

Pursuant to the sixth paragraph of Section 1-307 of the Grand Lodge Bylaws, these Recommendations are being submitted by the Grand Master to the Jurisprudence Committee, all Grand Lodge Officers, and the Masters of all subordinate lodges, not less than 45 days prior to the opening of Grand Lodge.

## *2011-2012 Grand Master's Recommendations*

### **RECOMMENDATION NO. 1**

I recommend the following amendment to require that candidates for each degree of Freemasonry memorize and recite the Obligation of each degree to receive a diploma as prescribed in this section.

Amend **Section 2-402 – PROFICIENCY** – by adding and deleting certain language, so that such section, as amended, will read as follows, with the new language italicized and the deleted language stricken.

**Sec. 2-402 – PROFICIENCY** – All those hereinafter initiated, passed, and raised, shall become proficient in each degree, and shall give proof thereof by examination in open lodge. Such examination shall consist of:

1. Completion of a study of the Standard Proficiency Manual following each degree received.
2. Verification by the Worshipful Master that the candidate has expressed knowledge of the material in the manual by answering, in his own words, the questions listed for the degree in which he is being examined.
3. Successful completion by the candidate of an examination in open lodge, consisting of *reciting the Master Mason's obligation, and of* answering questions from the First Section Lectures of the degrees as follows:

E.A. Degree – Starting with the words, “Give me a sign” and ending with giving of the “word.”

F.C. Degree – Starting with the words, “Have you any signs ...” and continuing to the end of the lecture.

M.M. Degree – Starting with the words, “Have you any signs...” and continuing to the end of the lecture.

No other Proficiency Examination shall be recognized in this Grand Jurisdiction. After such examination, the Master may declare the brother proficient. Such declaration and the recording of the proficiency of the brother shall be made in the degree in which the examination is made, providing no objection is raised; if objection is made and it becomes necessary to put the question to a vote the ballot shall be determined in a lodge of Master Masons. Whereupon the Master shall put the question; “The candidate has satisfactorily answered the questions in the Standard Proficiency Manual and has completed the required examination in open lodge; is the brother proficient?” and this question shall be decided by a majority vote of the members present.

When a candidate for advancement fails to pass a satisfactory examination, the Master may direct him to become proficient and again present himself for examination.

Examination of all those hereinafter raised to the degree of Master Mason shall be had not later than ninety days following the conferring of said degree, but the lodge may for good cause shown extend the time, but not for more than six months after the degree is conferred; provided, that the Grand Master may extend the time for good cause shown. When a Master Mason has complied with the provisions of this section, a diploma shall be issued by the subordinate lodge of which he is a member, on the form prescribed by Grand Lodge.

An unaffiliated Master Mason in good standing in the Fraternity is entitled to be instructed and examined in any lodge as to his proficiency in the degree of a Master Mason, and upon being found proficient, this fact should be certified to the lodge electing him to membership.

When a candidate is initiated, passed and raised in a single day, he shall return to the Lodge with which his petition was filed and prove to the Master that he has *memorized the Master Mason's obligation and shall give proof thereof by examination in open lodge, and prove to the Master that he has* completed all the questions in the Standard Proficiency Manuals within the time period allowed in this section, before he may receive his diploma as prescribed above.

**RATIONALE:** The Master Mason's obligation we freely take at the altar of Masonry is the very "cornerstone" of our Fraternity, and sets us apart from all other organizations. It is intended to be a rule and guide to our conduct as men and Masons, and only by memorizing it can a Brother fully understand its meaning and put it into practice on a daily basis.

## **RECOMMENDATION NO. 2**

I recommend the following amendment to change language from "president" of a trial commission to "chairman" of the commission, which is consistent with the language used in the general provisions regarding committees. This amendment would not change trial commission procedures.

Amend **Section 1-304 – TRIAL COMMISSIONS** – by adding and deleting certain language, so that such section, as amended, will read as follows, with the new language italicized and the deleted language stricken.

**Sec. 1-304 - TRIAL COMMISSIONS** - The Grand Master shall appoint from time to time such committees for the purpose of conducting Masonic trials as in his judgment shall be deemed advisable. Each committee shall consist of not less than three or more than five disinterested Master Masons. Said committee shall be styled "Trial Commission." The Grand Master shall designate the ~~President~~ *Chairman* of such Commission. Three members shall constitute a quorum, and a Master Mason appointed by the Commission shall act as its Secretary, and in his absence, the Trial Commission may designate some other Master Mason to so act. A majority of such Commission sitting at a trial shall decide all questions before it.

