

# The Grand York Rite Bodies of Freemasonry of Florida

The Grand Chapter of Royal Arch Masons • The Grand Council of Royal and Select Masons • The Grand Commandery of Knights Templar

## JOINT (SINGLE) RESOLUTION FORM

Date: November 30, 2023

Originator(s) James W. Hogg, PDDGC, Dist. 2  
City/State/Zip: 33906

Originator(s) Steven Q. Steele, Past Grand Reecorder  
City/State/Zip: 33852

Officer(s)

TO: Grand Chapter \_\_\_ Grand Council \_\_\_ Grand Commandery X

Regulation to be amended (Article, Section, Page, Paragraph, Line, etc.)

Grand Chapter

Grand Council

Grand Commandery: Chapter 45 Amendment, Section 45.01, Notice and Procedure

LANGUAGE TO BE AMENDED (deleted, changed, etc.) is underlined

Identification of language to be amended: Chapter 45 Amendment, Section 45.01 as follows:

### CHAPTER 45 Amendment

#### 45.01. Notice and Procedure.

These Regulations may be amended, revised, or changed by Resolution, which must be presented to the Grand Recorder by December 1<sup>st</sup> of each year. The Grand Recorder shall give each Past Grand Commander, Grand Commandery Officer, District Deputy Grand Commander, and Recorder of Constituent Commandery 120 days notice of same (by providing each with a copy of such proposal); and present the Resolution at the next Annual Conclave for adoption. A majority of not less than two-thirds of the qualified members, present and voting, shall be

Received by Grand Secretary/Recorder (date) 11/30/23 CES

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Circulated by Grand Secretary/Recorder (date) \_\_\_\_\_

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Presented to Grand Council (date) \_\_\_\_\_ Result \_\_\_\_\_

Presented to Grand Commandery (date) \_\_\_\_\_ Result \_\_\_\_\_

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required to adopt the Resolution. Recorders shall read such Resolutions at a Stated Conclave of their Constituent Commandery prior to the Annual Conclave of the Grand Commandery; and the Constituent Commandery may instruct its representatives regarding its pleasure thereon. [2003]

Grand Chapter  
Grand Council  
Grand Commandery: Chapter 45 Amendments, Section 45.01 Notice and Procedure

NEW LANGUAGE is Underlined

### CHAPTER 45 Amendment

#### 45.01. Notice and Procedure.

These Regulations may be amended, revised, or changed by Resolution, which must be presented to the Grand Recorder by February 1<sup>st</sup> of each year. The Grand Recorder shall give said amendment to each Past Grand Commander, Grand Commandery Officer, District Deputy Grand Commander, and Recorder of Constituent Commandery so that said amendment shall reach each Grand Commandery Officer, each Past Grand Commander, each District Deputy Grand Commander, and the Recorders of all Constituent Commanderies by March 1<sup>st</sup> of each year (by providing each with a copy of such proposal); and present the Resolution at the next Annual Conclave for adoption. A majority of not less than two-thirds of the qualified members, present and voting, shall be required to adopt the Resolution. Recorders shall read such Resolutions at a Stated Conclave of their Constituent Commandery prior to the Annual Conclave of the Grand Commandery; and the Constituent Commandery may instruct its representatives regarding its pleasure thereon. [2003]

### DISCUSSION:

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This is a “housekeeping” resolution designed to bring into coordination with ALL THREE Florida Grand York Rite Bodies identical deadline dates for the submittal of resolutions to amend the three respective Constitutions and Regulations, and the later distribution to constituent bodies and others as specified within the three respective Constitutions and Regulations. The goal is to streamline the receipt and disbursement of legislation to one set of common dates to make the job of the Grand Secretary/Recorder less burdensome in following the constitution, rules, and regulations concerning “Amendments.”

### DISCUSSION AND LEGAL ANALYSIS:

This is a “housekeeping” resolution designed to bring into coordination with ALL THREE Florida Grand York Rite Bodies identical deadline dates for the submittal of resolutions to amend the three respective Constitutions and Regulations, and the later distribution to constituent bodies and others as specified within the three respective Constitutions and Regulations. The goal is to streamline the receipt and disbursement of legislation to one set of common dates to make the job of the Grand Secretary/Recorder less burdensome in following the constitution, rules, and regulations concerning “Amendments.”

