

# Massachusetts State Council Knights of Columbus

## BY-LAWS

(as amended May 1, 1994)

### ARTICLE I. NAME

#### Section 1. NAME

This organization shall be known as the Massachusetts State Council Knights of Columbus (the "State Council"), and shall be subject to and governed by the Charter, Constitution and Laws of the Knights of Columbus (the "Order").

### ARTICLE II. MEMBERSHIP

#### Section 2. MEMBERSHIP.

Membership of the State Council shall consist of the Grand Knight and a Past Grand Knight actually residing in Massachusetts from each council in good standing, the Supreme Knight (ex officio), the elected State Officers (ex officio), and the immediate Past State Deputy provided, however, that when the Immediate Past State Deputy is actually residing in another state or jurisdiction, he shall thereby forever forfeit such right, and his nearest predecessor actually residing in Massachusetts shall be entitled thereto. If there be more than one Past Grand Knight, councils shall elect one to represent it in the State Council. A council having no Past Grand Knight may elect any one of its Third Degree members in good stand as delegate. Councils shall *also* elect alternates *to serve, if necessary, as members of* the State Council.

#### Section 3. PAST STATE DEPUTIES AND DISTRICT DEPUTIES.

All other Past State Deputies and all incumbent District Deputies shall be permitted the privileges of membership in the State Council, but without the right to vote therein, unless they otherwise be members of the State Council.

#### Section 4. CHAIRMEN OF STANDING COMMITTEES.

Chairmen of Standing Committees of the State Council, not to exceed twelve, who are not otherwise members, shall be permitted, with permission of the State Deputy, the privilege of membership in the State Council with the right to speak on questions pertaining to the functions of their respective committees, but without the right to vote therein.

### ARTICLE III ANNUAL MEETING

#### Section 5. ANNUAL MEETING.

The Annual Meeting (State Convention) of the State Council shall be convened between the first day of April to and including the first day of June each year by the State Deputy for the election of officers and for the transaction of such business and the enactment of such rules and regulation as may be consistent with the Charter, Constitution and Laws of

the Knights of Columbus; but no law, rule or regulation adopted by the State Council shall become operative until approved by the Supreme Council. The State Deputy, subject to the approval of the State Officers, shall fix the date of each Annual Meeting.

**Section 6. MANNER CONDUCTED, WHOM ADMITTED.**

All meetings of the State Council shall be conducted in the third section, and shall be open to all Third Degree members in good standing. Members of the State Council shall not leave during the sessions of the State Council without permission of the presiding officer.

**Section 7. QUORUM.**

One third of the duly accredited delegates shall constitute a quorum for a meeting of the State Council.

**Section 8. CREDENTIALS.**

The State Secretary shall issue, under seal, credentials to the duly elected delegates to the Annual Meeting of the State Council, who shall present the same at the Annual Meeting.

**Section 9. TEMPORARY ROLL CALL.**

The State Secretary shall prepare a roll of the names of all delegates on the credentials presented to him prior to the calling to order of the meeting of the State Council, and said roll shall be the roll of the State Council until the Committee on Credentials has submitted its report and the permanent roll determined by the action of the meeting on said report.

**Section 10. YEAS AND NAYS.**

The Roll of Delegates shall not be called upon demand for the yeas and nays unless required by at least one-third of those voting on such a request.

**ARTICLE IV COMMITTEES OF THE ANNUAL MEETING**

**Section 11. COMMITTEE ELIGIBILITY.**

Any member of the State Council shall be eligible to serve on its committees or any Third Degree member of the Order residing in Massachusetts may be appointed to any committee where his special skill, knowledge and qualifications are required or would be an asset to a committee. By virtue of his appointment to such committee, said member is empowered to speak, without a vote, on matters pertaining to the function of that committee.

**Section 12. CREDENTIALS COMMITTEE.**

The State Deputy shall, before the Annual Meeting, appoint a Committee on Credentials, to consist of five members, and as many assistants as deemed necessary, who shall examine all credentials presented to it by the duly elected delegates and alternates for certification. In case of a contest, one member on each side may appear to make argument before the Credentials Committee, each being allowed not more than five minutes without special consent of said committee.

Section 13. COMMITTEE ON MILEAGE AND PER DIEM.

(a) The State Deputy shall, before the meeting of the State Council, appoint a Committee on Mileage and Per Diem, to consist of five members, and as many assistants as deemed necessary, who shall determine and certify to the State Secretary the number of miles traveled by each representative to the State Council.

