



OFFICIAL NOTICES

PROPOSED CONSTITUTION AND BY-LAW CHANGES FOR 2012

Note that wording to be removed has been struck out, ~~these words for example~~, and any additions are boldfaced and underlined, **these words for example**.

Proposal #1

5-239. Crimes Involving Sexual Activities with Children.

~~Duty to Report. It is hereby made the duty of any member convicted of such a crime to notify the Grand Master within thirty (30) days of conviction and to provide a certified copy of the court's proceedings. It is also the duty of a member who has actual knowledge of another member's conviction of such a crime to promptly notify the Grand Master.~~

d. Duty to Report. It is hereby made the duty of any member who has actual knowledge of another member's conviction of such a crime to promptly notify the Master of his lodge.

Rationale: The first sentence in section d makes no sense at all and will never be followed. To be honest for this sentence to be obeyed the accused would have to read the trial code before he went out and had sex with a child and then be dumb enough to report himself. I doubt if anyone has read the entire trial code and if they had this would not have been written this way.

Both the first and second sentences of section d are in direct conflict with three other sections of the trial code as follows. In section 5-201 it says: "Every proceeding against a brother shall be brought in the Lodge of which he is a member or by the Lodge wherein the offense was committed except in those cases where the Grand Lodge has original jurisdiction." This says EVERY proceeding no exception unless Grand Lodge has original jurisdiction. This is covered in Article III of the trial code where Grand Lodge or the Grand Master can bring charges when there is a conflict between two lodges and that is all.

The second sentence is also in direct conflict with section 5-209 and 5-210. When these two by-laws are obeyed and the Grand Master receives the charges with proof he can go ahead and expel the brother without going to the Trials and Punishment Committee.

Fraternally submitted,

Don E. Robinett, PGM

Proposal #2

5-239. Crimes Involving Sexual Activities with Children.

~~Summary punishment. Any Mason subject to jurisdiction of this Grand Lodge who has been, or hereafter shall be, convicted in any court of competent jurisdiction of a crime regarding sexual activity with or involving a child shall, by direction of the Grand Master, be summarily expelled from Masonry, ~~suspended, or reprimanded, depending upon the severity of offense,~~ without the preferring of charges and the usual Masonic trial. ~~However, before issuing such order of expulsion, suspension, or reprimand, the Grand Master may refer said matter to the Trials and Punishment Committee for their recommendation as to the punishment suitable for the offense. The Trials and Punishment Committee shall forward their written recommendation to the Grand Master within thirty (30) days from the date of the receipt of the request for such recommendation by the Grand Master.~~~~

c. Right of Appeal. Any Mason expelled, ~~suspended, or reprimanded~~ under the provisions of this section shall be entitled to the right of appeal as provided by By-law 5-233.



Rationale: To clarify the actions required upon felony conviction of any felony perpetrated by a Kansas Mason, including a sex crime involving a child, and to return to the Grand Master the specific authority, clearly stated within the By Laws, to deal with all felony convictions within his jurisdiction.

The intent of the 2011 amendment to 5-239 to make expulsion from Masonry automatic in the case of felony sex crimes convictions involving children was laudable, but the wording was unclear and the 2011 amendment removed some important options from the Grand Master in cases involving any felony conviction other than sex crimes with a child.

The need for the return of "felony options" for the Grand Master is to articulate the authority and discretion of the Grand Master in matters of this nature. It has been put forward that the indiscretions of youth (or the resulting convictions) may be overlooked if the man has grown and changed. This is an appropriate Masonic sentiment but not an intuitive one. By articulating the authority of the Grand Master of expulsion, suspension, or reprimand for conviction of a felony (with the exception of 5-239) there is no question on the authority of the Grand Master's discretion in these matters.

Respectfully submitted,

Kyle G Ferlemann
Golden Rule Lodge #90

Proposal #3 (New By-Law)

5-240. Conviction Of or Pleading Guilty to Felony Crimes.

