

New York State Chapter, Order of DeMolay Constitution

PREAMBLE

The New York State Chapter is formed for the purpose of coordinating the efforts of all DeMolay Chapters in New York State and promoting the interest of DeMolay in the Jurisdiction through inter-Chapter relations. It will function under the authority and supervision of the Executive Officer of the Jurisdiction of New York of DeMolay International (DI).

ARTICLE I – Name

The name of this Chapter shall be “The New York State Chapter, Order of DeMolay.” It may be hereafter referred to as the “State Chapter.”

ARTICLE II – Purposes

Section 1

To organize as one State Chapter the Chapters of the Order of DeMolay in New York State.

Section 2

To provide the means by which the members of New York DeMolay can exchange ideas and experiences, which would help cultivate a greater sense of fraternity among them and their related fraternal organizations.

To provide opportunities for improving leadership ability through leadership training sessions, and providing avenues for the practical application of such training within the New York DeMolay organization.

To provide an opportunity for relaxation and entertainment which is in the best interests of New York DeMolay.

Section 3

To sponsor and encourage inter-Chapter and intra-Region exercises in: ritual, sports, and other activities that will strengthen the Order in this Jurisdiction.

ARTICLE III – Meetings

Section 1: Annual Meeting

The Annual meeting of the State Chapter shall be held at the Annual State Convention. The State Executive Committee with the approval of the State Chapter Advisor will set the meeting time and

place. The New York DeMolay Office shall give due notice to all Chapters at least 60 days prior to the date of such Convention.

Section 2: Special Meetings

The State Executive Committee, with the approval of the State Chapter Advisor, may call special meetings of the State Chapter. They may be called to confer degrees, to institute new Chapters and for such other purposes as the State Chapter Advisor may approve.

ARTICLE IV – New York State Chapter Congress

Section 1: Name, Form, & Purposes

1. Name: The name of this representative body shall be: “The New York State Chapter Congress.” It may be hereafter referred to as the “Congress.”
2. Form: The Congress shall be all of the duly elected Chapter Delegates, as outlined in Article IV, Section 2 of the State Chapter Constitution, organized into one representative body.
3. Purposes:
 - a) To formulate and decide all matters of policy for the State Chapter.
 - b) To provide advice and consent to the State Executive Committee.
 - c) To be the clearing house and the body of origin for all amendments to the State Chapter Constitution and By-laws.
 - d) To nominate and elect the officers of the State Chapter.

Section 2: Membership

1. Good Standing
 - a) The membership of the Congress shall be all Chapters located in the Jurisdiction of New York, which are either chartered or operating under Letters Temporary.
 - b) All Chapters are considered to be in good standing with the State Chapter and the Congress unless they are delinquent in one of the following:
 - i. Filing of an Annual Advisory Council Registration
 - ii. Filing of Form 10s
 - iii. Filing of Officer Address Reports
 - iv. Paying their annual Insurance Premium
 - v. Holding of an Annual Meeting of the Chapter Advisory Council
 - vi. Filing of an annual Financial Statement
 - vii. Meet all other requirements of a chapter in good standing as set forth in the By-laws, Rules and Regulations of DeMolay International
 - viii. Viewing of the Youth Protection video and the completion of the appropriate forms within six months of the installation of officers
 - ix. In any other manner determined by the Executive Officer

2. Congress Delegates

- a) Definition: Each Chapter, which is a duly and officially recognized Chapter, chartered or operating under Letters Temporary by DeMolay International, shall in the Jurisdiction of the State of New York have three votes on all matters which may come before a meeting of the New York State Chapter Congress, provided:
 - i. The chapter has at least one Active DeMolay and one Advisor present at the meeting of the State Chapter.
 - ii. The chapter has completed the New York DeMolay Voter Registration Form with the State Executive Committee by the deadline.
 - iii. Each of the three votes will be independent of the other, such that the individual delegates may vote in a manner which is consistent with the opinions of the chapter members which they represent.
 - iv. Delegates will elect a Region Master Councilor for their Region only.
 - v. Each delegate is allowed one vote. If a chapter has only one delegate they forfeit the other two. If only two delegates they forfeit the other one.
 - vi. If a delegate has dual membership, that delegate can only represent and be a delegate for one Chapter.
- b) Qualifications: Delegates desiring to vote at the State Chapter Congress in the Annual/Special State Meeting must:
 - i. Have recited, from memory, both obligations
 - ii. Be in good standing with their Chapters
 - iii. Be a Councilor or a duly designated proxy. If no Councilor is present, an Active DeMolay may be a proxy for the chapter votes.

