

# Proposed Amendments to The Code

To: All officers and members of the Grand Lodge of AF & AM of North Carolina; to all subordinate lodges under this jurisdiction; and to all brethren mentioned in Section 3-1 and 72-1 of The Code.

Enclosed are the proposed amendments which will be considered at Annual Communication September 28-29, 2018.

## Amendment Group 1

Submitted by William G. Hill Lodge No. 218

*This amendment stops the purchase of new Endowed Memberships and creates a new type of membership, Legacy Membership. Current endowed membership participants would be unaffected. Legacy membership is crafted after Endowed Memberships and uses the same financial assumptions. The purchase price is increased to allow for the amount paid out to the lodge to increase over time. The legacy membership program can also be purchased over a five year period. This program allows the dues paid to the lodge to keep up with inflation, leaving a true legacy for all time. The present endowed membership holders may upgrade to a Legacy Membership if they desire. Legacy memberships can additionally be purchased via a bequest in a will by a brother in good standing at the time of his death.*

### REG. 77-25 ENDOWED MEMBERSHIPS.

Endowed Memberships **accepted by** the Grand Lodge **exist under** the following terms and conditions.

1. **Obsolete**
2. **Obsolete**
3. **Obsolete**
4. **Obsolete**
5. **Obsolete**
6. **Obsolete**
7. **Obsolete**

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### REG. 77-26 LEGACY MEMBERSHIPS.

**Legacy Memberships may be purchased from the Grand Lodge on the following terms and conditions.**

1. **Any member in good standing and possessing a current dues card in a particular lodge of this grand jurisdiction may become a legacy member in that lodge pursuant to the provisions of this section.**
2. **Legacy memberships have a minimum payment as follows:**
  - A. **The minimum payment for a Legacy Membership shall be thirty-five (35) times the annual dues of the applying member's subordinate lodge effective on January 1st following the date of the application, or the sum of \$1300.00, whichever is greater.**
3. **The legacy membership fee may be paid in five (5) equal annual installments according to the following:**
  - A. **The annual installment shall be eight (8) times the annual lodge dues effective on January 1st following the date of application, or \$300, whichever is greater.**
  - B. **After commencing installment plan payments, a member may not revert to the single payment method, but may remit any or all installments early, provided no installment is past due.**
  - C. **Failure to pay any installment due by December 31 of each successive year constitutes voluntary withdrawal from the program, and regular dues in this lodge for the same year are payable immediately.**
  - D. **A member may withdraw from the legacy membership program at any time.**
  - E. **A member withdrawing from the installment option reverts to the membership status held before joining the program and shall remit dues to his lodge for the current year and for successive years unless otherwise exempted.**
  - F. **A member who has withdrawn from the installment payment option may re-enroll in the program in the same status held when he withdrew. The remaining installments due from the re-enrolling brother**