(b) Members of and representatives to the State Council shall receive, in lieu of all expenses, mileage both ways at the rate of fifteen cents a mile from the place of their local council to the place of meeting of the State Council by the most direct route and the return route to the same location, provided, however, that members of and representatives to the State Council whose local councils are less than forty miles from the place of the meeting shall receive a minimum of twelve dollars. Members of and representatives to the State Council shall receive a per diem of *seventy* dollars for each day's actual attendance at meetings of the State Council.

(c) Should conditions warrant it, and without increase in percapita tax, the State Officers may recommend a per diem increase not to exceed ten dollars per day. Such proposal must be approved by a two-thirds vote of the delegates. Such increase would apply for the current meeting only and would not apply to future conventions without a change in the by-laws.

Section 14. RESOLUTIONS AT THE ANNUAL MEETING.

(a) The State Deputy shall, before the meeting of the state council, appoint a Committee on Resolutions to consist of at least five members, *the chairman of which shall be the State Advocate.*

(b) The Committee shall examine all resolutions, *including petitions and recommendations*, presented to the Annual Meeting for action, and shall make recommendations to the delegates as to disposition of each resolution. If deemed necessary, this committee may alter or rewrite a resolution, without changing its intent, before submitting it to the membership.

(c) All resolutions, petitions, recommendations and proposed amendments to the State Council by-laws must be submitted in writing thirty days prior to the Annual Meeting to the State Secretary, who shall refer them to the Committee on Resolutions for compliance with Section 14(b).

(d) The State Secretary shall, prior to the Annual Meeting, furnish each delegate via mail with a copy of each resolution as properly submitted in compliance with these by-laws.

(e) Resolutions, *petitions, recommendations and proposed amendments to State By-Laws* may be submitted to the Annual Meeting only by a council, the State Officers as a group, delegates to the convention, and by a State Committee on matters which relate to activities of that committee. Individual members may not submit resolutions to the Annual Meeting.

(f) In submitting resolutions, councils must show the date the resolution was adopted by the council, and the action should be attested to by the Grand Knight and Recording Secretary, and must bear the seal of the council.

(g) Emergency resolutions submitted by the State Officers, delegates and Chairmen of State Committees and resolutions of appreciation are exempt from the thirty-day provision.

(h) Resolutions, petitions or recommendations filed after the thirty-day period or from the

floor of the Annual Meeting must meet the following conditions:

- (1) Must comply with subsections (e) and (f) above;
- (2) The unit making the *resolution* must furnish each delegate *present on the floor of the Annual Meeting at the time such resolution is presented*, with a copy of the *resolution*, unless submitted under the provisions of subsection (g) above;
- (3) Then and only then is a motion in order to refer the resolution to the Committee on Resolutions; the motion is not debatable, and requires a two-thirds vote of those present and voting; should two-thirds prevail, the matter is then referred to the Committee on Resolution and the meeting must await the report of said committee. Such must be reported at the same Annual Meeting.

#### Section 15. COMMITTEE ON AUDIT AND FINANCE.

- (a) The State Deputy shall appoint a Committee on Audit and Finance to consist of three members, and as many assistants as may be necessary.
- (b) This committee shall examine all accounts and books of the State Secretary and State Treasurer and all other officers and committees charged with the expenditure or care of monies of the State Council. With approval of the State Officers, this committee may engage professional auditors.
- (c) This committee shall ascertain the amount required for expenses for the ensuing year, prepare a budget of same, suggest such measures of finance as they deem necessary and report the same to the State Council at its Annual Meeting for approval.
- (d) This Committee shall report upon expenditures proposed at State Council meetings and no monies shall be appropriated by the State Council for any purpose except routine expenses or appropriations authorized explicitly by the by-laws until said appropriation has been approved by said committee.

### ARTICLE V ORDER OF BUSINESS

#### Section 16. ORDER OF BUSINESS.

The Order of Business at meeting of the State Council, unless otherwise changes by a majority vote of the State Council, shall be as follows:

- (1) Call to Order
- (2) Prayer
- (3) Appointment of committees
- (4) Report of Credentials Committee
- (5) Communications
- (6) Reports of State Officers
  - State Deputy
  - State Secretary
  - State Treasurer
  - State Chaplain
- (7) Report of Committee on Audit and Finance
- (8) Unfinished Business
- (9) Report of Committee on Resolutions
- (10) New Business
- (11) Report on Committee on Mileage and Per Diem

- (12) Election of:
  - (a) State Officers
  - (b) Delegate to Supreme Convention
  - (c) Alternate Delegates to Supreme Convention
- (13) Prayer
- (14) Adjournment

## **ARTICLE VI        ELECTIONS - OFFICERS AND DELEGATES, HOW CHOSEN**

### Section 17.        BALLOT SYSTEM.

All elections by the State Council shall be held and conducted under the Australian Ballot System so-called.