**IMPORTANT: THIS IS A RESOLUTION FORMALLY BEING PRESENTED TO OVERTURN THE NEGATIVE SECOND VOTE TAKEN AT THE LAST GRAND CONCLAVE ON RESOLUTION #2023-04, BECAUSE IT WAS IN VIOLATION OF THE GRAND COMMANDERY’S CONSTITUTION, AND REINSTATE THE FIRST VOTE THAT WAS PROPERLY TAKEN ON THE FLOOR TO ORIGINALLY APPROVE.**

**THE LEGAL ANALYSIS AND DISCUSSION FOLLOWS THIS PAGE THREE AS PAGES # 4 TO 9, TO WIT, AS FOLLOWS:**

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### A] What happened at the 2023 Grand Conclave:

Because of the manner in which the legislative resolutions (#'s 2023-03 and 2023-04) were handled, the members of Grand Commandery were disenfranchised by the outcome of the second vote on these resolutions, which we assert was taken in violation of the Grand Commandery of Florida's Constitution.

On the first ballot, Resolutions # 2023-03 and #2023-04 were approved. On the second ballot taken, both resolutions were defeated.

### B] Legal analysis:

The Grand Constitution of the Grand Commandery of Florida states as follows below, as concerns who is considered a member of the Grand Commandery and entitled to a vote therein. Please note that Article II, Section 2 includes Past Commanders of Florida Commanderies (holders of the "white" ballot cards) as members of this Grand Commandery. This is highlighted below *in bold italics*.

#### ARTICLE II

#### Grand Officers, Members, and Titles

#### Section 2. Members.

This Grand Commandery is and shall be composed of the following members:

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- a) All Past Grand Commanders, Past Deputy Grand Commanders, Past Grand Generalissimos, and Past Grand Captains General.
- b) The Commander, Generalissimo, and Captain General of each Constituent Commandery in this Grand Jurisdiction.
- c) The Grand Prelate of the Grand Commandery.
- d) All Past Commanders of its Constituent Commanderies.**
- e) All Past Commanders who may have Demitted from another jurisdiction and who shall have been elected to membership in this Grand Commandery, after having presented satisfactory proof of their former membership in a Grand Commandery; together with proof of their rank in same; or who have become Dual Members of a Florida Constituent Commandery.
- f) All Knights Templar of other Grand Commanderies who have been elected Honorary Members. Such Honorary Membership may be conferred by majority vote of this Grand Commandery upon distinguished Chivalric Masons regardless of affiliation, but shall not confer the right to vote.
- g) Membership in this Grand Commandery is contingent upon a sustained membership in a Constituent Commandery hereof.

Further, it specifies in Article II, Section 3, the following below concerning proxies. Please note that a Past Commander of a Florida Commandery, who is also carrying a proxy, is entitled to two votes, consisting of his proxy vote AND his personal vote. That provision is highlighted below ***in bold italics***. Note the conforming language in Article III, Section 5, Paragraph 1 (a), which is also highlighted further below ***in bold italics***.

### Section 3. Proxies.

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a) Proxies shall be held to be lawful in the Grand Commandery of Florida. **Any voting member of this Grand Commandery may be designated by one or more of the three Principal Officers of the Commandery to which he belongs, to act as his or their proxy.** No person may act or vote for another unless he shall present to the Grand Recorder, or Committee on Returns and Credentials, a Proxy duly signed by the absentee voting member, and attested by the seal of the Commandery which is being so represented. **Pursuant to this, the representative will be entitled to cast his own vote plus one vote for each duly executed and filed proxy, as provided above.**

b) Should it become necessary for a Sir Knight carrying a Proxy to prove he is in good standing, the Committee on Returns and Credentials is required to accept as proof a good standing voucher from the Grand Recorder, which shall not be unreasonably withheld, whereupon ballots must be issued.

