

By-Laws of The Ancient Order of Hibernians in America of New Jersey

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PREAMBLE

It is hereby declared and decreed that the purpose of this organization, the Ancient Order Of Hibernians in America, Inc. is:

- (1) To promote Friendship, Unity and Christian Charity
- (2) To foster and sustain loyalty to country and community
- (3) To aid and advance by all legitimate means the aspirations and endeavors of the Irish people for complete and absolute independence, promoting peace and unity for all of Ireland.
- (4) To foster the ideas and perpetuate the history and traditions of the Irish people.
- (5) To promote Irish culture.
- (6) To encourage civic participation.
- (7) To encourage an equitable U.S. immigration law for Ireland, and to cooperate with groups for a fair American Immigration Policy.
- (8) To accept and support, without prejudice, the concept of free expression of religious practice for the people of the world.
- (9) To protect and defend all life, born and unborn. Membership is confined exclusively to practicing Roman Catholics of Irish birth or descent who reside in the United States, Canada or the Western Hemisphere.

ARTICLE 1: NAME AND GOVERNMENT

SECTION 1. NAME:

The name of this organization shall be, pursuant to the Act of Incorporation of March 11, 1987, as amended December 19, 1912, "The Ancient Order of Hibernians in America of New Jersey."

SECTION 2. GOVERNMENT:

This organization and its subdivisions shall be subject to and governed by the National By-Laws of the Ancient Order of Hibernians in America, Inc., as revised and adopted at the most recent National Convention of the Ancient Order of Hibernians, and any amendments and supplements which may be made thereto. The government of this organization shall be invested in the Biennial Convention and in the National Board of the Ancient Order of Hibernians. The National By-Laws and directives promulgated in accordance therewith by the National Board of the Ancient Order of Hibernians shall have precedence over any provisions of these By-Laws.

ARTICLE 2: OBJECTIVES AND ACTIVITIES

SECTION 1. OBJECTIVES AND PURPOSES:

The objectives and purposes of this organization and its Subdivisions shall be as set forth in its Act of Incorporation, as amended, and as set forth in the Preamble of the National By-Laws. It pledges to work in harmony with the doctrines and laws of the Roman Catholic Church, and to foster and sustain loyalty to country among its members. This organization and its subdivisions shall also foster and support religious, charitable, fraternal, civic, cultural, athletic and patriotic programs and activities.

SECTION 2. ACTIVITIES:

In accomplishing its objectives and purposes, this organization and its subdivisions shall work separately, or in conjunction with other religious, charitable, fraternal, civic, cultural, athletic, patriotic, and special interest groups to attain and maintain its goals and to prevent the institution and continuation of programs and principles contrary to those supported by this organization.

SECTION 3. ORGANIZATION:

The basic units shall be Divisions of not less than fifteen (15) members. Each Division shall bear a number and may bear a designating name. Each division, with the approval of the State and National Boards, may select such name.

ARTICLE 3: MEMBERSHIP

SECTION 1. QUALIFICATIONS:

Applicant must:

- A. Be a male residing in the United States.
- B. Prove his Irish ancestry, or that he has been legally adopted by those of Irish ancestry, or be a member of the Catholic Clergy or be enrolled as a Seminarian regardless of ancestry if they meet all other requirements.
- C. Be a practicing Roman Catholic.
- D. Be of good character.
- E. Be not less than sixteen (16) years of age.

SECTION 2. APPLICATION:

Application must be made on a form approved by the National Secretary. Applicants shall be accepted by majority vote. Each division, by bylaw or otherwise, in a manner not inconsistent with this document, shall determine which applicants are admitted to membership. However, an applicant who has been rejected for membership by a division cannot be admitted to membership without the written permission of the division from which he was previously rejected.

The proposer shall certify that the applicant is a practicing Roman Catholic and worthy of membership or, where circumstances warrant, a Roman Catholic priest may certify as to the applicant's status as a practicing Catholic, on a form approved by the National Board. Once an applicant is screened and sworn in as a member, he cannot again be asked to verify his heritage.

SECTION 3. MEMBERSHIP SOLICITATION:

No member, officer, Board or division shall solicit membership applicants by offering any gift, object, money, prize or inducement.

SECTION 4. REGULAR MEMBERSHIP:

Divisions may accept male persons, not less than sixteen (16) years of age, upon the payment of the required initiation fee, as regular members. Regular members shall be entitled to hold all offices in the Order and vote on all matters. Regular membership is limited to one Division at one time.

