State Delegation, and are eligible to vote. The Committee shall submit its annual report at the State Convention. The Committee shall also report to the State Convention and State Delegates the number of delegates present at the State Convention, the number of State Delegates seated, and the number of State Delegations present at that year's State Convention and, for this purpose, shall provide appropriate registration forms for the State Delegates, maintain each Local Lodge's State Delegations separate and distinct from every other Local Lodge, and provide appropriate registration forms. The Committee shall review and determine the accuracy of any letter submitted by a Local Lodge supporting the nomination for state office of a member of such Local Lodge to determine whether or not such proposed nominee has served a full term as a State Delegate, and that such letter also complies with the requirements of By-Laws 6 and 7 of Article 5 hereof; render a written report to the Chairperson of the Nominating Committee with respect to the foregoing for all nominees for state office at that State Convention; distribute the State Convention documents and such other written information as directed by the Grand Council to the State Delegates; to aid the Convention Committee in all aspects of the presentation of the State Convention in such manner as may be practicable.

C) The members of the Credentials Committee shall be discharged upon submission and acceptance of its report to the State Delegates.

#### **B.L.8: ELECTORAL COMMITTEE**

A) The Electoral Committee shall be appointed at or prior to the opening of the State Convention.

B) This committee shall conduct and supervise the voting at state elections, including verification of the eligibility of those who are to vote, acting as the inspectors of the election, and shall render an official report of all voting and elections at the State Convention.

C) The members of the Electoral Committee shall be discharged upon submission and acceptance of its report to the State Delegates.

#### **B.L.9: FUND RAISING AND MEMBERSHIP COMMITTEES**

A) The State Principal Trustee, all State Trustees, the New York State Deputy, all District State Deputies, and all Local Lodge Deputies shall automatically be members of both the Fund Raising and Membership Committees in addition to the State President's appointees.

B) The Fund Raising Committee shall participate and actively promote any and all Grand Lodge programs referable to raising monies whether arising out of the budget of the Grand Lodge or emanating from the Grand Council, or otherwise connected with any activity authorized by the Grand Lodge in which the Grand Lodge is a participant.

C) The Membership Committee shall, as provided in Article 98 of the General Laws, seek to interest individuals in the Order and increase the membership of the Order, and for this purpose shall, within the territorial boundaries of the State of New York, follow and use as guidelines the provisions of Article 98 of the General Laws to accomplish these purposes. Furthermore, the Grand Lodge does hereby adopt, in the entirety, subdivision (d) of Article 98 of the General Laws for its own use and as a By-Law on membership with which each Local Lodge shall comply, same being mandated as a By-Law for each Local Lodge.

#### **B.L.10: NOMINATING COMMITTEE**

A) The Nominating Committee shall consist of nine members, all of whom shall be appointed by the State President who shall designate the Chairperson ninety days prior to the opening of the State Convention. The remaining members shall be appointed on the basis of one from each of the state's districts. All members of the committee must be State Delegates. The formation and appointment of the entire committee shall be made prior to the opening of the State Convention at which the Nominating Committee is to render its report.

B) The Committee shall interview all candidates for state office who meet the prerequisites as set forth in By-Laws 6 and 7 of Article 5 hereof. The Nominating Committee may offer to or nominate a candidate for a position other than that sought by such candidate who may accept or decline same; such declination shall not preclude such candidate from being nominated from the floor for the office declared in the letter from such candidate's Local Lodge. After such interviews and the review of each candidate, the Committee members will vote, by secret ballot, for their choices. The Chairperson may not vote except in the case of a tie vote. All interviews of, discussions and information relative to each candidate shall be kept in strict confidentiality. No member of the Nominating Committee may be nominated by the Committee as a recommended candidate for state office or accept a nomination from the floor of the State Convention during which such person is a member of the Nominating Committee.

C) The Chairperson shall render the Committee's report, which shall include the name and office to which each candidate has been nominated by the Committee. After acceptance of the Committee's report by the State Delegates, the Chairperson shall open the State Convention to nominations from the floor, starting with the highest elective office to be considered at that State Convention, and thereafter proceeding to the lower offices in the order of rank. The members of the Committee shall be discharged upon all nominations being closed.

#### **B.L.11: SCHOLARSHIP COMMITTEE**

A) It is the goal of the Grand Lodge to promote educational excellence and scholarship among those of Italian birth or descent, their spouses, and/or their children, and to provide incentives, awards and other means of recognition, financial or otherwise, to those of Italian birth or descent, or their spouses, and/or their children, who display an excellence in education and scholarship; the Grand Lodge does hereby authorize the Scholarship Committee to establish criteria by which a determination of educational and scholastic excellence may be made among various candidates for educational recognition and awards. The criteria shall be approved by the Grand Council.

B) The purpose of the Committee is to seek out, find and select, annually, those students who have excelled in educational endeavors, scholarship, and are deserving of awards, incentives, and other plaudits based upon their respective accomplishments; this shall be in keeping with the goal to provide scholarship awards and incentives on an annual basis to those who display educational and scholastic excellence.