**RATIONALE:** This is a housecleaning item intended to change the designated head/lead of the trial commission to a more accurate title of Chairman, rather than President.

## **RECOMMENDATION NO. 3**

I recommend the following amendment to harmonize Section 2-905 with the usual practice of the subordinate lodges.

Amend **Section 2-905 – REFERENCE TO COMMITTEE** – by adding and deleting certain language, so that such section, as amended, will read as follows, with the new language italicized and the deleted language stricken.

**Sec. 2-905 – REFERENCE TO *INVESTIGATING* COMMITTEE** – All petitions for initiation, affiliation, waiver of jurisdiction, dispensation for a new subordinate lodge and all applications for reinstatement after suspension for more than three years for non-payment of dues, must be referred to an *Investigating* Ceommittee. *No less than three members of the lodge must be appointed to an Investigating Committee, and in the case of a petition for initiation, the top line and second line signers of the petition may not serve on the Investigating Committee.* A majority of such committee may report on such petition. The report of the *Investigating* Ceommittee shall not be received, nor shall the petition be balloted upon, sooner than the 28th day after the petition or application is received. If any *Investigating* Ceommittee shall fail, or be unable, to submit a report at the next regular communication following their appointment, they shall be discharged and a new *Investigating* Ceommittee appointed to report at the next regular communication thereafter. If an *Investigating* Ceommittee requests more time to investigate a petitioner, the Master of the lodge may grant such additional time to report.

The minutes of the lodge shall show only that the committee made report and shall not disclose whether such report was favorable or unfavorable.

**RATIONALE:** In our quest to increase membership the intended function of the Investigating Committee has, in many cases, deteriorated. By appointing no less than three (3) Brothers, other than the top and second line signers, two important goals are achieved: (1) the petitioner is introduced to at least three additional Brothers

from the Lodge, and (2) the petitioner, as well as the lodge, benefit from an impartial interview and investigation.

#### **RECOMMENDATION NO. 4**

I recommend the following amendment to require that a background check be conducted on all petitioners by the Grand Lodge. The Grand Lodge would furnish the results of the background check to the Investigating Committee for consideration. The Grand Lodge Office Committee would set the amount of an additional fee to be paid to the Grand Lodge for conducting the background check. The background check fee would not be refundable.

This amendment would add a new **Section 2-808 – MANDATORY BACKGROUND CHECK** to the end of **CHAPTER VIII – TERRITORIAL JURISDICTION** of the Bylaws. The amendment would also add a new paragraph (f) to **Section 1-316 – GRAND LODGE OFFICE**.

*Sec. 2-808 – MANDATORY BACKGROUND CHECK – A background check, consisting of a criminal history record check, will be compiled for all petitioners seeking to receive the degrees of Masonry in this Grand Jurisdiction. The background check will be conducted by the Grand Lodge, and the results thereof will be furnished to the Investigating Committee appointed by the Worshipful Master of the subordinate lodge receiving the petition for their consideration. The form of the Petition to receive the degrees of Masonry shall advise petitioners that a background check will be conducted, and that their signature on the petition will constitute consent to such investigation.*

#### **Section 1-316 – GRAND LODGE OFFICE**

New Paragraph (f):

*(f) The Grand Lodge Office Committee shall, within thirty days of the passage of this amendment, and at its annual meeting each year thereafter, set the amount of the fee to be assessed by the Grand Lodge to conduct the background check required by Section 2-808. Such fee shall reflect the actual cost to the Grand Lodge of conducting the background check and any associated costs. The fee shall be collected by the lodge receiving the petition and transmitted to the Grand Lodge office with a copy of the petition.*

***If Recommendation No. 4 passes, the following Sections must also be amended in the following ways to change references to petition process.***

Amend the **Section 2-907 – REJECTED PETITIONER** by adding and deleting certain language, so that such section, as amended, will read as follows, with the new language italicized and the deleted language stricken:

**Sec. 2-907 – REJECTED PETITIONER** – A rejected petitioner for initiation, advancement or admission, must petition anew, and the petition must be referred, balloted upon, and in all things take the course of an original petition. If the petition is refused consideration by the lodge, the petitioner shall be reported as rejected. Notice of such rejection shall be communicated to the petitioner by the Secretary and *the initiation fee* ~~any fees~~ accompanying such petition shall be returned to the petitioner with such communication. *The background check fee shall not be refunded.*

Amend the **Section 2-911 – LAPSED ELECTION** by adding certain language, so that such section, as amended, will read as follows, with the new language italicized:

**Sec. 2-911 – LAPSED ELECTION** – One who is not initiated within one year after his election must present a new petition which must follow the same course as an original petition, *with an exception to the mandatory background check outlined in Section 2-808*. In no case shall a petitioner be required to pay the same fee more than once.