- shall be determined under Regulation 77-26.3.A and 77-26.3.C based on dues of the subordinate lodge effective on January 1st following the date of his re-enrollment.
4. The member desiring a Legacy Membership shall apply to the secretary of the subordinate lodge for such membership on forms prescribed by the Grand Lodge submitted together with either the minimum payment described in Regulation 77-26.2 or the initial installment described in Regulation 77-26.3.
    - A. The application shall contain thereon the computations upon which legacy membership fee is predicated.
    - B. The application shall be signed by the applicant. The lodge secretary shall complete his part of the application and apply the certification of the lodge secretary.
    - C. The lodge secretary shall forward the application together with the full fee due, to the Grand Secretary.
    - D. The application shall not become effective until the applicant's record has been certified by the Grand Secretary.
    - E. The date of the application shall be the date the Grand Secretary certified he received the application.
  5. The Grand Secretary shall certify legacy memberships as follows:
    - A. If the Grand Secretary determines that the minimum fee, tendered by the applicant is in excess of that required, he shall have the power to correct the application and the Lodge secretary's computations of the fee, accept the application as corrected and refund any excess fee to the applicant through the particular lodge secretary.
    - B. If the fee tendered is insufficient, the Grand Secretary shall return the application and fee to the constituent lodge secretary for correction together with his calculation with amount due.
    - C. A copy of the completed and accepted legacy membership application and a certificate of legacy membership shall be furnished to the applicant and his Lodge by the Grand Secretary.
  6. After the legacy membership application and fee have been received and accepted by the Grand Secretary, the legacy membership fee shall not be refundable except under circumstances determined by the Grand Secretary to be mistakes of fact rendering the applicant ineligible for legacy membership as of the date of application.
  7. The legacy membership shall be effective for the succeeding calendar year after certification by the Grand Secretary.
  8. A legacy member shall owe no further dues to the lodge of which he is a legacy member. A dues receipt card shall be issued by the lodge secretary.
  9. A Brother, at a future time, may add any amount to his legacy membership fee through his local lodge secretary who shall promptly remit any such sums to the Grand Secretary.
  10. Legacy membership fees accepted by the Grand Secretary shall be paid over to the Grand Treasurer. The funds shall be placed collectively in the Permanent Fund.
    - A. These funds shall be accounted for on an individual lodge basis.
    - B. The amount paid shall be apportioned between the Subordinate Lodge and the Grand Lodge in the ratio of the per capita tax to the subordinate lodge dues on January 1<sup>st</sup> following the date of the application.
    - C. The per capita tax on legacy memberships will be replaced by the apportionment of the legacy membership payment provided in Regulation 77-26.10.B, thus protecting subordinate lodges from future Grand Lodge per capita tax increases on legacy members.
    - D. The amount paid in Regulation 77-26.10.B shall start at the subordinate lodge dues in the first year this amount is paid. In the ensuing years, this amount is expected to increase by two percent (2%) of the preceding year, however, the exact amount is dependent on the returns of the permanent fund and the spending policy for legacy funds.
    - E. The funds shall be audited annually as a part of the Permanent Fund.
  11. When purchased under the five (5) year option, the subordinate lodge shall receive from the legacy membership installment payment each year not less than the difference between the subordinate lodge dues and the per capita tax on which the application is based. The Grand Lodge shall receive from the legacy membership installment payment each year not less than the per capita tax on the date of the application. These payments shall be made to the subordinate lodge when the installment is received by the Grand Lodge.
    - A. The payments to the subordinate lodge and the Grand Lodge mandated by this Regulation 77-26.11 shall be made regardless of the income earned by the Permanent Fund.
    - B. Beginning the year after the final installment payment is made the legacy member's dues shall be paid as provided in Regulation 77-26.10.
  12. The Grand Secretary shall, at the time of the annual income distribution under Regulation 77-26.10, submit a statement to the subordinate lodge showing the apportionment of income from the legacy membership between the subordinate lodge and the Grand Lodge.
  13. The obtaining of legacy membership in one subordinate lodge by a plural member shall have no effect on his membership in the other subordinate lodges to which he belongs. Plural memberships are permitted.

- A. A legacy member may transfer his legacy membership to another lodge of which he is a plural member.
  - B. If the lodge to which the legacy membership is transferred has lower dues, including per capita tax, than the lodge from which the legacy membership is transferred, the entire amount paid for the legacy membership shall, nevertheless, be transferred.
  - C. If the lodge to which the legacy membership is transferred has higher dues, including per capita tax, than did the originating lodge on the date of the application for legacy membership, the member shall remit an amount equivalent to the difference between the original cost of the existing legacy membership and the cost of a legacy membership in the lodge to which it is transferred, computed as of the date of the transfer.
  - D. If the member wishes to retain his plural membership in the lodge from which he transfers his legacy membership, he shall pay that lodge's regular dues and per capita tax for the year in which the transfer is made and any subsequent years so long as he retains his plural membership.
14. A legacy member may affiliate with another subordinate lodge by demit as provided in Chapter 75 of The Code. If the affiliation is within this grand jurisdiction, the entire legacy membership fee he originally paid shall be transferred to the account of the lodge to which he affiliates. If the affiliation is outside this grand jurisdiction, the entire legacy membership fee shall remain with the lodge of which he was a legacy member.
- A. If the lodge to which the legacy membership is transferred has higher dues, including per capita tax, than did the originating lodge on the date of the application for legacy membership, the member shall remit an amount equivalent to the difference between the original cost of the existing legacy membership and the cost of a legacy membership in the lodge to which it is transferred, computed as of the date of the transfer.
15. If a legacy member shall be suspended, expelled, or demits and is subsequently restored to good standing, or re-affiliates from out of state, his legacy membership shall be deemed to also be restored.
16. If a lodge consolidates, surrenders its charter, or has its charter arrested, the funds credited to that lodge in the legacy membership fund shall follow the members according to the relevant sections of The Code.
17. A Legacy Membership may be purchased by a bequest in a will by any member in good standing and possessing a current dues card in a particular lodge of this grand jurisdiction at the time of his death.
18. An Endowed Membership described in Regulation 77-25 may be upgraded to a Legacy Membership. To upgrade the member shall remit an amount equivalent to the difference between the original cost of the existing endowed membership and the cost of a new legacy membership in the lodge, computed as of the date of the remittance.