C) The Committee shall receive and review applications for scholarship awards based upon criteria established by the Committee; applications shall be provided through this Committee to the Local Lodges for distribution to each Local Lodge's members for the purpose of completion and submission by candidates for scholarship awards or incentives; the Committee shall select those candidates based upon the criteria then established, and vote, by secret ballot, for their choices. The number of candidates selected for awards shall be based upon the number of scholarship awards available through the Order Sons of Italy in America - New York Grand Lodge Foundation Inc. ("Foundation") as heretofore established by the Grand Lodge. It shall be the obligation of the Committee to meet not only its own criteria but the requirements and prerequisites of the Foundation with respect to the eligibility and selection of candidates. Upon completion of the selection process, the Committee shall submit the list of eligible candidates, in the order of election, to the President of the Foundation for action, as well as to the State President.

D) All awards made to applicants selected by the Committee and thereafter approved by the Foundation may be presented at the State Convention or at such other time and place as determined by the Grand Council.

#### **ARTICLE 49 - GRAND COUNCIL**

**B.L.1:** The Grand Council, whose members rank in the order named in this Article, is made up of the:

- A) State President;
- B) State First Vice President;
- C) State Second Vice President;
- D) State Immediate Past President;
- E) State Orator;
- F) State Recording Secretary;
- G) State Financial Secretary;
- H) State Corresponding Secretary;
- I) State Treasurer;
- J) not more than 20 State Trustees; and
- K) all State Past Presidents.

**B.L.2:** The Grand Council shall convene at least once every three months.

**B.L.3:** The Chair Officers of the Grand Council shall consist of the State President, the State First Vice President, the State Second Vice President, the State Immediate Past President and the State Orator.

**B.L.4:** The Grand Council shall be elected as follows:

A) The office of the State Immediate Past President is non elective, and shall be filled by the State President who leaves that office upon the election of a successor.

B) All officers of the Grand Council other than State Trustees shall be elected at the State Convention taking place during an odd numbered calendar year; and

C) All State Trustees shall be elected during the State Convention taking place during an even numbered calendar year.

**B.L.5:** Any member of the Grand Council who seeks election to another office on the Grand Council before the expiration of the then current term, will be required to resign the office held before running for a different office.

**B.L.6:** Except for State Past Presidents, all other members of the Grand Council shall submit a written report to the State Delegates at the State Convention.

#### **ARTICLE 50 - GRAND COUNCIL POWERS AND PREROGATIVES**

**B.L.1** In addition to the honoraria which may be assigned under the provisions of Article 59(m) of the General Laws, the Grand Council shall have the power and prerogative to establish and assign honoraria to the State First Vice President, the State Second Vice President, State Corresponding Secretary, State Immediate Past President and Principal State Trustee.

**B.L.2:** Included within the power and authority given under the provisions of Article 50(n) of the General Laws, the Grand Council shall also have the power to employ an executive director, office and other personnel and employees, and, in determining wages and conditions of employment, to determine and fix medical plans, employee benefit programs, retirement plans, disability benefits and insurances, bonuses and other emoluments of employment upon the recommendation of the Executive Committee.

**B.L.3:** To maintain and operate any buildings or properties rented, leased, or owned by the Grand Lodge.

**B.L.4:** To buy, sell, acquire, lease or otherwise dispose of real properties and/or buildings upon the prior approval of the State Delegates at a State Convention, in accordance with and subject to any provisions of the laws of the State of New York applicable to the acquisition and/or sale of real property and/or buildings and with which the Grand Lodge must comply.

**B.L.5: GARIBALDI - MEUCCI MUSEUM**

A) The Supreme Lodge Sons of Italy Foundation has charged the Grand Lodge of the State of New York with the duty and obligation of maintaining, preserving, enhancing, expanding, and conducting the affairs and activities of the Garibaldi - Meucci Museum located in the County of Richmond, City and State of New York, with its post office and street address at 420 Tompkins Avenue, Staten Island, New York 10305; and the Grand Lodge of the State of New York has assumed this duty and obligation pursuant to and in accordance with the terms of an existing lease between the Supreme Lodge Sons of Italy Foundation as lesser and the Grand Lodge of the State of New York as lessee.

B) For so long as the Grand Lodge shall be charged with this duty and obligation to conduct, manage, and operate the affairs, activities, and business of the Garibaldi - Meucci Museum, the Grand Lodge shall do so in a manner that reflects pride and credit to the Grand Lodge, the Supreme Lodge, all members of the Supreme Lodge, and all persons of Italian descent, whether by birth or adoption, and to accomplish these purposes, there is established a governing body to be known as the Commission of the Garibaldi - Meucci Museum.