Amend the **Section 2-913 – ALTERNATE PETITION AND ELECTION PROCESS** by adding certain language, so that such section, as amended, will read as follows, with the new language:

**Sec. 2-913 – ALTERNATE PETITION AND ELECTION PROCESS** – As an alternative to Section 2-903, any three (3) Master Masons, members of the subordinate lodge seeking to exercise the procedures of the Section 2-913, may propose a candidate for initiation by presenting a Recommendation of a Candidate for the Degrees of Masonry signed by all three of said proposers, whose signatures shall be attested by the secretary of the lodge, which form of recommendation shall be in the form provided by the Grand Secretary and which form of recommendation must have attached thereto the regular petition form then in use in the Jurisdiction of Nebraska and available from the Grand Lodge Office, provided however, that the petition shall be in draft form and shall not be signed by the proposed candidate and may otherwise be incomplete. The three proposers shall constitute the investigating committee and the Master shall make declaration of their appointment. At the stated meeting of the subordinate lodge next following the proposal of the candidate, the petition will be balloted on, with a favorable vote being subject to subsequent completion of the petition by the proposed candidate, *including mandatory background check outlined in Section 2-808, along with* satisfactory answers to the questions posed on the petition including, but not limited to a belief in a Supreme Being, and questions as to health, financial responsibility, not having been rejected in another lodge within the time period set out in the Bylaws of the Grand Lodge, and the completed petition must be signed by the candidate and applicable fees paid prior to his presenting himself for initiation. After election, the Master shall direct one or more of the three proposers to inform the proposed candidate that he has been proposed, has been elected, and is invited to present himself for initiation upon completion of and signing of the form of petition. *The petition must be signed and a mandatory background check referenced in Section 2-808 completed.* The petition must be completed, signed and returned to the secretary of the lodge within 60 days of the election of the candidate and such return date shall be certified by the lodge secretary. In the event such petition is not completed and returned within such 60 day period, such draft petition shall be null and void and such finding shall be declared by the Master and an entry as to such action recorded in the records of the lodge. In the event of an unfavorable vote, as the candidate did not make the initial application, he will have no knowledge of such rejection and accordingly such proposed candidate would not be subject to a three year hold as being the material of the lodge as set out in Section 2-906; he would not be notified in any form whatsoever of the proposal of a draft petition nor the rejection as provided by Section 2-907; and, he would not be subject to any time limit as set out in Section 2-908 for submission of a petition under his own initiative, but no re-proposal under the provisions of this Section 2-913 by any three members of the subject subordinate lodge may be made until the expiration of not less than six (6) months from the time of the initial unfavorable ballot.

**RATIONALE:** More and more, the changing demographics of our communities and the seemingly greater tolerance by today's society to immoral and illegal activity have emboldened those who are guilty, and they increasingly attempt to join our Fraternity. The mandatory background check of a petitioner would arm the investigating committee with another tool with which to make a fair recommendation based on facts. The fee for the background check to the petitioner pales by comparison to the cost and distraction to Masonry caused by a trial commission required to rid our Fraternity of an undesirable member, and should be a comfort to all Masons and petitioners that we guard our portals in an effort to control that only quality men are allowed to join our Fraternity.

### **RECOMMENDATION NO. 5**

I recommend the following amendment to allow subordinate lodges to increase their dues to account for increases in the per capita without amendment to the lodge bylaws.

Amend the first paragraph of **Section 2-601 – DUES AND ASSESSMENTS** – by adding and deleting certain language, so that such section, as amended, will read as follows, with the new language italicized and the deleted language stricken.

**Sec. 2 601 – DUES AND ASSESSMENTS** – Chartered subordinate lodges shall have discretionary power to assess annual dues and special assessments upon its members who are Master Masons in good standing. Such dues and assessments shall be uniform upon such members. The amount of the annual dues *payable to each subordinate lodge by members must be designated in the bylaws in one of two ways: (1) lodge dues plus*

*Grand Lodge per capita and assessments, or (2) a total amount that includes lodge dues and Grand Lodge per capita and assessments.* ~~shall include Grand Lodge dues and shall be designated in the bylaws.~~ Special assessments may be made payable in installments. A brother desiring to demit shall be required to pay dues only for the time he is a member of the lodge, that is, to the end of the month in which he is demitted, but he shall be required to pay in full all special assessments.