SECTION 5. LIFE MEMBERS:

Each division by vote may establish a Life Membership. The amount to be paid by the member shall be set by the division. The Life Membership is the responsibility of the division establishing such a plan and incurs no liability on any other division or Board, including sick and death benefits that may be due.

SECTION 6. ASSOCIATE MEMBERSHIP:

The State Board or any of its subordinates may select a person to be an associate member, on persons who do not qualify for regular membership, but who have demonstrated good will towards the Order, its aims and principles. Associate Membership includes all social privileges but does not include attendance at meetings or voting privileges.

SECTION 7. HONORARY MEMBERSHIP:

The State Board may select a person for Honorary Membership on persons who do not qualify for regular membership, but who has rendered valuable service on the various levels of the Order. Any Division or County Board may submit nominations for Honorary Membership to the State Board, and all prospective honorary members must be cleared at each of these levels.

SECTION 8. WITHDRAWAL CARDS:

Withdrawal cards issued and signed by the State Secretary shall be given to members in good standing who resign from the Order. Such a card will bear the member's name, division, degrees received, dates of admission and withdrawal; and will be countersigned by the division President and financial Secretary.

SECTION 9. RE-ADMISSION:

A former member lawfully in possession of and presenting a withdrawal card may be readmitted to membership in any division, provided he meets the requirements of this Article. He shall renew his pledge at a regular meeting.

SECTION 10. JUNIOR MEMBERSHIP:

A male applicant must be not less than ten (10) years of age, not more than sixteen (16) years of age, of Irish ancestry and a practicing Roman Catholic.

ARTICLE 4: STATE BOARD

SECTION 1. STATE BOARD:

The State Board shall consist of elected State Officers and appointed Chairmen, all Past State Presidents, County Presidents and Division Presidents.

ARTICLE 5: OFFICERS OF THE STATE BOARD

SECTION 1. ELECTED AND APPOINTED OFFICERS:

State Officers will be required to report on their activities at each State Board meeting and to submit a written complete report at the Biennial Convention. Their duties are

outlined in these By-Laws and may change from time to time according to the State President. They are as follows:

OFFICERS

PRESIDENT:

- Presides at all meetings of the Order.
- Executive Officers of the Order.
- Appoints members to constitute State Board.
- Rules on questions of law under these By-Laws.
- Appoints committees for the good and welfare of the Order.
- Enforces the laws of the Order.
- Plans meetings and activities of the Order.
- Signs all official documents and papers of the Order.
- Performs such other duties as are usually attached to the office of President.
- Makes a report to the membership at Conventions and meetings.

VICE-PRESIDENT:

- Performs all the duties of the President in his absence or disability.
- Responsible for planning and managing the Major Degree program and Conventions.
- Reports his activities at Conventions and meetings.
- Serves as Chairman of the Pat Torphy Award, Corporal Michael P. Curtin Award and any other recognition ceremonies the President feels is necessary.

SECRETARY:

- Notifies Board members of all meetings.
- Records minutes of meetings and sends them to Webmaster to post on website.
- Keeps accurate membership roster.
- Makes detailed report of all facts on approved forms issued by the National Secretary.
- Maintains the official files for the State Board.
- The Secretary shall prepare immediately after each Biennial State Convention, a roster of all State Officers and Chairmen, which list, together with addresses and telephone numbers shall be kept current. Within thirty (30) days after the close of the Biennial State Convention a copy of said the Secretary should forward roster to each member of the State Board and to the National Secretary of the AOH.
- In the event the position of any State Officer or Chairman becomes vacant, or a different person is named to any such position, the Secretary shall notify each member of the State Board and the National Secretary within ten (10) days after the receipt of such information.
- The Secretary shall prepare, on or before March 1 of each year, a roster of all Officers for each Division and County Board in the State of New Jersey, together

with addresses and telephone numbers, based upon the most recent report on file in the office of the State Secretary for said Divisions and County Boards, and shall forward said roster to each member of the State Board and of the National Secretary. The Secretary shall keep this roster current and he shall cause any such information received after February 15 to be forwarded to the above Officers listed in this subsection.

- The State Secretary shall maintain a list of the names and addresses of each member of the State Board, the President and Secretary of each State Division and County Board in the and the President, Secretary and Editor of the National Board, and shall forward all notices of State Board meetings and other notices to each of said persons. Pre-addressed envelopes shall be available, without cost, to each State Officer and Chairman who needs the same to perform his duties.
- Copies of the current rosters shall be provided to any member of a Division who signifies in writing, his intention to be a candidate for any elective State office. Each candidate is entitled to make only one such request, which request may not be made more than ninety (90) days prior to any scheduled election.