C) The Commission shall consist of no more than eleven (11), all of whom shall be members in good standing of the New York State Grand Lodge, OSIA, and the State President shall be automatically named President/CEO and he/she shall be appoint the Chairperson and Vice Chairperson to shall serve at the pleasure of the State President. The remaining six (6) members of the Commission shall be elected by the State Delegates at the State Convention during the even numbered calendar years in which the State Convention is held. (Rev.2011) In addition, the Museum's Immediate Past Chairperson may also be a member of the Commission with the approval of the State President. The members of the Board of Commissioners shall elect a Treasurer who is a member in good standing with the New York State Grand Lodge. The Treasurer shall be a duly voting member of the Commission. (Rev. 2016)

D) The term of office of each member of the Commission shall be for two years from the date of appointment or election, as may be the case.

E) A Commissioner of the Garibaldi-Meucci Museum Commission shall be permitted to attend and be seated at the State Convention with the State Delegates; the cost of attending the State Convention shall be borne and paid for by the Commissioner, except as such Commissioner's Local Lodge may underwrite such cost, in whole or in part. Nothing herein contained shall prevent a Commissioner from serving as a member of such Commissioner's Local Lodge's State Delegation as an elected State Delegate.

F) An elected Commissioner may not serve for more than two consecutive terms as a Commissioner.

G) The Commissioners shall meet at least four times a year, on a quarterly basis, and, among other things, shall develop, with particularity and specificity, a description of the qualifications and duties of a curator for the Museum, shall prepare an annual budget for the Garibaldi - Meucci Museum, prepare and submit an annual report at the State Convention, and submit both the budget and annual report to the Grand Council at least thirty days prior to the last regular meeting of the Grand Council preceding the State Convention; have supervision over the operations and personnel of the Garibaldi - Meucci Museum, establish annual goals, approve programs, be charged with the responsibility that the tax free status of the Supreme Lodge Sons of Italy Foundation be preserved and maintained and not in any way jeopardized by any activities of the Garibaldi - Meucci Museum, or any of it personnel; to maintain the landmark designation of the Garibaldi - Meucci Museum; to take all steps necessary to preserve all artifacts, items, memorabilia, antiques, books, documents, pictures, paintings, other works of art now or hereafter acquired as part of the Garibaldi-Meucci Museum and the contributions of those others of Italian lineage and descent to the formation and growth of America, together with historical references from the Republic of Italy; to employ a curator, after approval by the Grand Council, and to act in every way as a board of trustees of an organization formed under the appropriate provisions of the Education Law of the State of New York referable to a museum, and its activities, actions, and operations shall be subject to superintendence by the Grand Council.

H) The curator must hold an appropriate degree, and, among other things, shall attend to the physical well-being of the Garibaldi - Meucci Museum; shall strive to increase the number of items, artifacts, antiques, books, documents, pictures, paintings, other works of art and memorabilia now or hereafter acquired and housed in the Museum connected with Giuseppe Garibaldi and Antonio Meucci, review all potential sources of City, State, and Federal grants and/or aid, and attempt to obtain those for which the Museum might qualify; to establish a library to house books, charts, and other printed material referable to Giuseppe Garibaldi, Antonio Meucci, and the

contributions of those others of Italian lineage and descent to the formation and growth of America, and, to the extent pertinent, historical references to and from the Republic of Italy; to catalogue all such items, artifacts, memorabilia, antiques, books, documents, pictures, paintings, other works of art now or hereafter acquired as part of the Garibaldi-Meucci Museum; to interview persons for prospective employment and submit recommendations for employment to the Commission; to supervise personnel and their daily activities in connection with the position in which employed; to promote, publicize and advertise the Museum; to disseminate information about the Museum; to arrange for programs, tours and other expositions, all with the intent to make the general public aware of the Museum, its founders, the contribution of those of Italian heritage and descent to cultural, moral, social, economic, scientific, artistic, and educational fields of endeavor and the achievements of those of Italian lineage and/or descent who have been distinguished in cultural, moral, social, economic, scientific, artistic, and educational fields; and to do and perform any and all acts as may be directed and/or prescribed by the Chairperson and Commissioners.

#### **ARTICLE 52 - STATE PRESIDENT**

**B.L.1:** The State President shall be the presiding officer at all Grand Lodge meetings and at the State Convention. In the event that the State President is unable to act as the presiding officer, the next highest ranking officer of the Grand Council shall serve, *pro tem*, as the presiding officer, with like powers and prerogatives.

**B.L.2:** The State President shall appoint the Chairperson of all Grand Lodge commissions, committees and boards; the State President may appoint more than one person as a chairperson, and they shall then serve as co-chairpersons.

**B.L.3:** Except as otherwise expressly provided in a specific By-Law which refers to a particular committee, commission or board, the State President, in the sole exercise of discretion, shall determine the number of members of which a committee, commission, or board is comprised and who shall be committee members, including the chairperson or chairpersons; the only limitation on this power shall be that all appointees must be members in good standing of the New York State Grand Lodge, OSIA, and maintain themselves a members in good standing during the term of their respective appointments.

**B.L.4:** Except as otherwise expressly provided in a specific By-Law which refers to a particular committee, commission, or board, a person shall be appointed for a term not to extend beyond the term of office of the State President who appointed such person, or until a successor is appointed.