Summary punishment. Any Mason subject to jurisdiction of this Grand Lodge who has been convicted in any court of competent jurisdiction of a felony crime shall, by direction of the Grand Master, be summarily expelled from Masonry, suspended, or reprimanded, depending upon the severity of offense, without the preferring of charges and the usual Masonic trial. However, before issuing such order of expulsion, suspension, or reprimand, the Grand Master may refer said matter to the Trials and Punishment Committee for their recommendation as to the punishment suitable for the offense. The Trials and Punishment Committee shall forward their written recommendation to the Grand Master within thirty (30) days from the date of the receipt of the request for such recommendation by the Grand Master.

- b. Evidence. Without limiting other forms of evidence, a certified copy of the Court's proceedings showing a judgment of conviction shall be sufficient to justify expulsion, suspension, or reprimand by the Grand Master as provided above.**
- c. Right to Appeal. Any Mason expelled, suspended, or reprimanded under the provisions of this section shall be entitled to the right of appeal as provided by By-Law 5-233.**
- d. Duty to Report. It is hereby made the duty of any member convicted of such a crime to notify the Grand Master within thirty (30) days of conviction and to provide a certified copy of the Court's proceedings. It is also the duty of a member who has actual knowledge of another member's conviction of such a crime to promptly notify the Grand Master.**

Reversal of Conviction. If the conviction shall be reversed upon appeal in the criminal court, the Grand Master shall set aside any order of punishment issued by him under this section and shall reinstate the member without lose of time.



Felony Conviction Prior to Petition for the Mysteries. Conviction of a felony prior to Petition for the Mysteries shall not automatically be a bar of acceptance into Masonry. The Investigating Committee of the receiving Lodge shall make the initial determination of acceptability but should confer with the Grand Master, via the Master of the Lodge, for concurrence when petitions involving past felony convictions are discovered.

Rationale: Masonry does not seek to bar any man who shows himself worthy of enlightenment, regardless of his past, with the exception of certain cases of wonton selfishness and malice. Although we as Masons do not judge men (as this is the sole purview of the Grand Architect of the Universe) we can in fact judge what is right and what is wrong. We do this with within our fraternity to preserve the wholesomeness of our Brotherly associations and it is correct that we should do so. It is also correct that the Grand Master should be Supreme and final authority in these decisions with the guidance of By-Laws, the assistance of his own wisdom, and the good council of his Trials and Punishment Committee. Let this worthy sentiment be clearly stated within the By Laws of The Most Worshipful Grand Lodge Of Ancient, Free And Accepted Masons Of Kansas.

Respectfully submitted,

Kyle G Ferlemann
Golden Rule Lodge #90

Proposal #4

4-308. Lodge Dues—Payable in Advance—Suspension—Lodge Dues shall be payable in advance and shall be delinquent if not paid on or before January 1, of each year. If same are not paid by ~~the date of the Annual Communication in December thereafter~~ **June 30 of the dues year thereafter**, the member shall be suspended on that date to be effective as of ~~December 31~~ **July 1 of the dues year**, thereafter.

Rationale: The Lodge budget is based on all members paying his dues when due. It will also save time, paperwork and postage for the Lodge Secretary and also for the Grand Lodge Secretary.

Respectfully submitted,

C. W. "Charlie" McClain, Past Master
Xenia Lodge #47

Proposal #5 (New By-Law)

Grand Lodge Library and Museum—The four recognized Masonic Orders: Grand York Rite (Chapter, Council, and Commandery) DeMolay, Jobs Daughters, and Rainbow for Girls, having property stored or displayed in the Grand Lodge Building (320 SW 8th Ave, Topeka, Kansas) will be required to supply the Grand Secretary with an inventory of all such items one time. Thereafter report shall be made to the Grand Secretary of any changes (items added, removed, or to report no change) in the inventory. The report will be due January 1 of each year.

Respectfully submitted,

Albert O. Arnold, Jr.
Past Grand Secretary

Rationale: This is needed to properly identify the ownership of the property of the recognized Orders.