

New York State Chapter By-laws

ARTICLE I – State Officer Qualifications

Section 1: State Master Councilor

1. In the absence of a Petition for Forced Election, the Deputy State Master Councilor shall be the only candidate for the office of State Master Councilor, provided that he meets the qualifications as outlined in Article I, Section 1, Sub-section 2 of the State Chapter By-laws.
2. In the event that the office of Deputy State Master Councilor is vacant or in the event of a Petition for Forced Election, any DeMolay residing in New York State and a member of the State Chapter shall be eligible to be elected State Master Councilor provided that:
 - a) He is in good standing with his Chapter.
 - b) His Chapter is in good standing.
 - c) He has filed an application to run for office on time.
 - d) He must be under the age of 21 at the time of his election and installation.
 - e) He shall not be a first time sitting Master Councilor at the time of his election and/or installation.
 - f) He is a presiding or past Region Master Councilor

Section 2: Deputy State Master Councilor

Any DeMolay residing in New York State and a member of the State Chapter shall be eligible to be elected Deputy State Master Councilor provided that:

- a) He is a Past Region Master Councilor
- b) He is in good standing with his Chapter.
- c) His Chapter is in good standing.
- d) He has filed an application to run for office on time.
- e) He must be under the age of 20 at the time of his election and installation.
- f) He shall not be a first time sitting Master Councilor at the time of his election and/or installation.

Section 3: Region Master Councilor

Any DeMolay residing in New York State and a member of the State Chapter shall be eligible to be elected Region Master Councilor provided that:

- a) He is a recipient of the Representative DeMolay Award.
- b) He has completed all five Leadership Correspondence Courses.
- c) He is a Past Master Councilor.

- d) Shall not be a first time sitting Master Councilor at time of his election and/or installation.
- e) He is in good standing with his Chapter.
- f) His Chapter is in good standing.
- g) He has filed an application to run for office on time.
- h) He must be a member of a Chapter within the Region, which he is seeking to be elected Region Master Councilor.

Section 4: Appointed State Officers

Any DeMolay residing in New York State and a member of the State Chapter shall be eligible to be an Appointed State Officer provided that:

- a) He is a recipient of the Representative DeMolay Award.
- b) He has completed all five Leadership Correspondence Courses.
- c) He is a Past Master Councilor.
- d) Should not be a first time sitting Master Councilor at time of his election and/or installation.
- e) He is in good standing with his Chapter.
- f) His Chapter is in good standing.
- g) He has filed an application on time.

ARTICLE II – State Officer Nomination and Election Procedures

Section 1: State Officer Applications

- a) The State Chapter Advisor shall prepare an application in consultation with the Deputy State Master councilor and the Executive Officer. This application shall be used for any DeMolay who wishes to be considered for an elected or appointed office.
- b) The applications shall be made available through the New York DeMolay Office and the New York DeMolay Website.
- c) Fully completed applications shall be sent to the New York DeMolay Office by the deadlines published in the New York State Timeline and on the State Officer Application.
- d) Any changes made to the State Officer Application and/or the review process should be made by the Credentials Committee as outlined in Article II, Section 2 of the New York State Chapter By-laws.

Section 2: Credentials Committee

The Credentials Committee will review and approve all applications for the elective and appointive offices of the State Chapter. Each member of the Committee shall have one vote and approval will consist of a simple majority of the members present. The Committee shall consist of:

- a) The Executive Officer
- b) The Deputy Executive Officer's
- c) The State Chapter Advisor

- d) The Region Governors
- e) The State Director of Education
- f) The State Master Councilor
 - a. In the case of the State Master Councilor running for elective office the most senior member of the State Executive Committee who is not seeking elective office shall serve on the committee in his stead.

The Credentials Committee must meet not less than 60 days prior to the annual meeting as directed by the State Master Councilor. The Credentials Committee shall issue a report to the applicants 48 hours after the meeting and at the annual meeting.

Section 3: Election of Officers

- a) The Election of Officers shall take place at the Annual Meeting at a time set by the State Executive Committee and State Chapter Advisor. Set time will be announced to the Chapters not fewer than 60 days prior to the annual meeting as outlined in Article III, Section 1 of State Chapter Constitution.
- b) The elected officers of the State Chapter should be determined by a simple majority in all cases, which includes; the office of State Master Councilor and Deputy State Master Councilor.
- c) Should a candidate lose his bid for the position of State Master Councilor or any subsequent position, he will automatically be considered for all subordinate positions in separate elections.

Section 4: Voting in State Officer Elections

- a) Voting shall be held by written ballot.
- b) Election shall be decided by a simple majority of ballots cast, unless previously described. If no majority is reached, voting continues until a majority is reached.
- c) When three or more candidates are in nomination and a majority is not reached, the nominee with the fewest number of votes will be declared defeated and voting will continue with the remaining nominees until majority is reached.
- d) Voting shall commence with the office of State Master Councilor.