**B.L.5:** Any appointee of the State President may be removed at anytime by a State President for any reason whatsoever, and without any showing of cause.

#### **ARTICLE 53 - STATE VICE PRESIDENTS**

**B.L.1:** The State First Vice President is the second ranking officer of the Grand Council.

**B.L.2:** The State Second Vice President is the third ranking officer of the Grand Council.

#### **ARTICLE 54 - STATE IMMEDIATE PAST PRESIDENT**

**B.L.1:** The State Immediate Past President is the fourth ranking officer of the Grand Council.

#### **ARTICLE 55 - STATE ORATOR**

**B.L.1:** The State Orator is the fifth ranking officer of the Grand Council.

#### **ARTICLE 56 - STATE RECORDING AND CORRESPONDING SECRETARIES**

**B.L.1:** The duties of the State Corresponding Secretary are as follows:

1. to maintain a file of all incoming and outgoing correspondence of the Grand Lodge;
2. to transcribe and/or write letters as directed by the State President;
3. to notify Grand Council members of meetings at which their attendance is required or requested;
4. to make and keep up to date the Grand Lodge membership lists;

5. to be the sole Grand Lodge officer through whom a member may communicate with the Grand Council;
6. to read all pertinent correspondence at meetings; and

7. to perform such other duties as may be assigned by the State President concomitant with the office of State Corresponding Secretary.

#### **ARTICLE 59 - STATE TRUSTEES**

**B.L.1:** The number of State Trustees shall be determined as follows:

A) each district within the state shall be represented by one State Trustee as long as that district membership does not fall below 300 members. A second State Trustee shall be allowed based on the district having a membership of over 750. A third State Trustee entitlement shall be allowed when a district has an additional 750 members or a total of 1,500 members; in no event shall there be more than three State Trustees from any one district no matter how large that district membership grows; and

B) voting for State Trustees shall be on a statewide basis except in those state districts in which there is no contest; and

C) State Trustees shall be elected by a plurality vote.

**B.L.2:** The Office of Principal State Trustee is hereby established. The Principal State Trustee shall be appointed by and serve at the pleasure of the State President from those State Trustees then holding office. The appointment shall be made within thirty days after the close of the State Convention. The Principal State Trustee shall be authorized to countersign all vouchers of the Grand Lodge.

**B.L.3:** The books and records of the State Financial Secretary and State Treasurer shall be examined each quarter. The meeting for this purpose will be called by the Principal State Trustee and there must be at least five State Trustees present at such meeting.

**B.L.4:** In addition to serving on committees, commissions and boards as elsewhere provided in these By-Laws, all State Trustees shall participate in, promote and actively support the programs of the Grand Lodge; shall attend, to the extent possible, District President's meetings, visit Local Lodges and, when invited, District Deputy meetings in their respective districts; shall assist the Principal State Trustee in the preparation of the Principal State Trustee's report to be presented at the State Convention; and shall perform such other duties and serve in such other capacities as may be assigned and/or designated by the State President and/or Grand Council.

#### **ARTICLE 60 - EXECUTIVE COMMITTEE OF THE GRAND COUNCIL**

**B.L.1:** The Executive Committee of the Grand Council shall be composed of the State President, State First Vice President, State Second Vice President, State Immediate Past President, State Orator, State Recording Secretary, State Financial Secretary, State Corresponding Secretary, State Treasurer and Principal State Trustee.

**B.L.2:** The Executive Committee of the Grand Council shall meet at least once every six months.

#### **ARTICLE 61 - GRAND LODGE ARBITRATION COMMISSION**

**B.L.1:** Upon request, an interested party may be provided with a certified shorthand reporter for the hearing, provided payment for services is assumed by party requesting same.

#### **ARTICLE 62 - NATIONAL DELEGATES AND ALTERNATES**

**B.L.1:** The State President, State Immediate Past President, the State First Vice President and the State Second Vice President are National Delegates all of whom shall have the same rights, powers and privileges as an elected National Delegate.

**B.L.2:** The election of National Delegates shall be by plurality vote; those candidates who are not elected as National Delegates shall serve as Alternate National Delegates with the order of their standing determined by the number of votes received.

#### **ARTICLE 63 - STATE DEPUTY**

**B.L.1** The offices of New York State Deputy, District Deputy and Local Lodge Deputy are hereby established as appointive state offices, ranking in the order as above listed, and, based upon rank, shall be accorded the same

honors as prescribed in the ritual for Grand Officers. There shall be one New York State Deputy, one District Deputy for each district in the state, and one Local Lodge Deputy for each Local Lodge. The New York State Deputy, all District Deputies and all Local Lodge Deputies shall be nominated by the State President and appointed by the Grand Council. Upon the State President determining the existence of justifiable reason, the Grand Council may rescind any such appointment.

**B.L.2:** The New York State Deputy, all District Deputies and all Local Lodge Deputies must be members in good standing of the Grand Lodge, and maintain themselves as members in good standing during the term of their respective appointments.