REG. 77-267 VETERAN'S (FIFTY YEAR SERVICE AWARD) ENDOWED MEMBERSHIPS.

REG. 77-278 MEMORIAL ENDOWED MEMBERSHIPS.

#### Amendment Group 2

Submitted by Knights of Solomon Lodge No. 766

*Would allow a lodge to be able to meet on another date due to cancellation of a stated due to hazardous conditions.*

REG. 45-2 STATED COMMUNICATION.

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5. When inclement weather or a natural disaster compels a lodge that meets monthly or quarterly to cancel its Stated Communication for the safety of the brethren, these lodges, with dispensation from the Grand Master, may reschedule the cancelled communication to a safer date.

#### Amendment Group 3

Proposed by the Grand Secretary

*This amendment would require members appointed to the Code Commission to be a Past Master or Secretary.*

REG. 33-1 MEMBERS.

The Code Commission shall be composed of five members appointed by the Grand Master.

3. Each member of the Commission **shall have served a full term as Master or Secretary of a subordinate lodge at least three years prior to his appointment. He** shall be well informed in the laws and usages of Masonry and of **this** Grand Jurisdiction in particular. [27-6; 27-7].

#### Amendment Group 4

Proposed by Oak Grove Lodge No. 750

*This proposed amendment would automatically “suspend” the membership of a member who has been charged with a felony. Once his charges have been adjudicated and he is found not guilty, his record is expunged and he is a member in good standing. If found guilty, his case is forwarded to the Judge Advocate for formal Masonic charges.*

#### REG. 74-5 STATUS OF MASONS.

Status of Masons shall be as follows:

1. A Mason shall be in good standing until charges for unmasonic conduct **or Federal or State criminal charges alleging the commission of a felony** have been served on him or until he has been duly demitted, excluded, suspended, or expelled. [50-1; 87-5; 90-4].

2. A Mason against whom **Masonic** charges have been preferred shall be deemed innocent, and he may attend the lodge of which he is a member until he shall have been found guilty. **A Mason who has been criminally charged with a felony in any state court, the United States District Courts or under United States Uniform Code of Military Justice shall be deemed innocent. However, a Mason subject to such criminal charges shall be immediately suspended until such time as there is a final adjudication of said charges. While under suspension for pending criminal charges, a Mason may not attend any lodge.**

- a. **It shall be the duty of every Mason with knowledge that a member has been criminally charged with a felony to report that fact to the Master of his Lodge and/or to the District Deputy Grand Master who shall immediately forward that information to the Office of the Grand Lodge.**
- b. **If, at the time of the final adjudication of the criminal charges, a Mason is found to be guilty of a felony, regardless of whether the finding of guilt is as a result of a plea of guilty, a plea of no contest, or by trial, said Mason shall be immediately expelled by the Judge Advocate.**
- c. **If, at the time of the final adjudication of the criminal charges, a Mason is found to be not guilty or if the charges are dismissed by the prosecuting authority, the suspension issued against said Mason shall be immediately withdrawn and the record of the suspension shall be expunged from the records maintained by the Grand Lodge. The Mason shall thereafter be entitled to all the rights and privileges of Masonry.**
- d. **If, at the time of the final adjudication of the criminal charges, a Mason is found to be guilty of a misdemeanor or other lesser offense, regardless of whether the finding of guilt is as a result of a plea of guilty, a plea of no contest or by trial, the matter shall then be referred to the Judge Advocate for his consideration as to whether charges of unmasonic conduct should be preferred. If, after proper consideration, charges of unmasonic conduct are not preferred, then the suspension issued against said Mason shall be immediately withdrawn and the record of the suspension shall be expunged from the records maintained by the Grand Lodge. The Mason shall thereafter be entitled to all the rights and privileges of Masonry. If charges of unmasonic conduct are preferred, then the suspension shall remain in effect until such time as the matter is concluded pursuant to the procedures set out in the Trial Code.**