**RATIONALE:** Currently, the Grand Lodge Bylaws require that lodge bylaws reflect the total amount of dues assessed by the lodge. Strictly interpreted, this would require that a local lodge amend its bylaws to include Grand Lodge per capita increases in their lodge dues each time an increase occurs, requiring frequent bylaw amendments. This change would eliminate the need for those frequent amendments.

### **RECOMMENDATION NO. 6**

I recommend the following amendment to add additional language to clarify the number of attempts required to serve notice of a hearing that will take place relative to a trial commission.

Amend **Section 3-401 – NOTICE TO ACCUSED** – by adding certain language, so that such section, as amended, will read as follows, with the new language italicized.

**Sec. 3-401 – NOTICE TO ACCUSED** – No lodge shall, for any cause, abridge the rights or privileges of membership of any member, by striking his name from its rolls or otherwise, without due notice and fair trial, as hereinafter prescribed.

Such notice to the accused, if he is in the jurisdiction of the lodge in which charges are filed and his residence is known, shall be served upon him personally at least 10 days before the date fixed for the hearing and trial. If he is not in such jurisdiction the notice may be served by mailing the same to him in the United States mail addressed to him at his last known residence at least 20 days before such date, if his last known residence is within the State of Nebraska, or at least 30 days before such date if such residence is without the State of Nebraska, but in the United States, or at least 90 days before such date of such last known residence is in a foreign country; and a copy of the notice shall be likewise served upon the accuser; and if the residence of the accused be unknown, the commission may proceed to examine the charges ex parte. Any notice served by mail shall be by either registered or certified mail, with request for return of receipt. Proof of service of the foregoing notices must be made and filed with the trial commission before it acquires jurisdiction to take testimony or proceed with the trial; or if the residence of the accused is unknown, proof of that fact must be filed in the form of an affidavit of the Secretary of the lodge. *No more than three attempts shall be required as a reasonable effort to serve notice.* However, the accused brother may, in writing, accept or waive the service of notice.

**RATIONALE:** There has been some question in the past concerning the number of attempts to contact a charged brother that would be considered sufficient effort. This clarifies that no more than three attempts are required.

### **RECOMMENDATION NO. 7**

I recommend the following amendment to define “electioneering” and include such conduct as an enumerated Masonic offense. Comment at a tyled meeting is specifically excluded from this definition.

Amend **Section 3-102 – MASONIC OFFENSES ENUMERATED** – by adding a new paragraph (j) to the end of the Section, so that such section, as amended, will read as follows, with the new language italicized.

**Sec. 3-102 – ENUMERATED** – Masonic offenses shall consist of, but not be limited to:

New Paragraph (j):

*(j) Electioneering, defined as the attempt to persuade a brother to vote for or against a particular candidate or proposal other than during a tyled meeting of the lodge where a vote is to be taken and comment is invited by the presiding officer. This section shall not be interpreted to limit the right of any brother to speak for or against a proposition or candidate during a tyled meeting.*

**RATIONALE:** Many Masons were disturbed by the conduct of a few brethren who openly campaigned outside the Grand Lodge meetings in February 2011. Such discussions should be conducted in tyled meetings where the subject can be discussed and debated, pro and con, on the record, in the presence of the brethren. The Fraternity is not well served when only one side of an issue is privately or secretly presented and argued.

### **RECOMMENDATION NO. 8**

I recommend the following amendment to make a change to whom the Grand Master's recommendations are sent in the lodges so that they are not being sent to outgoing Masters of the lodges.

Amend **Section 1-307 – JURISPRUDENCE** – by deleting certain language, so that such section, as amended, will read as follows, with the deleted language stricken.

#### **Sec. 1-307 – JURISPRUDENCE –**

Paragraph 6:

All recommendations which the Grand Master intends to make in his communication address shall be submitted by the Grand Master to this committee, all Grand Lodge officers, and ~~the Masters of~~ all subordinate lodges not less than 45 days prior to the opening of Grand Lodge. All decisions rendered by the Grand Master shall be submitted to this committee prior to the opening of Grand Lodge.