### Section 18.        NOMINATIONS.

Nominations may be made at any time prior to the actual election. Nominations submitted in writing to the State Secretary before five o'clock P.M. *thirty five* days prior to the Annual Meeting of the State Council, containing the written acceptance of the nomination by the nominee, shall be printed forthwith upon a ballot, which shall contain a blank space thereon for each office to be elected.

### Section 19.        MAIL NAMES.

Prior to the Annual Meeting, the State Secretary shall mail to each *member of* the State council (delegate), along with his credentials, the names of the various candidates duly nominated for office and the offices for which they were nominated.

### Section 20.        TO BE ELECTED.

The following shall be elected *at the Annual Meeting*:

- (a) Five State Officers: State Deputy, State Secretary, State Treasurer, State Advocate and State Warden;
- (b) Eight Delegates to the Supreme Convention;
- (c) Ten Alternate Delegates to the Supreme Convention.

### Section 21.        ONE BALLOT.

All State Officers, Delegates and Alternate Delegates shall be elected on one ballot. A majority of all votes cast shall be necessary to elect where several of equal degree are to be chosen.

### Section 22.        DELEGATES.

No ballot for Delegate to the Supreme Convention containing more or fewer votes than there are places to be voted for (8) shall be counted. The eight candidates receiving the highest number of votes cast for Delegates to the Supreme Convention shall be declared elected.

### Section 23.        ALTERNATE DELEGATES.

Ten Alternate Delegates shall be elected. The candidate receiving the highest number of

votes becomes the first alternate, and the others follow in order. In case of a tie in the Alternate Delegate vote, the State Deputy shall designate who shall serve.

Section 24. CAST ONE BALLOT.

When only one candidate is nominated for any office or only the number of candidates equal to the number of Delegates or Alternate Delegates are nominated, the State Council may, upon unanimous vote of the delegates, direct the State Secretary to cast one ballot for such candidate or candidates, and such candidate(s) shall be declared elected. If, however, *twenty* or more delegates to the Annual Meeting of the State Council should object, the State Council must proceed to vote by ballot.

Section 25. COUNTING BALLOTS.

From the members of the Order, the State Deputy shall appoint a Warden, a clerk and as many Tellers of the Election as in his opinion are necessary for the purpose of counting all ballots.

Section 26. ACCORDANCE WITH RULES.

The State Chaplain shall be appointed by the State Officers in accordance with the Rules and Laws of the Order.

## **ARTICLE VII OFFICERS AND THEIR DUTIES**

Section 27. OFFICERS.

Officers of the State Council shall be State Chaplain, State Deputy, State Secretary, State Treasurer, State Advocate and State Warden. They shall hold office for a term of one year from and after the first day of July following their election and until their successors have been elected or qualified.

Section 28. DUTIES.

The duties of the respective officers shall be those specifically mentioned in the Constitution and Laws of the Order governing state councils and these By-Laws and further duties as the State Council may direct.

Section 29. STATE CHAPLAIN.

He shall hold the same position in the State Council as the Supreme Chaplain in the Supreme Council.

Section 30. STATE DEPUTY.

He shall be the chief executive officer of the Order in the state and the representative of the Supreme Board of Directors and the Supreme Knight.

(a) He shall preside at all meetings of the State Council and State Officers, performing the usual duties of chairman. He shall appoint all committees unless otherwise determined by the State Council, and at and between Annual Meetings may appoint such committees as in his judgment are necessary for the promotion of the best interests of the Order.

(b) He shall be ex-officio a member of all committees of the State Council. He shall countersign all proper warrants drawn and signed by the State Secretary and all checks drawn and signed by the State Treasurer.

(c) Subject to the approval of the State Officers, he shall hire suitable headquarters and procure necessary office equipment and supplies. He shall be the custodian of the bonds of the State Secretary and State Treasurer. Subject to the approval of the State Officers, he shall appoint an Executive Secretary of the State Council and such other clerical assistants as may be necessary; salaries of the Executive Secretary and clerical assistants shall be fixed by the State Council.

(d) Subject to the approval of the Supreme Knight or Board of Directors, he shall divide the state into districts and appoint a District Deputy for each district.