Section 5: Appointing State Officers

- a) The appointive officers of the State Chapter shall be appointed as soon as practical after the election of the elective officers of the State Chapter and shall serve at the pleasure of the State Master Councilor.

Section 6: State Officer Installation

The State Officers, both elected and appointed, shall be duly installed at the State Installation to be held at the Annual Meeting.

ARTICLE III – State Officer Duties and Committee Responsibilities

Section 1: State Master Councilor

The State Master Councilor shall preside at all meetings of the State chapter and perform all the duties, which naturally pertain to such an office. He shall supervise the work of all State Officers and Committees. He shall be an ex-officio member of all Committees. He shall appoint all standing and special committees with the approval of the State Executive Committee. He shall prepare and submit at the annual meeting a report of the conduct of his office, which report shall be incorporated in the minutes of the Annual Meeting.

Section 2: Deputy State Master Councilor

The Deputy State Master Councilor shall perform the duties of the State Master Councilor in his absence or incapacity. He shall assist the State Master Councilor in supervising the work of the other State Officers and Committees. He will work with the New York DeMolay Office to plan the State Convention that he will preside as State Master Councilor. He is the Ad Journal Chairman. He shall perform such duties as the State Master Councilor or State Chapter Dad shall direct.

Section 4: Region Master Councilors

Region Master Councilors shall be representatives of the State Chapter and the State Master Councilor within their respective Regions. They shall organize and communicate regularly with every Chapter within their Region. It will be the duty of the Region Master Councilor to organize a Region, the purposes of which shall be consistent with the purposes of the State Chapter as outlined in Article II of the New York State Chapter, Order of DeMolay Constitution. They shall perform such other duties as the State Master Councilor or State Executive Committee shall direct.

Section 6: Appointed State Officers

The Appointed State Officers shall have such duties as the State Master Councilor shall direct.

Section 7: Responsibility

All State Officers and all members of the State Chapter committees shall be responsible to the State Master Councilor for the performance of their duties.

Section 8: Executive Committee Report

Not less than 30 days before the annual meeting of the State Chapter, the State Executive Committee shall prepare a report for its succeeding State Executive Committee. The report shall include a review and recommendations concerning all programs undertaken during the year as well as any information, which the State Executive Committee considers to be of value to the future. The report shall be available for inspection at the Annual Meeting and thereafter.

Section 9: New York State Chapter Committees

The Committees of the State Chapter may include, but are not limited to: the Committee on the Constitution, the Committee on Elections, the Committee on Fundraising, the Committee on Membership, and all other Committees which the State Master Councilor, State Chapter Advisor, or Executive Office may deem necessary for the proper execution of the duties of the State Chapter.

ARTICLE IV – State Officer Removal and Vacancy

Section 1: Removal

- a) Elective and Appointive State Officers may be removed for malfeasance or misfeasance or nonfeasance. They may be removed by the State Chapter Advisor or Executive Officer.
- b) Region Master Councilors may be removed for malfeasance or misfeasance or nonfeasance. They may be removed by the State Chapter Advisor, Executive Officer, or the Region Governor.

Section 2: Vacancy

- a) In the case of a vacancy in the office of State Master Councilor, the Deputy state Master Councilor shall succeed to that office. In the event that the office of the Deputy State Master Councilor is vacant a special election will be held with the Region Master Councilors as applicants, if qualified.
 - a. All other positions will remain vacant, unless a special election is held, with no fewer than 45 days notice given to each Chapter, or it is filled by appointment of the State Chapter Advisor and Executive Officer.
- b) In the case of a vacancy in the office of any Region Master Councilor, the position shall remain vacant, unless a special election is held, with no fewer than 45 days notice given to each Chapter of its time and place, or it is filled by an appointment by the Executive Officer or Region Governor.
 - a. When holding a special election or making an appointment to fill a vacant office, the Executive Officer or Region Governor shall, at his discretion, set deadlines for the receipt of applications for Region office from the candidate(s), and in the event of an election, registration of chapter delegates.
- c) Any individual, who has been appointed to fill a vacancy, shall be deemed to have served in that office for the purposes of the qualifications for elective office as outlined in Article I of these By-laws, provided that he serves in that office at least six months.

ARTICLE V – Meetings

Section 1: Attendance

Any active member of the Order of DeMolay, any DeMolay holding a Majority Certificate, any Senior DeMolay Certificate, or any Master Mason in good standing, or any individual authorized by the DeMolay International By-laws, Rules, and Regulations shall be eligible to attend a meeting of the State Chapter.

Section 2: Executive Session

An Executive Session may be held with only those eligible to vote being present, together with the appointed and elected State Officers, State Chapter Advisor, and the Executive Officer and those designated by them.

