

CONSTITUTION

PREAMBLE

We, the Law Enforcement Officers of the Hays Police Department, Fort Hays State University, Ellis County Sheriffs Department, Pawnee County Sheriffs Department, and any other full time law enforcement officer that is not a member of another Lodge or in an area represented by another Lodge, do hereby associate the Lodge we represent and the members thereof together for the following purposes:

- To support and defend the Constitution of the United States; To promote and foster the enforcement of law and order;
- To improve the individual proficiency of our members in the performance of their duties;
- To encourage social, charitable and educational activities among police officers; To advocate and strive for uniform application of the civil service merit system for appointment and promotion;
- To create a tradition of esprit de corps insuring fidelity to duty under all conditions and circumstances;
- To cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve; and
- To increase the efficiency of the police profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of the life and property.

CONSTITUTION

ARTICLE I (1) NAME

Section 1. This organization shall be known as the HAYS KANSAS LODGE #48 OF THE FRATERNAL ORDER OF POLICE, and shall be a subordinate lodge of the Kansas State Lodge and the Grand Lodge.

ARTICLE II (2)

CHARACTER

Section 1. The Fraternal Order of Police is an organization consisting of Law Enforcement Officers of the cities and counties of the State of Kansas.

Section 2. The Hays Kansas Lodge #48 of the Fraternal Order of Police shall not be controlled by, directly or indirectly, any labor union, congress, federation committee, or similar organization by whatever name know, but this section shall not prohibit cooperative *efforts* by the Lodge with labor organizations for their common good.

The Hays Kansas Lodge #48 of the Fraternal Order of Police shall not strike or by concerted action cause a cessation of the performance of the Police duties, or induce other members to do likewise. The penalty for such action by any member of the Lodge, shall be immediate expulsion from the Fraternal Order of Police.

Section 3. This Constitution shall be the fundamental law of the Order, and together with the By-laws enacted in the conformance therewith, shall govern the conduct of the Lodge.

ARTICLE 111 (3) MEMBERSHIP

Section 1. Any regularly appointed and full-time law enforcement officer in the State of Kansas shall be eligible for membership in the Lodge with the approval by majority vote of the Lodge members. No person shall be denied membership on account of race, creed, or sex.

Section 2. The term "regularly appointed law enforcement officer" shall include regular law enforcement officers heretofore and hereafter retired from active duty in the service the said departments/agencies in the State of Kansas. There term, "full-time", shall mean law enforcement officers that are engaged in such employment as their principal source of livelihood.

Section 3. There shall be two (2) classes of membership: Active and Honorary.

The Active membership shall be comprised of regularly appointed law enforcement officers, of the said departments and agencies in the State of Kansas.

The Honorary membership shall be comprised of retired regularly appointed law enforcement officers, who withdrew from Active membership after retirement.

Section 4. Any member who may retire from active duty, may retain his membership as long as he remains in good standing.

Section 5. No person shall be simultaneously a member of more than one Lodge.

Section 6. Active members who are dismissed from service on charges which are subsequently sustained in a regular court of law or who do not contest the decision of the dismissing authority automatically forfeit their membership.

ARTICLE IV (4)

ORGANIZATION

Section 1. No person, except a member in good standing of the Lodge, shall have a voice or vote or be eligible to hold office in the Lodge.

Section 2. The Lodge shall hold a meeting the first Tuesday of every month in a location determined by the President or the Executive Board. The Quorum for monthly

meetings shall be seven (7) member. The December meeting, in odd number years, will be held for the purpose of electing Lodge Officers.

ARTICLE

V (5)

OFFICE

RS

Section 1. The Officers of the Lodge shall consist of the President, Immediate Past President, All Past Presidents in good standing, Vice-President, Secretary, Treasurer, Sergeant at Arms, Lodge Trustee and the Lodge Steward. The Officers of the Lodge shall be elected in the December meeting in odd numbered years.

Section 2. By virtue of their office, the Lodge President and the Lodge Trustee shall be delegates to the State Conference. If a delegate

cannot attend the State Conference, the President shall appoint another Lodge Officer to fill the vacancy.