**B.L.3:** The term of office for the New York State Deputy and the District Deputies shall be for two years, or a term not to extend beyond the term of office of the State President nominating such person, whichever is shorter. The New York State Deputy and District Deputies may be reappointed, and there shall be no limitations on the number of terms that a person may be reappointed and serve in the capacity as the New York State Deputy or as a District Deputy. The State President shall assign the state district to which a District Deputy is appointed, which assignment is to be made at the time of nomination.

**B.L.4:** A Local Lodge Deputy shall be appointed for a term of two years or a term not to extend beyond the term of office of the State President nominating such person, whichever is shorter. Except as hereinafter set forth, there shall be no limitation on the number of times that a Local Lodge Deputy may be reappointed. Except for good cause shown, a Local Lodge Deputy may not serve as the Local Lodge Deputy to the same Local Lodge for more than four consecutive years from the date of appointment. For all purposes hereunder, "good cause shown" shall be determined by the State President. The State President shall assign the Local Lodge to which a Local Lodge Deputy is appointed, which assignment is to be made at the time of nomination; however, no member may be appointed the Local Lodge Deputy to such member's own Local Lodge.

**B.L.5:** The nominees for the office of New York State Deputy, District Deputies, and Local Lodge Deputies shall be contacted prior to the meeting of the Grand Council at which the appointment of such person shall be considered for the purpose of obtaining from each such nominee an indication of willingness to serve in the event of such appointment.

**B.L.6:** The New York State Deputy shall have the power and authority to perform all of the duties of a District Deputy and a Local Lodge Deputy; shall supervise the activities of all of the District Deputies and the Local Lodge Deputies; shall advise and inform all District Deputies and Local Lodge Deputies of Grand Lodge goals and programs; shall submit a written report to the State President with respect to District Deputies' meetings and the activities of Local Lodge Deputies at least ten days prior to each regularly convened meeting of the Grand Council and shall attend all regularly convened meetings of the Grand Council and shall attend executive meetings of the Grand Council; shall, at the request of the State President, render a report to the members of the Grand Council and shall timely submit the New York State Deputy's annual report for presentation at the State Convention; and shall have such other duties as may be assigned and prescribed by the State President.

**B.L.7:** The District Deputies shall have the power and authority to perform all of the duties of a Local Lodge Deputy; shall supervise the activities of the Local Lodge Deputies within the state district which is assigned to the District Deputy; shall visit a Local Lodge in the assigned state district when directed by the New York State Deputy or the State President; shall convene quarterly District Deputy's meetings for the assigned state district at which state programs and activities shall be reviewed and discussed, and at which each Local Lodge Deputy shall submit a written report with respect to such Local Lodge Deputy's assigned Local Lodge; shall submit to the New York State Deputy a written summary report of each such quarterly meeting, together with copies of the written reports of each Local Lodge Deputy; and shall have such other duties as may be assigned and prescribed by the New York State Deputy as directed and prescribed by the State President. Any district Deputy who, without justifiable reason, does not convene and conduct a quarterly meeting, shall be considered to have resigned from office and shall be replaced; for all purposes hereunder "justifiable reason" shall be determined by the State President.

**B.L.8:** A Local Lodge Deputy is the representative of the State President in the Local Lodge to which assigned. As such, and while discharging the duties of office, a Local Lodge Deputy is entitled to the same honors as prescribed in the Ritual for a Grand Officer. A Local Lodge Deputy is to attend a regular meeting of the Local Lodge to which assigned at least once every three months to ascertain if it adheres to the General Laws of the Supreme Lodge, the By-Laws of the Grand Lodge, and the ceremonies prescribed by the Ritual; to see that the financial books and records are properly kept and maintained, that the administration of the affairs of the Local Lodge are properly managed; to examine, whenever deemed necessary, the financial ledgers and books of account



of the Local Lodge, its minute books, depository accounts, and any other documents connected with the Local Lodge and its operation; to install in office those elected to office, giving, if necessary, appropriate instructions regarding the purposes and laws of the Order; to assume the duties of presiding officer whenever the Local Lodge presiding officer is unable to maintain order in the assembly or whenever the Local Lodge presiding officer refuses to obey the mandates of the Order; to sign, together with the appropriate officer of the Local Lodge, the per capita tax return, and, in case the Local Lodge becomes delinquent in the payment thereof, direct the immediate payment of the per capita tax and any other sum due to the Grand Lodge which is not paid within the prescribed period; to bring to the attention of the Local Lodge matters which emanate from the Grand Lodge. The Local Lodge Deputy shall attend the quarterly meetings of the District Deputy of the State district in which the Local Lodge is located. The Local Lodge Deputy shall submit written reports to the District Deputy on the condition of the Local Lodge to which assigned, and immediately report any irregularities or infractions of the Ritual, General Laws or the By-Laws of the Grand Lodge that may be discovered, which report shall be rendered to the New York State Deputy and the District Deputy; the Local Lodge Deputy, in any instance deemed appropriate, shall have the right to defer an answer and respond in writing; in such an event a report shall be submitted to the District Deputy, and a written response shall be presented at the next regular meeting of the Local Lodge to which the Local Lodge Deputy is assigned. The officers and members of a Local Lodge shall obey the lawful orders and directions of their Local Lodge Deputy; notwithstanding the foregoing, they shall have the right to appeal to the State Orator within ten days when they feel that the orders or directions issued by the Local Lodge Deputy violate the General Laws of the Order or the By-Laws of the Grand Lodge. Any such appeal shall be in writing with a copy sent to the State Corresponding Secretary.