TREASURER:

- Serves as the custodian of all funds, bonds, securities and instruments held in the name of The Ancient Order of Hibernians in America of the State of New Jersey, and deposit same for safekeeping in a bank or savings institution within ten (10) days after receipt in the appropriate name of the Order.
- Keeps a record of all monies received and disbursed on approved forms and books furnished by the National Secretary.
- Pays no money except on vouchers signed by the President and countersigned by the Secretary on approved forms furnished by the National Secretary.
- Keeps vouchers for all disbursements.
- Presents a financial report of their respective jurisdictions at all meetings and when ordered to do so by a higher authority.
- Closes his books on the last day of the month before the State Convention. He shall submit a typewritten report of all monies received and disbursed during his term of office to the Convention. The State Treasurer must submit a closing report at the State Convention prior to its adjournment documenting all financial activity that occurred during the time of his last report.

CHAPLAINS: *(must be a priest or a deacon)*

- Provide spiritual guidance for their respective jurisdictions.
- Advise on all matters pertaining to the welfare of the Order.
- Attends meetings and participate in discussions within their jurisdiction.

HISTORIAN:

- Works with National Historian and act under his advice.

- Promotes, supervise and direct proper recognition of the study of Irish History in Catholic Schools and colleges and other educational institutions.
- Responsible for researching and reporting on the history of the Order in Ireland, America and Canada.
- Works with each Division to ensure that the proper historical data is available and distributed.

ORGANIZER:

- Encourages the organization of new Divisions, especially in counties where no division exists.
- Reports to the Vice-President.
- Assigns duties to assistant organizers and in his discretion, remove any assistant organizer for inactivity.

DEPUTY STATE ORGANIZER:

- Assists the Organizer.

MARSHALL:

- Maintains order at meetings and functions if needed under the direction of the President.
- Ensures that only members of the Board speak at meetings and functions unless recognized by the Chair.

SENTINEL:

- Verifies AOH dues card at meetings or functions.

SECTION 2. APPOINTED CHAIRMEN:

The State President shall appoint Chairmen, as he deems necessary to manage and run the business of the State Chairmen will be required to report on their activities at each State Board meeting and to submit a written complete report at the Biennial Convention. Their duties are outlined in these By-Laws and may change from time to time according to the State President. They are as follows:

HERITAGE AND CULTURE:

- Promotes Irish culture and heritage.
- Advise the State Board on strategies and policies that can enhance heritage and culture.

IMMIGRATION:

- Advises membership on latest legislation and programs that enable Irish citizens to become United States citizens.
- Advise the State Board on strategies and policies that will enhance immigration efforts.

BY-LAWS:

- Responsible for collecting all changes to the legislation of the Order (State and National). He will collect proposals and work with the counsel to process any changes after a vote is taken at a Board meeting. Any proposals to the National Board will be done so prior to the National Convention.
- Official keeper of current By-Laws and National constitution.

CHILDREN'S COMMITTEE:

- Produces events that will provide awareness and financial return to assist the children of Northern Ireland and America.
- Guides Divisions in producing the same kind of events locally.

ANTI-DEFAMATION:

- Follows legislation and actions of all outside parties as it pertains to the reputation of our Order, culture and Ireland.

PRO-LIFE:

- Develops a statewide program for Hibernian participation in Pro-Life issues.
- Works closely with the Divisions to ensure information is available to them.

CATHOLIC ACTION:

- Develops a statewide program for AOH participation in Catholic Action.
- Works with the State Chaplain in planning and producing an annual mass dedicated to peace and justice in Ireland and the memory of the nine Hibernians lost in the World Trade Center attacks that occurred on September 11, 2001.

CONVENTION:

- Locates Convention site, which includes hotel, meeting rooms, entertainment, lodging, marketing and any other duties that may arise as it relates to selecting and operating the Convention.
- Works closely with a team of men he chooses as well as a team of women from the LAOH.
- Reports to the Vice President.

FINANCE:

- Manages long term and short term financial plans for the State Board.
- Demonstrate how to secure tax-free status for all Divisions.
- Makes recommendations to the President on the best methods to implement and maximize investments.
- Works closely with the Treasurer.

POLITICAL ACTION:

- Develops a statewide program in Political Education.

- Maintains close relationships with all political groups that have an impact on Irish issues in the US and in Ireland.
- Works closely with elected officials to advise them on the issues of our organization.