ARTICLE VI (6)

BOARD OF

DIRECTORS

Section 1. The Board of Directors shall be composed of the President, Immediate Past President, all Past Presidents in good standing, Vice-President, Secretary, Treasurer, Sergeant at Arms and the Lodge Trustee.

The Executive Board shall be composed of the President, Immediate past President, Vice-President, Secretary, Treasurer, Sergeant at Arms and the Lodge Trustee.

The Board of Directors shall have and exercise all administrative powers of the Lodge during the period between monthly meetings.

Any vacancy in any office of the Lodge shall be filled by majority vote of the Board of Directors.

Section 2. The term of office of officers shall be for two years or until their successors are elected and qualified.

Section 3. The Board of Directors *shall keep minutes* of any *meeting* and present them at the next monthly meeting.

Section 4. Any officer who resigns from active law enforcement, shall automatically forfeit his or her office as a member of the Board of Directors of the Hays Kansas Lodge #48 of the Fraternal Order of Police.

ARTICLE VII (7)

PRESIDENT

Section 1. The President shall be the Chief Executive Officer of the Lodge. He/she shall preside at all monthly meetings of the Lodge, and meeting of the Board of Directors. He/she shall have general management of the business of the Lodge and shall see that all orders and resolutions of the Board of Directors are carried into effect.

of Directors.

He shall execute any and all contracts that may be authorized by the Board

He shall be ex-officio member of all standing committees.

He shall have power with the advice and consent of the Board of Directors to appoint a majority of any committee, or committees, to inquire into any affair or matter affecting or concerning the Lodge.

He shall call Special Meetings of the Board of Directors when he/she deems it necessary or upon petition of a majority of the Board of Directors. Notice of such Special meeting shall be 24 hours prior to such meetings.

He shall at each session of the Board of Directors submit a full and complete report, in writing, of the official business transacted by him subsequent to the last meeting of the Board, together with such recommendations as he may deem advisable.

He shall convey to his successor all unfinished business of the Lodge.

Together with the Secretary, he shall attest all warrants or vouchers for disbursements from any fund of the Lodge.

The Lodge President shall be elected by the members of the Lodge

The Lodge President shall fill any vacancies by appointment occasioned by death or otherwise of any office of the Lodge. Such appointment shall be in effect only until the next regular election.

ARTICLE VIII (8)

IMMEDIATE PAST PRESIDENT AND PAST PRESIDENTS

Section 1. The Immediate Past President and all Past Presidents in good standing shall attend the monthly meetings and the meetings of the Board of Directors. He shall advise and assist the president and the Board of Directors in the performance of their respective duties and shall execute such assignments as may be ordered by the President.

ARTICLE IX (9)

VICE-PRESIDENT

Section 1. The Vice-President shall preside at meetings of the Board of Directors in the absence of the President and shall otherwise generally perform the duties of the President during his/her absence. He shall also perform such other duties as shall be ordered by the Board of Directors. He shall also appoint the minority of all committees.

ARTICLE X (10)

OFFICERS

Section 1. The Secretary, Treasurer, Sergeant at Arms, Lodge Trustee, and Lodge Steward shall each perform the duties prescribed for their respective offices by the By-Laws hereof.

ARTICLE XII (11)

LEGAL COUNSEL

Section 1. There shall be a General Legal Counsel designated by the President with the advice and consent of the Board of Directors.

Section 2. Associate Legal Counsel may be obtained by the President on the advice of the Board of Directors to handle any litigation in which the Lodge may become involved.

ARTICLE XII (12)

AMENDMENTS

Section 1. Proposed amendments to this Constitution shall be submitted in writing to the Lodge Secretary at least thirty (30) days prior to the convening of the next monthly meeting. The Lodge Secretary will post a copy of the such proposed amendment at least fifteen (15) days prior to the next monthly meeting. The proposal shall then be submitted to the meeting. Upon Adoption by a favorable vote of two-thirds (2/3) of the members present, the proposed amendment shall become a part of this constitution.