Any Local Lodge Deputy who is absent, without justifiable reason, from attending the regular meetings of the Local Lodge to which assigned for two consecutive quarters, or the District Deputy's quarterly meeting, shall be considered to have resigned from office and shall be replaced; for all purposes hereunder "justifiable reason" shall be determined by the State President.

**B.L.9:** No Local Lodge Deputy may be assigned to more than one Local Lodge, except upon a proper showing and for good cause, in which event a temporary appointment to an additional Local Lodge may be made; a "proper showing" and "for good cause" shall both be determined by the State President. Such temporary appointment shall continue until the reason therefore no longer exists, or a suitable Local Lodge Deputy has been appointed; in no event, however, shall such temporary appointment last for more than one year.

**B.L.10:** At the end of the term of the New York State Deputy, or on the appointment of a successor, all records of the outgoing New York State Deputy shall be delivered to the State Corresponding Secretary, and shall be maintained as permanent records in the Grand Lodge offices.

## **ARTICLE 65 - MEETINGS**

**B.L.1:** The Grand Lodge shall convene a State Convention once each year during the month of June, at the place previously approved at the State Convention or chosen by the Grand Council whenever found impractical to hold it at such a place.

**B.L. 2:** The business of the State Convention, the Grand Council, and the Local Lodges shall be transacted in conformity with the laws of the Supreme Lodge, the Grand Lodge, the Local Lodges, the Ritual, and under Rules of Parliamentary procedure as described in Roberts Rules of Order, latest edition. In case of conflict, the By-Laws of the Grand Lodge shall prevail unless superseded by, or, in those instances where no Grand Lodge By-Law exists, the General Laws.

## **ARTICLE 66 - RECEIPTS**

**B.L.1:** Each Local Lodge shall remit to the Grand Lodge for each new member a sum of money equal to the initiation fee which the Grand Lodge is required to pay to the Supreme Lodge, plus such amount to the Grand Lodge as approved by the State Delegates at a State Convention. For the purpose of this section, new members shall include charter members of newly formed Local Lodges.

## **CHAPTER 5 - GENERAL ADMINISTRATION**

### **ARTICLE 102 - CHARTERS AND ARTICLES OF INCORPORATION**

**B.L.1:** The following New York State Membership Corporation clauses are rightful and proper ones:

A) The Supreme Lodge, OSIA, as amended and incorporated June 22, 1905.

B) The Grand Lodge, OSIA, as amended and incorporated February 11, 1911.

No original amendatory acts and actions heretofore taken on behalf of both corporations since they were incorporated, whether by specific action of the State of New York legislature or otherwise is hereby validated and ratified whether recorded or not.

**B.L.2:** The legislature be petitioned to amend as follows pursuant to the Section 30 of the New York State Membership Corporation Laws:

The number of directors of said corporation shall not be less than 11 or not more than 35.

Moreover the Board of Directors of said corporation shall be known as the Grand Council and the Executive Committee shall be known as the Grand Executive Committee.

The Annual meeting of said corporation shall be known as the State Convention and shall be held at such time and place as described by the Constitution, By-Laws, Rules and Regulations. The actions of the said State Convention, Grand Council, and Grand Executive Committee in ranking order designate the same.

**B.L.3:** There was formed, in accordance with resolutions adopted by the State Delegates at a duly convened State Convention, the "Order of Sons of Italy in America - New York Grand Lodge Foundation Inc.", the Certificate of Incorporation for which was duly filed in the Office of the Secretary of the State of New York on October 14, 1982 (Foundation); the Foundation was formed pursuant to the provisions of the Not-For-Profit Corporation Law of the State of New York and holds an exemption from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of the United State of America. A copy of the Certificate of Incorporation for the Foundation is annexed as Appendix A.

**B.L. 4:** The supplemental By-Laws of the Grand Lodge of the State of New York, Order Sons of Italy in America, which were ratified on November 19, 1977 at a special By-Laws Convention, and thereafter approved by the Supreme Council on November 18, 1978, as revised and amended in 1990, be and the same hereby are repealed, which repealer shall become effective as of the date of adoption of these By-Laws and upon these By-Laws becoming effective as provided in Article 104 of the General Laws.