(e) He shall possess such other powers and perform such other duties as the Constitution and Laws of the Order provide.

### Section 31. STATE SECRETARY.

He shall be recorder of all meetings of the State Council and State Officers and shall receive all monies paid for State Council assessments and per-capita taxes and also all monies from committees of the State Council and make record thereof and transmit the same to the State Treasurer.

(a) He shall draw orders on the State Treasurer for the payment of all debts due from the State Council.

(b) He shall receive all requests for the *Exemplification of the* Third Degree, which must be approved by the State Deputy.

(c) He shall be charged with the duty of mailing to the Grand Knights of member councils in good standing, prior to the Annual Meeting, two copies (one per delegate) of credentials, resolutions properly submitted in compliance with these By-Laws, proposed By-Law changes and a sample ballot.

(d) He shall be a member, ex-officio, of every committee selected or appointed by the State Council, State Officers or State Deputy when such committee in the discharge of its duty shall receive or expend any monies of the Order or of the members thereof.

(e) He *shall* give a surety bond, the cost of which shall be paid by the State Council, in such sum *but* not less than \$5,000.00 and in such form as shall be *required* by the State Officers.

### Section 32. STATE TREASURER.

He shall keep a true and accurate account of all monies received. He shall deposit monies received from all sources, subject to withdrawal on his check only when countersigned by the State Deputy.

(a) He shall be a member, ex-officio, and Treasurer of every committee selected or appointed by the State Council, State Officers or State Deputy when such committee in the discharge of its duty shall receive or expend any monies of the Order or of the members thereof.

(b) He shall pay out monies of the Order only upon orders drawn by the State Secretary and countersigned by the State Deputy.

(c) He *shall* give a surety bond, the cost of which shall be paid by the State Council, in such sum *but* not less than \$15,000.00 and in such form as shall be *required* by the State Officers.

Section 33. STATE ADVOCATE.

He shall be legal advisor of the State Deputy and State Officers in all matters pertaining to the Order or referred to him, and shall perform such other duties as are provided for in the Constitution and Laws of the Order. He may be empowered by the State Officers to engage legal counsel and to pay from the general fund such fee(s) as the State Council or State Officers deem reasonable and proper for the work performed by said legal counsel.

Section 34. STATE WARDEN.

He shall be present at all meetings of the State Council and at the opening thereof shall, with the help of such assistants as may be appointed by the State Deputy, verify membership cards to determine that all present are members in good standing of the Third Degree. He shall also perform such other duties as may be directed by the State Deputy.

Section 35. VACANCIES.

Appointments to fill vacancies in any office of the State Council shall be made for the unexpired term by the State Officers at a meeting called for that purpose. In case of vacancy in the office of alternate to the Supreme Council, such vacancy shall be filled in accordance with the Laws of the Order.

Section 36. PAST STATE DEPUTIES.

Past State Deputies residing in the jurisdiction of Massachusetts shall assist the State Officers with advice and counsel and shall perform such other duties as may be delegated to them by the State Deputy or State Officers.

**ARTICLE VIII. EXPENSE ALLOWANCE REIMBURSEMENT.**

Section 37. STATE OFFICERS.

The State Council shall fix at the Annual Meeting an annual stipend as an allowance for travel and necessary expenses incurred by the State Officers in the conduct of their respective offices.

Section 38. STATE COUNCIL COMMITTEES AND DISTRICT DEPUTIES.

The necessary expenses incurred by state committees, whether appointed by the State Council or State Deputy, and district deputies shall, unless otherwise provided for, be payable from the funds of the State Council subject to the approval of the State Deputy.

**ARTICLE IX. STATE OFFICER MEETINGS.**

Section 39. WHEN MEET.

The officers of the State Council shall meet at such times and such places as designated by the State Deputy.

Section 40. PRIVILEGE EXTENDED.

The *immediate* Past State Deputy, *in accordance with Article II, Section 2*, shall be extended the privilege of attending all meetings of the State Officers, he may participate in their discussions, so that the State Officers may benefit from his experience and counsel. Although he is a member of the State Council, he is not an officer of the State Council and, therefore, is without a vote at meetings of the state officers.

**ARTICLE X. COMMITTEES.**

Section 41. APPOINTMENTS.

All committees will be appointed in accordance with Article VII, Section 30, Paragraph (a) of these By-Laws. The State Deputy shall appoint such committees as may be necessary to achieve the identify of the Knights of Columbus as a Catholic, family, fraternal *organization*.