ARTICLE XIII (13)

PARLIAMENTARY PROCEDURE

Section 1. Except as provided in the Constitution and By-Laws, "Robert's Rules of Order, Revised", shall govern the conduct and deliberations of the monthly meetings and meetings of the Board and Committees of the Lodge.

ARTICLE XIV (14)

OFFICIAL RITUAL

Section 1. There shall be an Official Ritual of the Lodge which shall be known as the Fraternal Order of Police Ritual.

Section 2. The Ritual of the Fraternal Order of Police as revised at the National Biennial Conference of the Fraternal Order of Police shall be the Official Fraternal Order of Police Ritual for the Hays Kansas Lodge #48.

BY-LAWS HAYS, KANSAS LODGE #48 FRATERNAL ORDER OF POLICE

ARTICLE I (1)

MEMBERSHIP

Section 1. Members of this Lodge shall be full time sworn law enforcement officers, dispatchers and jailers.

Section 2. "Member in good standing" is hereby defined to be a member who has paid all dues and assessments due and payable to or for the Lodge, or who is not more than thirty (30) days in arrears of such payments as of the date specified for the payment thereof.

Section 3. Any member in good standing for a period of one (1) year or more immediately preceding the holding of any election, and has been recorded as present at five (5) monthly meetings shall be eligible for election to any office in the Lodge; and any member not so qualified shall be ineligible for election to any such office.

Section 4. Any member in arrears of payment of dues or assessments more than thirty (30) days and less than ninety (90) days shall be deemed to be delinquent and not in good standing.

Section 5. Any member in arrears of payment of dues or assessments more than ninety (90) days and less than six (6) months shall be and is hereby automatically suspended.

Section 6. Any member delinquent or suspended, as provided in Sections 4 and 5 of this Article, may be reinstated and restored to good standing by the payment of all amounts due and, in addition thereto, the payment of dues for the whole of the current year in which such reinstatement is made.

ARTICLE II (2)

SECRETARY

Section 1. The Lodge Secretary shall have custody of books, records, documents, and the Seal of the Lodge and office paraphernalia and equipment under the general authority and orders of the Lodge President and the Board of Directors. He shall take a record and transcribe Minutes of the monthly meeting of the Lodge and any meeting of the board of Directors and shall submit the same for approval or rejection at the next succeeding monthly meeting.

He shall conduct the general correspondence of the Lodge.

Together wit the President, he shall attest all warrants or vouchers for cash disbursements from any fund of the Lodge.

He shall be the official custodian of the Constitution and By-Laws of the Lodge, which shall be authenticated by the Seal of the Lodge and signatures of the President and the Secretary. He shall keep a record of the official amendments adopted at the monthly meetings amending the Constitution and the signatures of the President and the Secretary, in a book to be known as the book of Amendments to the constitution and By-Laws.

He shall furnish a surety bond for the faithful performance of duty in the such amount as specified by the Board of Directors.

At the expiration of his term of office and with in ten (10) days thereafter, the Secretary shall deliver to his successor the Official Seal of the Lodge and all books, documents, records, paraphernalia and equipment in his possession.

All incoming moneys for the State Lodge shall he delivered to the Secretary, who shall record the same and then forward said money to the Treasurer for deposit in the proper accounts of the Lodge.

ARTICLE III (3)

TREASURER

Section 1. The Treasurer shall be the custodian of the funds of the Lodge. He shall furnish a surety bond in the amount specified by the Board of Directors, which surety bond shall be approved by the Board of Directors.

He shall sign all checks duly authorized by the President and the Secretary, for disbursements of funds. There shall be three (3) signatures on every checking account and it shall require at least two of the three signatures for any disbursement of funds from these accounts. The signatures shall be those of the President, Secretary and the Lodge Treasurer.

He shall keep an itemized record of all receipts and disbursements.

He shall deposit all funds collected in a bank approved by the Board of Directors.