Section 3: Meetings

1. Types of Meetings

- a) Annual Meeting: The Annual Meeting of the Congress shall be held when two-thirds of the Congress delegates request that one be convened. The Speaker of the Congress, with the approval of the Congress Advisor, will set the meeting time and place. The New York DeMolay Office shall give due notice to all Chapters at least 60 days prior to the date of such meeting.
- b) Special Meeting: The Congress, with the approval of the Congress Advisor, may call special meetings of the Congress.

2. Attendance

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

3. Executive Session
 - a) An Executive Session may be held, with only those eligible to vote being present, the State Chapter Advisor, the Executive Officer and those designated by them.

Section 4: Voting

1. Voting in State Officer Elections
 - a) Refer to Article II, Sections 3 and 4 of the State Chapter By-laws
2. Voting on Changes to the State Chapter Constitution
 - a) Refer to Article IX, Section 2 of the State Chapter Constitution
3. Voting on Changes to the State Chapter By-laws
 - a) Refer to Article VIII, Section 2 of the State Chapter By-laws
4. Tie Vote
 - a) In the event of three tie votes, on the fourth ballot the Speaker of the Congress shall be entitled to cast a vote.

Section 5: Authority of the Congress

1. Establish Committees: The Congress shall have the authority to create such Committees as they shall deem necessary.
 - a) These Committees may be:
 - i. Standing Committees
 - ii. Working Committees
 - iii. Such other Committees as the Congress shall deem proper.
 - b) However, the Congress shall be required to form those Committees to operate concurrently with those formed by the State Executive Committee.
2. Elect the Speaker of the Congress: The Congress shall have the authority to elect, from the Congress, a representative to act as the liaison between the Congress and the State Executive Committee, and preside over the Congress while it is in session. This presiding officer shall be known as the Speaker of the Congress and may hereafter be referred to as the "Speaker."
 - a) The Speaker shall be elected by the Congress, which shall occur in a manner consistent with Article II, Section 4 of the State Chapter By-laws.
 - b) The Speaker shall serve for a period of one year from the date of his election or until his successor is elected, whichever occurs first. He shall serve no more than two consecutive or nonconsecutive terms.
 - c) The procedures for Removal and Vacancy found in Article IV of the State Chapter By-laws shall govern this position.

- d) Any delegate who desires to be elected to the position of Speaker must not be a member of the State Executive Committee at the time of his election, nor become a member of the State Executive Committee during his tenure as Speaker.
- e) The Speaker shall preside over the Congress while it is in session.
- f) The Speaker shall retain the voting rights of his Chapter, and in the event of a tie, cast the tie-breaking ballot.
- g) The Speaker shall communicate to the State Master Councilor specifically, and the State Executive Committee more generally, the policy directives of the Congress.

Section 6: Rule

1. Parliamentary Procedure: The most recent edition of Robert's Rules of Order shall be the guide to all questions of parliamentary procedure where the same is not covered by any provision of the State Chapter Constitution, the State Chapter By-laws or DeMolay custom.
2. Other Regulations: The By-laws, Rules and Regulations of DeMolay International shall be the guidelines to all questions concerning this Article. 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.

Section 7: Congress Advisor

1. The Executive Officer shall appoint a Congress Advisor who shall act as the Executive Officer's Representative for all purposes stated in Article IV of the State Chapter Constitution, unless the Executive Officer shall otherwise direct. The Executive Officer may from time-to-time appoint other Advisors to assist the Congress Advisor, based on the recommendations of the Congress Advisor.

ARTICLE V – Officers

Section 1: Elective Officers

1. The Elected Officers of the State Chapter shall be:
 - a) State Master Councilor
 - b) Deputy State Master Councilor
 - c) One Region Master Councilor to serve each Region

Section 2: Eligibility

Refer to the New York State By-laws for Eligibility.

Section 3: Petition for Forced Election

1. A Petition for Forced Election may be called no later than 60 days before the election by:

- a) A petition signed by no fewer than 20 active DeMolays, in good standing, with a minimum of two from each Region.
- b) 3/4ths vote of the State Executive Committee
- c) 3/4ths vote of the State Advisory Council
- d) All subject to the consent of the Executive Officer.