#### **ARTICLE 103 - PROPOSALS TO AMEND THE GENERAL LAWS**

**B.L.1:** All proposals to amend the By-Laws of the Grand Lodge must be submitted to the State Corresponding Secretary no less than ninety days prior to the date fixed for the State Convention. If the proposal is received timely, the State Corresponding Secretary shall immediately refer the proposal to the By-Laws Committee. All proposals to amend the By-Laws of the Grand Lodge, which are to be considered at the State Convention, must have been sent to all State Delegates at least thirty days before the opening of the State Convention.

**B.L.2:** Notwithstanding anything stated to the contrary under B.L.1 hereof, any proposal to amend the By-Laws of the Grand Lodge which is proposed by the Grand Council need not be forwarded to the By-Laws Committee but may be forwarded directly to the State Delegates; any such proposal emanating from the Grand Council must be forwarded to the State Delegates no later than thirty days before the opening of the State Convention.

**B.L. 3:** The Local Lodges shall be subject to, governed by and must adhere to the By-Laws of the Grand Lodge and the General Laws in those instances where they pertain to Local Lodges; in case of conflict, the By-Laws of the Grand Lodge shall prevail unless superseded by, or, in those instances where no Grand Lodge By-Law exists, the General Laws. Notwithstanding the foregoing, a Local Lodge may adopt By-Laws provided:

A) any such Local Lodge By-Laws do not conflict with, or in any way contradict or contravene an existing Grand Lodge By-Law or General Law, of which fact the Grand Council shall be the sole judge; and

B) written notice of either a special or general meeting be given to each member of the Local Lodge at least fifteen days prior to such meeting, which notice shall set forth the purpose of the meeting and the full text of the Local Lodge By-Laws to be adopted, amended and/or repealed; and

C) such meeting is duly convened; and

D) the adoption, amendment and/or repeal of any such Local Lodge By-Laws is approved by a two-thirds vote of the members present at such meeting; and

E) within thirty days after the adoption, amendment and/or repeal thereof, same are sent to the State Corresponding Secretary with a request that same be submitted to the Grand Council for approval.

The proposed Local Lodge By-Laws, or amendments thereto, or the repealer thereof, in whole or in part as may be the case, shall become effective as to those approved by the Grand Council upon written notice thereof to the Local Lodge. Such Notice shall specify those approved and those rejected.

#### **ARTICLE I07 - TERMS OF OFFICE**

**B.L.1:** No Local Lodge Council officer may be elected to the same office for more than two consecutive full terms. Nothing contained herein shall prevent such officer from being elected to the same office after a lapse of one term between such officer's previous tenure in that office (see Article 21, B.L.1).

**B.L.2:** The office of State President shall be limited to one (1) two (2) year term. The balance of Grand Council Officers may not be elected for more than two (2) consecutive full terms. Nothing contained herein shall prevent such officer from being elected to the same office after a lapse of one term between such officers previous tenure in that office.

**B.L.3:** The term of office of the appointed State Deputies and District State Deputies shall coincide with that of the State President who recommended them for appointment.

#### **ARTICLE 108 - FORFEITURE OF OFFICE**

**B.L.1:** For all purposes under these By-Laws, the Local Lodge's regular meeting shall mean its regular monthly business meeting as prescribed in Article 35.

**B.L.2:** Any State Delegate or Alternate who is absent, without justifiable cause, from such Delegate's Local Lodge's regular meetings for three consecutive months, shall automatically be removed and replaced by an alternate; if no alternate is available, the Local Lodge may elect a new State Delegate for the unexpired term.

**B.L.3:** Any Local Lodge officer, including the Immediate Past President, shall forfeit office due to a failure to attend three consecutive regular meetings and/or council meetings without justifiable cause; the Local Lodge's Council shall decide what constitutes "justifiable cause" upon which such forfeiture of office is based. Any person so removed for "justifiable cause" may appeal the question of "justifiable cause" to the entire membership of the Local Lodge.

**B.L.4:** Elected and appointed Grand Lodge officers and commissioners must attend at least one regular meeting of their respective Local Lodges in each quarter of the calendar year. The failure to do so shall constitute grounds for suspension or removal from the position held. Such determination shall be made by the Grand Council.

#### **ARTICLE 109 - ELECTIONS**

**B.L.1:** Elections in Local Lodges shall be conducted in the following manner:

A) No later than the regular meeting in December immediately preceding the Local Lodge's election, the President shall appoint a nominating committee of not less than five members; the committee is to select nominees for all elective offices. Within one week after appointment of the Committee, written notice of the Chairperson's name, address and telephone number shall be given to the members, with the further advice to contact such chairperson for an interview by the Committee if such member is interested in becoming an officer. The President shall not be a member, either official or *ex officio*, of the nominating committee.

B) The Committee shall meet and interview candidates for office and shall present its report, including recommendations of candidates for office, at the regular meeting held in January preceding the election. After the report of the nominating committee is accepted, the President shall entertain nominations from the floor.

C) At least five days notice must be given to the members of the Local Lodge stating the date on which the report of the committee will be presented and advising that nominations from the floor will be in order.