He shall set up special accounts for the special funds and allocate to each, respectively, the amounts allocated or collected therefore.

He shall perform such other duties as are usual and incident to the office. He shall make monthly reports on the condition of the funds.

ARTICLE IV (4)

SERGEANT AT ARMS

Section 1. The Sergeant at Arms shall have charge and control of the meeting place. He shall permit only qualified persons to enter or remain. He shall assist the in the execution of such duties as the President may order.

ARTICLE V (5)

TRUSTEE

Section 1. The Trustee shall have charge of and be responsible for all property of the Lodge. The Trustee shall:

- 1. Take charge of all the physical property of the Lodge.**
- 2. Make a complete and itemized inventory.**
- 3. Recommend to the Board of Directors the amount of bond to be required of the President, Secretary and Treasurer for the faithful performance of their duties.**
- 4. Conduct an audit annually of all funds and financial books and records of the Lodge and make a report thereon to the Board of Directors.**
- 5. Ascertain that all moneys received have been allocated to the credit of the proper funds and so deposited in the name and to the credit of the Lodge.**

6. Upon order of the meeting or Board of Directors, purchase any equipment or supplies deemed necessary.

ARTICLE VI (6)

STEWARDS

Section 1. The Stewards shall be knowledgeable with the contract between the City of Hays and/or Fort Hays State University and this Lodge . He shall assist other members in advising them of contractual problems and assist and represent the members in filing grievance's should the need arise.

ARTICLE VII (7)

DELEGATES TO STATE CONFERENCE

Section 1. By virtue of their office the President and the Trustee shall be delegates representing the Hays Kansas Lodge #48 at the annual State Conference and the fall and spring State Board meetings.

ARTICLE VIII (8)

OFFICIAL ORDER OF BUSINESS

Section 1. The order of Business at the monthly meetings shall be:

meetings.
membership.

1. Roll Call of Officers.
2. Reading of the minutes of the last regular meeting and any special
3. Acceptance of new applications for membership.

4. Membership Committee Report on previous applications for
5. Officers' Reports.
6. Reports of Committees. 7. Bills.
8. Communications.
9. Reports on members sick or in distress. 10. Initiation of Applicants for membership. 11. Unfinished Business.
12. New Business.
13. Good of the Order. 14. Election of Officers. 15. Installation of Officers. 16. Adjournment.

ARTICLE IX (9)

NOMINATION AND ELECTION OF LODGE OFFICERS

Section 1. Any member in good standing who has been a member of the Lodge for a period of one year or more, provided the member has attended five (5) regular monthly meetings during the prior twelve (12) months previous to nomination, shall be eligible as a candidate for any office of the Lodge. Any member who has missed a meeting due to being "on-duty" at the time of the meeting shall be considered in attendance for eligibility requirements.

Section 2. Candidates for election as officers of the Lodge shall be nominated, from the floor, at the regular November Meeting. After being declared closed, nominations shall not be reopened.

Section 3. The Lodge Officers, except Past Presidents, shall be elected by a majority vote on the floor of the regular December monthly meeting. A printed ballot, listing the names of all nominated candidates, shall be furnished to each member present, who after indicating his choice thereon, shall deposit the ballot in a receptacle provided for that purpose. The ballot box used in the election shall not be taken from the meeting floor until all votes are counted and the election certified by the Election Committee.

Section 4. An Election Committee of three (3) shall be appointed to distribute the ballots and canvass the votes. After the polls are closed, the committee shall count the votes, determine how many have cast for each candidate and shall report the results to the President. The president shall announce the results and declare elected those candidates receiving a plurality of the votes for each respective office.

Section 5. Officers Elect shall be installed by the President and shall take office in the January monthly meeting.

Section 6. In the event of a tie vote of any elected office of the Lodge the incumbent shall be declared the winner. If, however, neither candidate is an incumbent then a coin toss by the President during the meeting shall determine the winner of the office.