ARTICLE VI – Finances

Section 1: Budget

The State Master Councilor shall prepare the budget for the State Chapter for the period of his term of office. He shall present it to the State Executive Committee no later than six weeks after his election, unless the State Chapter Dad shall grant an extension. The budget shall show both anticipated revenues and expenditures. As nearly as possible, all State Chapter events shall provide for the reimbursements of reasonable and necessary expenses to the State Chapter Officers and Committees, other than the expenses of traveling to a State Chapter Convention. The State Executive Committee may, from time to time, amend the budget on the recommendation of the State Master Councilor.

Section 2: Expenditures

The State Chapter Dad shall not pay out any funds of the State Chapter except on proper voucher signed by the State Officer, Committee member, or Advisor responsible for the expenditure. If the voucher calls for expenditure in an amount provided for in the budget, the State Chapter Dad may pay the same. If the expenditure is not provided for in the budget, the same shall not be paid without the approval of both the State Master Councilor and State Chapter Dad.

Section 3: Custody of Funds

All funds of the State Chapter shall be deposited in such banks as may be approved by the State Executive Committee. No funds shall be withdrawn there from except by check or proper order signed by two authorized signatures.

ARTICLE VII – Rules

Section 1: Parliamentary Procedure

The edition of Robert's Rules of Order that is contained in the DeMolay Leader's Resource Guide shall be the guide to all questions of parliamentary procedure where the same is not covered by any provision of the State Chapter Constitution, these By-laws, or DeMolay custom.

Section 2: Other Regulations

The By-laws, Rules, and Regulations of DeMolay International shall be the guidelines to all questions concerning the State Chapter Constitution or By-laws. Any language or amendments which appear in the State Chapter Constitution or By-laws which are inconsistent or contradictory to the By-laws, Rules, and Regulations of DeMolay International shall automatically be declared null and void.

ARTICLE VIII – Region Chapters

Section 1: Purpose

There may be a Region Chapter in each Region, the purposes of which shall be consistent with the purposes of the State Chapter as provided for in Article II of the State Chapter Constitution.

Section 2: Officers

The Region Master Councilor shall be the head of the Region Chapter. He is to promote the programs of the State Master Councilor and work to strengthen and improve the quality of Chapters in his Region.

ARTICLE IX – Amendments

Section 1: Proposals

Proposals to amend these By-laws shall be made in the same manner as proposals to amend the Constitution of the State Chapter.

Section 2: Vote and Approval

Subject to approval of the Executive Officer, these By-Laws may be amended in the same manner as the Constitution of the State Chapter, except that only a majority vote shall be required.

Section 3: Amendment Timeline

This is the true and correct copy of the New York State Chapter, Order of DeMolay By-laws as adopted at the First Annual Meeting on August 25, 1968.

- Amended at the Second Annual Meeting on August 14, 1969
- Amended at the Third Annual Meeting on August 27, 1970
- Amended at the Ninth Annual Meeting on July 31, 1976
- Amended at the Sixteenth Annual Meeting on August 12, 1983
- Amended at the Special Meeting on January 21, 1984
- Amended at the Twentieth Annual Meeting on August 1, 1987
- Amended at the Twenty-Second Annual Meeting on August 22, 1989
- Amended at the Twenty-Fourth Annual Meeting on July 10, 1991
- Amended at the Special Meeting on December 1, 2001 by the Division Councilors of New York, as per convention resolution 34-01
- Amended at the Special Meeting on January 13, 2002.
- Amended at the Special Meeting on February 28, 2009
- Amended at the Special Meeting on March 29, 2014
- Amended by the Executive Officer with the concurrence of the State Master Councilor in the absence of a Session of Congress on February 1, 2015

Appendix A New York State Chapter By-laws Glossary of Terms

Appointed – named or assigned to a position or an office

Consultation – a discussion aimed at ascertaining opinions or reaching an agreement
Elected – describes the status of an individual who was chosen by vote
Eligible – somebody or something that meets a set of requirements
Ex Officio – by virtue of office or official position
Furnish – to supply or provide somebody with something
Incorporated – to combine or merge into one thing
Independently - not influenced or controlled by others in matters of opinion, conduct, etc.
Malfeasance – the performance by a public official of an act that is legally unjustified, harmful, or contrary to law
Misfeasance – the abuse of lawful authority to achieve a desired end
Nominated – to propose (someone) for appointment or election to an office
Nonfeasance – the omission of some act that ought to have been performed
Null – having no legal validity
Parliamentary Procedure – a body of rules followed by an assembly
Reimbursements – to make repayment for expense
Residing – dwelling permanently or for a considerable time
Subordinate – placed in or belonging to a lower order or rank
Succeeding – being that which follows; subsequent; ensuing
Void – having no legal force or effect; not legally binding or enforceable