3. A Mason against whom **Masonic** charges have been preferred **or felony criminal charges have been filed** shall not be appointed or elected to office, nor installed in any office, nor demitted, nor be buried with Masonic ceremonies while the charges are pending. [50-1; 53-2.4; 55-5; 82-2; 82-2.5; 90-4].

4. A Mason who has been suspended for a definite period of time shall be entitled to all the rights and privileges of membership in his lodge at the expiration of the time without action by the Grand Lodge or the lodge. He shall not be subject to dues during the time he is suspended. [77-10; 101-2].

5. The reversal of a judgment of suspension or expulsion by the Grand Lodge or a termination of a judgment of suspension by the Grand Lodge shall restore the accused to membership in his lodge without further action by the lodge. [98-11; 100-5; 101-1; 101-8].
6. If restoration of an expelled Mason is made by the Grand Lodge, he shall not thereby be restored to membership in his lodge, but shall become a nonaffiliated Mason. [98-11; 100-5; 101; 101-3; 101-7; 101-8].
7. The members of a defunct lodge who are not in arrears for dues shall be nonaffiliated Masons.
8. The members of a defunct lodge who are in arrears are excluded Masons. Such excluded Masons shall be nonaffiliated Masons upon paying to the Grand Secretary such arrears as may be required by law and obtaining a Grand Lodge demit. [49-4; 49-4.1].
9. Restoration of an Entered Apprentice or a Fellow Craft shall be to the same status in his lodge that he had before he was suspended or expelled, or as provided in Regulation 101-3.1.

### Amendment Group 5

Proposed by Eagle Lodge No. 19

#### REG. 59-2 MASTER.

Some, but not all, of the powers of the Master of a lodge which are also duties to be performed by him, or at his direction and under his supervision, are as follows:

48. He shall order a petition or application withdrawn and returned if he discovers after it has been received that the lodge does not have jurisdiction or that the petitioner or applicant is not mentally or physically qualified. **He may, but is not required to, order a petition of application withdrawn and returned if he discovers after it has been received that the petitioner or applicant answered any question in the petition or application falsely.** If he **the petitioner or** applicant is morally disqualified, the petition or application shall not be withdrawn but shall go to the ballot. [65-6; 65-7; 66-2; 67-4; 67-6; 75-8; 78-2].

### Amendment Group 6

Proposed by A. Gene Cobb, Jr., PGM

*This amendment would raise the per capita rate owed to the Grand Lodge to \$25 from its current rate of \$20. Per Capita pays for the operation of the Grand Lodge and was last approved in 2013.*

#### Per Capita Tax and Initiation Fee

#### REG. 20-1 ESTABLISHED.

Each lodge, including lodges under dispensation, shall pay annually to the Grand Secretary, for the use of the Grand Lodge, the sums hereinafter specified.

1. The sum of ~~twenty~~ **twenty-five** dollars and for each member of the lodge at low twelve on December thirty-first. A lodge shall be exempt from the payment of the annual assessment to the Grand Lodge for any member who has received either the Fifty-Year or Sixty-Year Service Award and any member of a lodge whose dues have been remitted under Reg. 77-14.2. [5-1.1; 20-1; 81-1; 81-7]. (*This subsection amended, effective 1/1 /2014.*)

### Amendment Group 7

Proposed by A. Gene Cobb, Jr., PGM

*This amendment would require the lodge treasurer to make a report to his lodge at least quarterly.*