D) There shall be no further nominations subsequent to the January meeting, unless a nominee withdraws, dies or for some reason is not eligible to serve in the office to which nominated. However, if there remains one or more nominees for such office, there can be no further nominations.

E) Elections shall be held in February, except that a recently chartered local lodge in existence for less than one year shall not hold an election in the February immediately following its institution. A written notice of the election shall be mailed to the membership of the Local Lodge at least five days before the election. (Rev.6/2012)

F) Trustees, State Delegates with Alternates, and Commissioners of Arbitration shall be elected by a plurality vote.

G) All other candidates are to be elected by an absolute majority vote; a run off between the two candidates for the same office who received the higher plurality of votes shall be conducted by an additional vote.

H) In the event of a tie vote, the candidate having seniority based on continuous membership shall be declared the winner. There shall be no cumulative voting. Candidates vying for the same office shall be listed under such office.

I) The installation of officers shall take place during the month of March next succeeding the election unless the State President authorizes a different date.

J) State Delegates shall be elected for a term of one year, their election shall be held in every year.

K) Local lodge nominating committee members, in order to qualify for appointment must be dues paid members in good standing for at least one year, and must have attended fifty (50) per cent of all general meetings of the local lodge in the one-year period prior to being appointed to the nominating committee.

**B.L.2:** A person nominated from the floor must be present to accept the nomination; except that a person who, after interview, has not been nominated by the Nominating Committee, need not be present to accept a nomination from the floor for the position declared to the Nominating Committee.

**B.L.3:** No member shall be permitted to accept a nomination for more than one Local Lodge Council office. Any member who has accepted the nomination for one office is precluded from changing his mind and accepting nomination to or for another office. The withdrawal of one's name

from nomination after having accepted same in order to accept a different nomination is impermissible and such person is precluded from accepting further nomination for the current election. This section shall be applicable to all nominations and elections for the Grand Lodge, and the Local Lodge.

#### **ARTICLE 111 - SALARIES, INDEMNITIES, PER DIEM ALLOWANCES AND TRAVELING EXPENSES**

**B.L.1:** The General Assembly of each Local Lodge must decide prior to the appointment of the Nominating Committee at its December meeting which officers are to be considered paid officers and determine the salary of each officer. The salaries of the paid officers cannot be changed during their respective terms.

**B.L.2:** All hotel accommodations for the members of the Grand Council who attend the State Convention shall be paid in full by the Grand Lodge. In addition each member of the Grand Council shall be reimbursed for travel expenses.

**B.L.3:** The Grand Council members who are required to and do attend plenary sessions, executive sessions or special sessions shall be reimbursed for travel expenses and for necessary overnight hotel accommodations.

**B.L.4:** Any member on a special assignment at the direction of the Grand Council or the State President, shall be reimbursed for travel expenses and for necessary overnight hotel accommodations, including meals.

**B.L.5:** In cases of emergency, the State President is authorized to expend an amount as determined by the Grand Council with which to meet expenses incidental to such emergency. Any such expenditure shall be reported to the Grand Council at its next meeting.

**B.L.6:** Reimbursement for travel expenses pursuant to the various provisions of the Grand Lodge By-Laws under Article 111 of the General Laws, shall be at the per mile rate as established, from time to time, by the federal government pursuant to the Internal Revenue Code.

**B.L.7:** Local Lodge advances of expenses to or reimbursement of expenses for State Delegates' attendance at the State Convention shall be determined at regular meeting of the Local Lodge.

#### **ARTICLE 113 - CREDENTIALS OF STATE AND NATIONAL DELEGATES**

**B.L.1:** The final quarterly per capita tax payment must be paid in full thirty days prior to the opening day of the State Convention. Failure to pay said tax and all other monies due, in full, thirty days prior to the opening day of the State Convention will mandate that the State Delegates of that deficient Local Lodge not be seated and must be denied the rights and participation given to fully accredited State Delegates.

#### **ARTICLE 114 - REGULATIONS OF A MISCELLANEOUS NATURE**

**B.L.1:** Any singular word or term herein shall also be read in the plural and any gender shall include the other gender or non gender whenever the sense so requires.

**B.L.2:** The adoption of these By-Laws shall not in any way affect the term of office of any elected or appointed officer of the Grand Lodge or of a Local Lodge.

### **JUDICIAL CODE**

#### **ARTICLE 48 - JUDICIAL FEES AND COSTS**

**B.L.1:** In addition to the prescribed filing fee, the complainant shall deposit the sum of \$500.00 with the Grand Lodge a security for costs simultaneously with the filing of the complaint. If the Arbitration Commission assesses costs in its decision, the party against whom same are assessed shall pay same. Costs shall be assessed

on the basis of actual expenses incurred by or on behalf of the Trial Commissioner. Refund of the amount deposited by the complainant who remains after the decision of the Trial Commissioner shall be affected within ten business days after such decision. The Orator of a ranking unit who is the complainant is exempted from the provisions hereof.