**RATIONALE:** The current bylaws state that the recommendations are to be sent to the "Masters of all subordinate lodges 45 days prior to the opening of Grand Lodge." This timing occurs in December after elections of officers have occurred. To send the Recommendations that are going to be considered at the Annual Communication in February to the outgoing Masters of the lodges is not the best course of action. I propose that the bylaw be changed to simply state that the Recommendations should be sent to all subordinate lodges. Correspondence to lodges normally goes to the Secretaries, and the recommendations would be read with other lodge correspondence received by the Secretaries at the next regular communication.

# *Proposed Amendment to the Constitution to be Presented at Grand Lodge*

## **PROPOSED AMENDMENT NO. 1**

I recommend the following amendment to the Constitution to formally give the Grand Master the power to remove a Grand Lodge Officer for good cause with the consent of a majority of the advancing line. It also gives the Grand Master authority to fill any resulting vacancy and install officers as may be necessary.

Amend **ARTICLE X – THE GRAND MASTER** of the Constitution of the Grand Lodge A.:F.: & A.:M.: of Nebraska by adding a new paragraph (i) at the end of Section 1 of the Article, so that such Article, as amended, will read as follows, with the new language italicized.

### **ARTICLE X. THE GRAND MASTER**

**Sec. 1.** The Grand Master, during the interval between the communications of the Grand Lodge, may exercise all of its executive powers excepting the granting of charters. His powers shall include, but not be limited to the following:

- (a) To suspend any officer of any subordinate lodge from the exercise of the powers or duties of his office, for good reasons shown, until the next Annual Communication of the Grand Lodge;
- (b) To grant dispensations for the formation of new subordinate lodges, except for military lodges;
- (c) To grant dispensations for the holding of elections of an officer or officers at times other than the regular periods;
- (d) To grant dispensations to confer the degrees upon candidates without reference to time;
- (e) To convene any subordinate lodge, preside therein, inspect its proceedings, and compel its conformity to Masonic usages;
- (f) To arrest the charter or dispensation of any subordinate lodge, for good reason shown, and suspend the operations thereof until the next Annual Communication;
- (g) To require the attendance of and information from any Grand Lodge Officer, and respecting matters pertaining to the duties of his office; and
- (h) To appoint representatives to other recognized Grand Lodges, and to receive and accredit such representatives from them.

New paragraph (i):

*(i) The Grand Master may, with the written consent of a majority of the advancing line, herein defined as the Grand Junior and Senior Deacons, the Grand Junior and Senior Wardens, and the Deputy Grand Master, suspend any Grand Lodge Officer from the exercise of the powers or duties of his office, for good cause shown, for the remainder of his term as Grand Master. In such event, the Grand Master may advance junior officers, pro tempore, to fill the position of the suspended officer or may appoint any eligible brother as defined in Article VI, pro tempore, for the remainder of his term as Grand Master. The Grand Master is specifically authorized hereby to conduct any installations made necessary by such actions during a regular communication of any subordinate lodge.*

**RATIONALE:** This has been a tough year for many of us, in part because the procedures provided by the Bylaws and Constitution were not complete. We were not able to fill vacancies in elected positions, and installations were done on a piecemeal basis until Masonic Charges were resolved. This amendment gives the Grand Master the specific authority to monitor his officers, by removal if necessary. This authority is not absolute, as the removal is limited to the term of the Grand Master, and approval in writing of a majority of the advancing line is required.

## **PROCEDURES FOR AMENDMENT TO THE CONSTITUTION:**

### **ARTICLE XIII. AMENDMENTS**

This constitution may be altered or amended in the following manner only: The proposed alteration or amendment must be in writing and signed by five members, as defined in Article II herein, and presented at an Annual Communication of the Grand Lodge. It shall thereupon be entered upon the minutes of the Annual Communication, and submitted to the several chartered subordinate lodges for their approval or rejection. If a majority of the subordinate lodges approve thereof, by certificate over their respective seals, at the next succeeding Annual Communication of the Grand Lodge, the Grand Master shall put the question upon its adoption, and if concurred in by a majority of the members present and voting, it shall henceforth be considered as a part of this constitution.

***Proposed Amendments will be handled in the following manner:*** Following Annual Communication in February 2012, a question for the proposed amendment will be emailed to all subordinate lodges (or mailed by first class mail to lodges without an email contact). Lodges will be required to vote on the question at a regular monthly communication. The results of the vote should be reported on the return card that will be provided, sealed and returned to the Grand Lodge office by first class mail.