#### REG. 59-2 MASTER.

Some, but not all, of the powers of the Master of a lodge which are also duties to be performed by him, or at his direction and under his supervision, are as follows:

**51. He shall make certain that the Treasurer makes a full and complete report to the lodge of its receipts, disbursements, account balances, and financial condition, as required by Regulation 59-11.5. The failure of the**

**Master to make certain that the required reports are provided to the Lodge by the Treasurer shall be a serious Masonic offense. In the event that the Treasurer fails to make any required quarterly report, the Master shall notify the District Deputy Grand Master who shall then notify the Grand Master. (This Amendment shall become effective upon adoption.)**

#### **REG. 59-11 TREASURER.**

The duties of the Treasurer shall be as follows.

5. He shall make **full and complete** reports to the lodge of its receipts, disbursements, **account balances**, and financial condition **on not less than a quarterly basis. At the time of each such report, the Treasurer shall have present in the lodge and available for inspection by the Officers and members, any and all necessary documentation supporting his report, including but not limited to bank statements and check registers. Each quarterly report of the Treasurer shall be read out in open lodge and recorded by the Secretary as a part of the minutes of the lodge. The failure of the Treasurer to make the required quarterly reports to the Lodge shall be a serious Masonic offense. as the law and as the lodge or the Master may require. (This Amendment shall become effective upon adoption.)**

#### **REG. 59-12 SECRETARY.**

The duties of the Secretary shall be as follows.

6. He shall make to the lodge, as its by-laws direct or as otherwise required, a report of its work, of the condition of its accounts with its officers and members, and of all other matters relating to its finances or business which may be under his care, **including, but not limited to, a copy of the financial reports provided by the Treasurer as required in Regulation 59-11.5. The failure of the Secretary to record the required quarterly reports given to the Lodge by the Treasurer shall be a serious Masonic offense. (This Amendment shall become effective upon adoption.)**

### **Amendment Group 8**

Proposed by the Grand Secretary

*This amendment would allow a lodge to be able to hold its annual meeting (election of officers) on another date due to cancellation of a stated due to hazardous conditions. This amendment does require membership notification on a date other than a stated communication.*

#### **REG. 54-1 ANNUAL ELECTION.**

Each chartered lodge, annually as provided in its by-laws under Article 8 Section 4, shall elect without nomination by written ballot from its members the elective officers. The lodge shall not elect officers by acclamation.

[44-2.1; 44-7(Art.); 45-2; 45-6; 45-3.4.A; 53-1; 53-1.1; 53-2; 54-3.1]. *(This regulation amended, effective 1/1/2009)*

1. In the event the stated communication, as named in the by-laws of a lodge at which the officers should be elected as required by Regulation 54-1, shall fall on a legal holiday, then the lodge shall hold that stated communication on the day following such legal holiday, excepting Sunday. [44-7 (Art.8); 45-1.1; 45-2; 45-6; 45-3.4.A].

2. If a lodge fails to elect its officers at the time required, the Grand Master shall, upon application, grant a dispensation to the lodge to hold an election at a designated stated communication. **In the case of inclement weather, the Grand Master may select a date other than a stated communication, excepting Sunday. The Master or Secretary shall provide sufficient notification of this communication by publication in a local newspaper, email, or telephone service not less than five days prior to the communication.** [13-3.8.A.(4); 13-3.8.A.(5); 45-3.4.A; 57-3.1; Official Form 41].

3. An election of lodge officers held on any other day or in any other manner than that authorized by law shall be of no effect. [45-3.4.A].

### **Amendment Group 9**

Proposed by: Blackmer Lodge No. 127; Fellowship Lodge No. 84; Kenly Lodge No. 257; James K. Polk Lodge No. 759; Nichols W-Asheville Lodge No. 650; Eagle Lodge No. 19

*This amendment would allow a lodge to open lodge on the First Degree and conduct its business.*

#### **REG. 45-2 STATED COMMUNICATION.**

4. A lodge, regularly opened on the **first or** third degree for an emergent communication on the

day of a stated communication at an earlier hour than that named in its by-laws for that stated communication, may be changed to a stated communication without going through the ceremonies of closing and again opening in the following manner.