Further, we reproduce "Article III, Grand Conclaves, Section 5. Votes and Manner of Voting" below, where it further describes the manner of voting as follows:

### Section 5. Votes and Manner of Voting.

**a) Each member of the Grand Commandery present, in person or a proxy for a Constituent Commandery representative, will be entitled to cast his own vote plus one vote for each duly executed and filed proxy as prescribed above.**

b) All questions before the Annual Conclave, unless otherwise provided by Grand Encampment Law, shall be decided by a majority vote of those present. Affirmative votes are to be signified by verified voters extending the sword arm; Negative votes are to be signified by verified voters extending the bridle arm. In case of a tie, the Presiding Officer shall cast the deciding vote.

HOWEVER, for the purposes of voting on legislation to change the Constitution, Rules and regulations, which is the provision we are mainly concerned with, is Article X Amendments. You will note that these resolutions must be passed by a two-thirds vote. That provision is

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highlighted below *in bold italics* at the end of Chapter 45 Amendment, 45.01 Notice and Procedure. We reproduce Chapter 45 Amendment, 45.01 Notice and Procedure in its entirety below:

### CHAPTER 45 Amendment

#### 45.01. Notice and Procedure.

These Regulations may be amended, revised, or changed by Resolution, which must be presented to the Grand Recorder by December 1<sup>st</sup> of each year. The Grand Recorder shall give each Past Grand Commander, Grand Commandery Officer, District Deputy Grand Commander, and Recorder of Constituent Commandery 120 days notice of same (by providing each with a copy of such proposal); and present the Resolution at the next Annual Conclave for adoption. **A majority of not less than two-thirds of the qualified members, present and voting, shall be required to adopt the Resolution.** Recorders shall read such Resolutions at a Stated Conclave of their Constituent Commandery prior to the Annual Conclave of the Grand Commandery; and the Constituent Commandery may instruct its representatives regarding its pleasure thereon. [2003]

Please take note that nowhere in any of the Constitutional provisions does it say that Past Commanders are not entitled to vote on amendments to the Constitution, Rules and Regulations of this Grand Commandery. (That is, prohibiting those holding "white" ballot cards from voting on these resolutions.) To reiterate: The text we have highlighted above *in bold italics* is the provision in Chapter 45 Amendments, 45.01, that governs both the first and the second round of balloting on the resolutions, where we assert that the second round of balloting was in violation of the Grand Commandery's Constitution.

To summarize our position, based on the above facts: "[T]he "Grand Commandery," as specified above in *bold italics* in Chapter 45 Amendment, 45.01 Notice and Procedure reproduced above, consists of its members. Its members are described in Article II, Section 2, also as reproduced

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above. Its members include Past Commanders of this Grand Commandery (who were holders of the “white” ballot cards) – See Article II, Section 2 (d).

Note: Should you find it necessary to review the entire Florida Grand Commandery Constitution, here’s the link: [https://flgyr.org/wp-content/uploads/2022/06/KT\\_Constitution\\_Laws\\_Regs\\_2022.pdf](https://flgyr.org/wp-content/uploads/2022/06/KT_Constitution_Laws_Regs_2022.pdf). Or: To get there on the flgyr web site without the above link: Go to flgyr.org and click on “Grand Commandery” at the top right, then on the next page click “Commandery” at the left in the grey menu box at top of page, then under the heading “general forms and files,” it is the sixth link down.

### **C} Our position concerning this issue:**

We maintain that the **first** set of votes on these two resolutions presented were properly balloted upon in accordance with our Grand Constitution. The Grand Commander then declared Resolutions # 2023-03 and 2023-04 adopted.

When Past Department Commander Robert Burleson later stood up and complained that Past Commanders (holders of the “white” voting cards) had no vote respecting the adoption or rejection of these resolutions to change the Constitution, Rules and Regulations of this Grand Commandery, this was an erroneous position on his part. We maintain that the second set of votes on the two resolutions, per the demand of Robert Burleson, was irregular and in violation of our Constitution, rendering that second set of votes “*void ab initio*,” thereby confirming that the first set of votes were properly and legally handled.

### **D] Adoption of this resolution will accomplish the following result:**

Consequently, adoption of this resolution by the voting members of Grand Commandery will confirm that Resolution # 2023-04 was properly balloted upon on the first vote undertaken, that this was indeed the legal outcome of the original balloting before Past Department Commander Burleson demanded the second vote, and that this resolution voids the second

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vote that was taken in violation of this Grand Commandery's Constitution, rendering the first  
vote taken as legally binding.

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