ARTICLE X (10)

RULES AND PROCEDURE IN CASE OF SUSPENSION

Section 1. The Lodge may suspend any member for good and sufficient cause after hearing and trial by the Board of Directors

Section 2. In the conduct of any investigation, hearing or trial of complaint against the Lodge, the Board of Directors shall:

- 1. Require any complaint be made under oath.**
- 2. Serve upon the Lodge personally, or by registered United States mail, a written copy of the complaint with such specifications of fact as shall enable the Lodge to be placed fairly upon defense.**
- 3. Allow a period of not less than thirty (30) days after service of a copy of the complaint before a hearing or trial of cause.**
- 4. In the hearing, confine their consideration to the specific facts set fourth in the copy of the complaint.**
- 5. In the hearing or trial of such complaints, the procedure shall be as**

follows:

- a. The complainant shall adduce his evidence in support of the charges and specifications.**
- b. The lodge shall then produce such evidence as it may wish to officer in defense of such facts.**
- c. The complainant may offer evidence in rebuttal.**
- d. The production of evidence on the hearing and the determination and decision thereof shall be governed in general by the rules of evidence, proof and burden of proof applied generally by the courts in civil cases. The complainant and the Lodge may be represented by counsel.**
- 6. The time and place of the hearing shall be determined by the Board of Directors.**

7. A three-quarter (3/4) vote of the Board of Directors is necessary to invoke the suspension.

Section 3. Upon final disposition of litigation if the suspension is unfounded the Board of Directors shall order the member reinstated.

ARTICLE XI (11)

DUES

Section 1. Each member of the Lodge shall pay to the Lodge monthly dues of \$20.00, in addition to an initiation fee of \$25.00. An exception, regarding the initiation fee, can be made by a majority vote of the members attending a regular monthly meeting.

Section 2. Retired members will not pay monthly dues.

ARTICLE XII (12)

EXPENSES

Section 1. The spending of the Lodge funds will be authorized by the President, or by a majority vote of the Board of Directors, Executive Board, or by a vote of the majority of the general membership present at the monthly meetings.

Section 2. The President shall be limited to One Hundred dollars (\$100.00) on any expenditure unless prior approval is obtained by the majority vote of the members present at a monthly meeting.

Section 3. All requests for donations to any organizations shall be made 30 days in advance to the President, exceptions can be made by majority vote of the members present at the monthly meeting.

Section 4. Donations shall not exceed One Hundred-Fifty dollars (\$150.00) to any organization during a consecutive 12 month period. Voting concerning the awarding of donations shall be done after the individual/association etc., requesting the donation, has left the meeting.

Section 5. A total of four (4) scholarships, valued at One Hundred-Fifty dollars (\$150.00) shall be awarded annually to qualified graduation seniors, who are going to attend a college of their choice, from Hays High, TMP-Marion, Ellis and/or Victoria, and the awarding shall be based on a majority vote. There shall be preference awarded to graduating seniors, who are the children of active members of this Lodge. There shall also be an automatic waiver of the maximum of four (4) scholarships, should there be more than four children of active members graduating from high school, in any one year.

Section 6. All expenditures will be paid by Lodge Check. The President, Secretary and/or Treasurer will sign all checks.

Section 7. The President and the Trustee and any other member designated to attend the State Lodge spring and fall meetings and the annual State Conference, shall be reimbursed for

mileage to and from such meeting, per government rates. The lodge will also pay for any motel expenditures incurred by the members attending those meetings.

Section 8. This Lodge shall provide, for each member, the Fraternal Order of Police Legal Defense Plan and this shall be paid from the collection of the regular dues.

ARTICLE XIII (13) AMENDMENTS

Section 1. Proposed amendments to this Constitution and By-Laws shall be submitted in writing to the Lodge Secretary at least thirty (30) days prior to the convening of the next monthly meeting. The Lodge Secretary will post a copy of the such proposed amendment at least fifteen (15) days prior to the next monthly meeting. The proposal shall then be submitted to the meeting. Upon Adoption by a favorable vote of two-thirds (2/3) of the members present, the proposed amendment shall become a part of this Constitution and By-Laws.