A. At a time not more than thirty minutes after the hour named in the by-laws for the stated communication, the Master shall announce in open lodge that "the hour for the stated communication having arrived, and the lodge having been opened on the degree of **Entered Apprentice or** Master Mason, further work in the emergent communication will be deferred and the business of the stated communication taken up."

#### **REG. 45-8 QUORUM.**

Seven Master Masons, members of the lodge, one of whom shall be authorized to open the lodge and preside, shall constitute a quorum to open the lodge on any degree and for the transaction of any business that may lawfully come before an **Enter Apprentice's or** Master Mason's lodge. The Tyler, if a member of the lodge, may be one of the seven. [38-2: 39-11; 74-1; 87-31].

#### **REG. 45-9 DEGREE ON WHICH LODGE OPENED.**

All business **shall may** be transacted in an **Entered Apprentice's** or Master Mason's Lodge, except proficiency examinations and degree work ~~in the first and second degrees, or the discipline of Entered Apprentices and Fellow Crafts~~ as provided in The Trial Code, Chapter 100. **If a lodge chooses to transact business in an Entered Apprentice lodge it would be opened for the transaction of business in lieu of for work and instruction.**

#### **REG. 45-18 MASTER MASON'S LODGE CLOSED.**

Every Master Mason's lodge shall be closed until the next stated communication unless sooner convened. Lodges of Entered Apprentice and Fellow Craft Masons shall be closed without date **unless conducting business in a lodge of Entered Apprentice in which case it shall be closed until the next stated communication unless sooner convened.**

#### **REG. 51-1 MODES OF AVOUCHMENT.**

No brother shall vouch for another unless, in addition to the knowledge that the visitor is a Mason, the brother is also satisfied that the visitor is at the time in good standing. [87-51].

1. There shall be ~~three~~ **four** modes of avouchment of a brother as follows: [39-2.6.F.(3)1].

A. By sitting together in a regular lodge of Master Masons recognized by the Grand Lodge.

B. By an examination authorized by the proper officer of a lodge.

C. By one Mason definitely stating to another whom he knows to be a Master Mason that he vouches for a third brother then and there present with them as a Master Mason in good standing. The Mason who is vouching for the visitor shall state the manner in which he acquired the knowledge on which he makes the avouchment. [51-2].

**D. By sitting together with an Entered Apprentice or Fellow Craft during the conferring of their respective degree**

#### **REG. 59-2 MASTER.**

Some, but not all, of the powers of the Master of a lodge which are also duties to be performed by him, or at his direction and under his supervision, are as follows:

16. After having opened his lodge, he may place any capable Master Mason in the East and permit him to confer any of the degrees, the Master being present. If any regular officer is absent, his office should be filled pro tempore **by a Master Mason.** [24-1.1; 45-12.2: 71-15].

#### **REG. 84-4 HOW AND BY WHOM CONDUCTED.**

Any of the ceremonies provided for in this chapter may be conducted by the Grand Lodge or by a subordinate lodge at the discretion of the Grand Master, but the Grand Master or his duly appointed representative shall preside. The lodge making the request for such ceremonies shall bear the entire expense thereof.

1. The Grand Lodge, or a subordinate lodge, shall be opened on the Degree of **Entered Apprentice or** Master Mason, the usual ceremonies conducted and instruction and information given relative to the special ceremonies to be conducted. The minutes shall be read, approved and the Grand Lodge or subordinate lodge shall be closed, after which the special ceremonies shall be conducted. The charter of the subordinate lodge need not be removed from the lodge hall if the special ceremony is conducted in another location. [13-3.7: 38-3.1: 41-8: 38-3.4].

### **Amendment Group 10**

Proposed by Lodge No. Eagle 19

#### **REG. 36-4 OBSTRUCTIVE MOTIONS FORBIDDEN.**

The formation of a committee of the whole, ~~the call for the previous question,~~ **and motions objecting to consideration of a matter, to lay upon the table, postpone action indefinitely, substitute one motion for another, recess and adjourn,** and all **are deemed** obstructive motions **and** are forbidden. This applies to subordinate lodges as well as the Grand Lodge. [Chapter 91].