Section 4: Tenure of Office

The elective officers of the State Chapter shall be elected at the annual meeting and serve until the subsequent annual meeting when their successors may be elected and installed.

Section 5: Removal from State

If any State Officer removes from this State, the office, which he holds, shall there by become vacant. Removal from State shall be determined by the Executive Officer, in consultation with the **Deputy Executive Officer's** and State Chapter Advisor.

A vacancy may be filled consistent with Article IV, Section 2 of the State Chapter By-laws.

ARTICLE VI – Allegiance

The State Chapter acknowledges its allegiance to DeMolay International and the Executive Officer. The State Chapter also acknowledges the power of the Executive Officer to dissolve the State Chapter at his pleasure by virtue of the fact that the Executive Officer has authority over DeMolay in the Jurisdiction of New York.

ARTICLE VII – Administration

Section 1: State Executive Committee

1. The members of the State Executive Committee shall be:
 - a) State Master Councilor
 - b) Deputy State Master Councilor
 - c) Region Master Councilors
 - d) All appointed State Officers

The State Executive Committee shall, oversee the work of all its subcommittees and take care of all other matters not otherwise provided for in the Constitution or the By-laws and shall, between meetings of the State Chapter, transact all business for the State Chapter.

Section 2: State Chapter Advisor

The Executive Officer shall appoint a State Chapter Advisor who shall act as the Executive Officer's Representative for all purposes stated in this Constitution and By-laws unless the Executive Officer shall otherwise direct. The Executive Officer may from time to time appoint other Advisors to assist the State Chapter Advisor, from the recommendation(s) of the State Chapter Advisor.

Section 3: Vote and Approval

Each member of the State Executive Committee shall be entitled to cast one vote on every question that comes before the State Executive Committee. In the event of a tie vote, voting shall be repeated until a majority is achieved.

ARTICLE VIII – Amendments

Section 1: Amendment Proposals and Procedures

1. Amendment Proposals: Amendments to the Constitution and/or By-laws must be submitted formally (meaning word processed) and must be post marked or received via an electronic means no later than 120 days prior to the Annual/Special meeting at which they are to be considered for a vote.
 - a) Any amendment proposals received after that date will be held over until the following meeting.
2. Amendment Procedures: Any amendment proposals received shall be transmitted to the State Chapter Congress Constitution and By-laws Committee for review, consideration, and formatting.
 - a) Subsequently, a meeting of the State Executive Committee shall occur no fewer than 75 days prior to the Annual/Special meeting, the purpose of which shall be to review those amendment proposals put forth that year, if any, and vote on whether or not they are to be transmitted to the Chapters for consideration.
 - b) Those amendments being found favorable by a simple majority vote of the State Executive Committee, and by the Executive Officer, shall be transmitted to each Chapter such that each Chapter shall have a minimum of 60 days to pose questions or ask for certification on any and/or all proposed amendments which shall come before the State Chapter at its annual meeting.

Section 2: Vote and Approval

Amendments to the Constitution may be made by a two-thirds affirmative vote of those present and voting on the question, subject to the approval of the Executive Officer.

Section 3: Amendment Timeline

This is the true and correct copy of the New York State Chapter, Order of DeMolay Constitution 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 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 Congress Session on February 1, 2015
- Amended at the Fifty-First Annual Meeting on August 4, 2018

Appendix A

New York State Chapter Constitution Glossary of Terms

Acknowledges - admitting or accepting that something exists, is true, or is real

Affirmative - indicating agreement or giving assent

Consistent - agreement, harmony, or compatibility

Coordinating - a complex enterprise in which numerous people are involved and bring their contributions together to form a coherent or efficient whole

Delinquent - neglecting a duty, commitment, or responsibility

Designated - to formally choose somebody for a job, position, or duty

Entitled - to give somebody the right to have or to do something

Favorable - expressing approval or admiration

Fraternalism - showing friendship and mutual support between people or groups with the same interests or aims

Independent – not influenced or controlled by others in matter of opinion, conduct, etc.

Proxy - somebody authorized to act for another person

Removes - to transfer somebody or something to another place, or change a place of residence

Successor - somebody or something that follows another and takes up the same position

Supervision - to be in charge of a group of people engaged in an activity or task and keep order or ensure that they perform it correctly

Tenure - the length of time that an official position is occupied