(a) The State Deputy shall appoint a State History Committee. The duty of this committee shall be the compilation of the history of the State Council each year, the keeping of such records of useful and important information concerning activities of councils within this jurisdiction as may be valuable for future reference. Chairman of this committee shall be known as the State Historian.

(b) All reports of committees of the State Council shall be in writing and signed by a majority of members of the committee.

**ARTICLE XI. ASSESSMENTS.**

Section 42. WHEN DUE.

All assessments and per-capita taxes of the State Council shall be due and payable on the first day of October next succeeding adjournment of the meeting of the State Council at which the same are levied, unless otherwise ordered by the State Council.

(a) Per-capita taxes levied upon subordinate councils shall be based upon the total number of insurance, associate and inactive insurance members, less the number of Honorary Life and Disabled Members, as furnished to the State Council as of the first day of July of each year.

(b) All monies for payment of state assessments, per-capita taxes or any other purpose shall be paid only by check made payable to the *Massachusetts State Council*.

(c) The State Council shall make a rebate to *each* college council of 25 percent of the annual per-capita tax assessed and paid by the membership of said college council, and said college council shall use these funds for Catholic and fraternal programs.

**ARTICLE XII. AUDIT REPORTS.**

Section 43. SEMI-ANNUAL REPORTING.

Each council shall render to the State Secretary and to the assigned District Deputy a semi-annual audit report upon forms furnished by the Supreme Council. Reports will cover the six month periods ending each June 30th and December 31st.

## **ARTICLE XIII. CHARITY FUND.**

### Section 44. NAME.

The fund shall be known as "Massachusetts Knights of Columbus Charity Fund".

### Section 45. PURPOSE.

The purpose of the fund shall be to render pecuniary aid in such ways as are consistent with the laws and principles of the Knights of Columbus.

### Section 46. PROCEEDS.

All proceeds derived from State Council Columbus Day activities and all proceeds derived from any other activity sponsored by the State Council and advertised for charity shall be received and deposited in the account of the Fund, and expenses incurred in connection with said activities shall be paid from this Fund.

### Section 47. SUPERVISION.

The State Officers shall have supervision and control of the property of the Fund. To more effectually carry out its purposes, the State Officers may establish, accumulate and maintain a reserve fund in such manner or in such amounts as they may determine.

### Section 48. AID RENDERED.

Pecuniary aid in any amount shall be rendered by majority vote of the State Officers. By majority vote the State Officers may delegate authority to render pecuniary aid to the Diocesan representatives *of the Charity Fund* described in Section 49, within specific limitations but with responsibility for supervision and control of the property of the Fund remaining with the State Officers.

### Section 49. DIOCESAN REPRESENTATIVES.

The State Deputy shall appoint *two* representatives from each of the Dioceses in this jurisdiction to consult and advise with the State Officers in carrying out the obligations of the Massachusetts Knights of Columbus Charity Fund.

## **ARTICLE XIV AMENDMENTS.**

### Section 50. By-LAWS.

These By-Laws or any part thereof may be amended, altered or revised only upon the following conditions:

First, the proposed amendment, alteration or revision shall be forwarded in writing to the State Secretary at least one month before the holding of the State Council Meeting;

Second, The State Secretary shall send with the credentials of each delegate a copy of such proposed amendment, alteration or revision;

Third, such amendment, alteration or revision shall be enacted only by two-thirds vote of the delegates present voting in favor thereof, a quorum being present.

Section 50. APPROVAL OF SUPREME COUNCIL.

No amendment, alteration or revision shall take effect until approved by the Board of Directors of the Supreme Council of the Knights of Columbus.

Section 51. SUSPENSION OF.

These By-Laws, or any part thereof not affecting the rights of an absentee delegate, may be suspended at a current meeting by unanimous consent.

Section 52. REPEAL OF.

All By-Laws and amendments heretofore adopted are hereby repealed upon adoption of these By-Laws and approval by the Board of Directors of the Supreme Council of the Knights of Columbus.

Section 53. PARLIAMENTARY PROCEDURE.

All questions of parliamentary procedure shall be decided according to Robert's Rules of Order most recently revised.

Section 54. HEADINGS.

The use of headings in these By-Laws is meant for convenience only and shall have no effect upon interpretation of the Articles and Sections of these By-Laws.

Approved by the State Council at Annual Meeting held on May 1, 1994  
State Secretary P. Frank Fougere  
State Deputy Kenneth N. Ryan

Approved by the Supreme Council Board of Directors.  
Date: October, 1994  
Supreme Secretary, Charles P. Riesbeck, Jr.