

From: Michael D. Magee, Past Department Commandant
To: Department Judge Advocate

Subj: Proposed Bylaws Amendment

1. Amend the provision identified as sub-paragraph Section 125 E, Elections, by striking the wording, "In the event all nominees for elective office are unopposed the Chair may entertain a motion from the floor to declare the candidate(s) elected by acclamation, and if passed, the Adjutant shall record the result"

Insert the wording, "As an exception, if there is only one candidate for an office a ballot vote will be dispense with and the Chair will declare the candidate elected."

Rational: It is incorrect to entertain a motion to declare the candidate elected by acclamation as this action is only permitted by RRO when the bylaws do not require a ballot vote; the Department Bylaws do require a ballot vote. In a situation where there is only one candidate for an office and a ballot vote is required by the bylaws, RRO states the bylaws must provide for an exception in such cases.



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Subj: Proposed Amendment of the Department Bylaws

1. Amend the Articles which were adopted at Convention 2017, identified as Article I and Article II, which should have been identified as Article II and III of the Department Bylaws by striking the provisions pertaining to District Vice Commandants,

Rational: The provisions were adopted in violation of the Parliamentary Authority for the Department, Robert's Rules of Order. RRO requires that "previous notice" be given when addressing amending the bylaws. The purpose of "previous notice" is to alert members to the proposed amendments so that all those interested can arrange to be present at its consideration.

Rational: The published Convention agenda stated the proposed amendments were to be addressed on Saturday, "previous notice", however, the proposed amendments were addressed on Friday. This act was in violation of the precept [principle/rule] of previous notice and denied those delegates arriving late Friday afternoon and evening their right to voice their opinions and cast their vote on the proposed amendments on Saturday, as was published to be addressed.

Rational: The amendments then proposed and adopted are entirely unnecessary; in 2011 the Department established in the Bylaws, the amended "Regional Coordinator Program", which is still in force. This program of Regional Coordinators accomplishes all and more than can be accomplished by a District Vice Commandant.

The establishment of District Vice Commandants is modeled from the program in use by at least two other Departments. However, these Departments do not have Regional Coordinators as does this Department.


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