

# **CODE OF PROCEDURE CONSTITUTION BY-LAWS COMMITTEE**

Approved Fall D.E.C. 2021

1. The Committee shall be composed of five (5) members in accordance with Article IX, Department Standing Commission Section 2 of the Department By-laws: Two for one year (1 year) terms and one for each two (2), three (3), and four (4) year terms. In addition, the Department Judge Advocate will be an advisor to the Committee. The Chair of the Committee will be designated by the Department Commander.
2. The Committee shall make a continuous study of the Department Constitution and By-laws with a view of eliminating conflicts and clarifying and improving contents. Such eliminations, clarifications, and improvements shall be submitted in resolution form as amendments to the Constitution and By-laws.
3. The Committee shall advise and assist Posts, when requested, in preparing amendments to the Department, District, or Post Constitution and By-laws.
4. Subject to Article VII, Section 5 of the Constitution, the Committee will hold hearings on Post disputes arising among its members which threatens its proper functioning and activities, when such hearing are referred to it by the Department Executive Committee (DEC). The Committee will call upon the Department Judge Advocate, through the Department Commander, for assistance when necessary, to clarify legal points. After due consideration and counsel, conclusions reached by the Committee will be forwarded to the Department Commander and Department Executive Committee for their information and action.
5. The Committee shall carry out such other duties as may be assigned it by the Department Commander, the Department Executive Committee, or a Department Convention.
6. The Committee shall meet at the call of the Chair, and/or at least two members of the committee, at least twice annually, before the Fall meeting of the Department Executive Committee and early in April. We will require a quorum of three for meetings. If by prior information, a member cannot be present at a called meeting, the Chair shall contact each member by mail or email and their replies to proposed actions and recommendations shall be the basis for actions and recommendations by the Chair.
7. Three members shall constitute a quorum at any meeting of the Commission. Any action taken by less than a quorum shall be ratified at the next meeting of the Committee.
8. The Chair shall request, in writing, to the Department Commander, the removal of a Committee member for failure to participate actively in the work of the Committee; a copy of such request shall be sent to the member concerned.

9. Unless the Committee Chair receives a call to report at other than the Fall Department Executive Committee meeting, the Chair shall make a report at the Fall meeting of the Department Executive Committee to submit the Committee Code of Procedure for approval. If unable to be present, he/she shall submit a written report.
10. The Chair shall submit a written report annually of the year's activities of the Committee to the Department Commander as required by Article V, Section 7 of the Department By-laws, and shall attend the Department Convention, whenever possible, in an official capacity. If unable to attend, he/she shall appoint a member of the Committee to replace him/her.
11. Changes in the Code of Procedure shall be made by majority vote and submitted to the Department Commander and the Department Executive Committee for approval.
12. The Chair shall prepare and submit a budget for the following year to the Permanent Finance Commission for approval by the Department Executive Committee.
13. No expenditures on behalf of the Committee shall be made without prior notifications to and approval of the Chair. Subject to funds available to the Committee, travel allowances will be made for attendance at called meetings on vouchers submitted to and approved by the Chair.
14. A notice of the called meetings, as well as a copy of the minutes of the meetings, shall be sent to the Department Commander for his/her information. Committee meeting minutes will be kept on file at Department Headquarters.
15. Technical Correction: Meetings may be conducted using virtual technologies (i.e., video/teleconferencing platforms) in addition to what may already be provided for in this code of procedure. (Action approved at Fall DEC, 10/10/2021.)