BUY IRISH:

- Develops a statewide program for the purchase of Irish products.
- Negotiates discounts with vendors for AOH members statewide.

FREEDOM FOR ALL IRELAND:

- Develops a statewide program for supporting and informing the Order on all legislative action for the abolition of the partition of Ireland.

PUBLIC RELATIONS:

- Develops a statewide program to develop and improve the reputation of the Order through the media and other methods.
- Prepares articles and maintain the State Board calendar for publication in the National Hibernian Digest.

WEBMASTER:

- Develop a statewide program to include all division's data on the website.
- Works closely with the website contractor to ensure all work is completed and acceptable.
- Makes recommendations for improvements and revenue opportunities related to the website.
- Post the minutes of the meetings to website in a timely manner.

COUNSEL:

- Serves as chief legal counsel
- Serves as legal advisor to the President.
- Receives and interprets the By-Laws

MISSION AND CHARITIES:

- Develops a State program to appeal annually to the Order encouraging greater participation in charitable works.
- Collects and collates information on the charitable works of each division in the State.

BEREAVEMENT:

- Notifies the State President of all deaths immediately.
- Develops a statewide program that creates a notification chain when a brother passes away.
- Prepares all paperwork to have a tree dedicated in Ireland to the brother's life.

- Appoints deputies as needed in each County.

LABOR:

- Develop a statewide program that informs each division of employment opportunities.
- Works closely with the Webmaster and Public Relations Chairman on publishing employment opportunities.

SECTION 3. PROPERTIES, BOOKS, SURRENDER OF:

All officers must surrender to their successors or to those duly authorized to receive them, properties and funds of the Order that are in their possession at the expiration of their term, or when directed to do so by their superior officers. All officers, will bring all books, records, seals, papers and other miscellaneous properties used in their respective offices, belonging to the Order and in their physical and personal possession to the State Convention, at which time and place said properties will be impounded by the presiding officer, and held for examination and inventory, and to be thereafter delivered to the proper official elected or appointed to serve in each respective office. Failure to immediately comply with the provisions of this section shall constitute and be an indication that such an officer intends to convert it to his own use, and the Board is hereby directed to take immediate steps to recover records and properties through all available lawful means. In addition, the officer involved shall be charged with a violation of his pledge to the Order.

SECTION 4. TENURE OFFICERS & CHAIRMEN:

Tenure of Officers & Chairmen shall be for two years, or until a qualified successor has been duly elected or appointed and installed. No elected officer, except the Secretary, shall be eligible to succeed himself more than once. There shall be no restriction on the number of successive terms in which an appointed Officer or Chairman may serve in a particular position.

SECTION 5. NON-ATTENDANCE:

Any Officer or Chairman failing to attend three consecutive meetings of the State Board, without just cause, shall be automatically suspended from his position, and his office shall be declared vacant by the presiding officer.

SECTION 6. QUALIFICATION FOR STATE OFFICE:

Candidates for State elected office shall have been a member of the Order for at least six months and shall have received the Major Degrees of the Order, unless there was no exemplification available to them prior to the Convention. In that event, the candidate must agree to take the Major Degrees at the earliest available exemplification, or relinquish his office.

SECTION 7. TEMPORARY VACANCY:

The President of that jurisdiction shall fill all temporary vacancies resulting from the suspension or incapacity of officers.

SECTION 8. SENIORITY OF OFFICERS:

At all meetings, masses, banquets, parades, social, and other affairs, officers are to be positioned according to rank (National – State – County – Division). This courtesy is due to the office that the brother represents. Chaplain should always occupy a place of honor to the right of their President.

SECTION 9. VISITS TO COUNTY BOARDS & DIVISIONS:

The State President or an Officer or other member designated by him, shall visit each County Board and Division at least once during his term of office.

SECTION 10. AUDITING COMMITTEES:

The State President may appoint as many auditing committees as may be necessary to examine and audit the books of each division and County Board. The auditing committees shall file a written report (signed by the committee members) with the respective Board.

ARTICLE 6: COUNTY BOARDS AND DIVISIONS

SECTION 1. ESTABLISHMENT OF COUNTY BOARDS AND DIVISIONS:

Where two or more Divisions exist in a County or jurisdiction, a County Board may be organized. Where only one division exists in a County or jurisdiction, no County Board can be formed. The functions of the County Board are to be performed by the respective officers of said division and to be so recognized by the State officers.

When a County Board is formed, it must follow the same procedures as a new division being formed.

SECTION 2. COUNTY – ELECTED:

President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Chairman of Standing Committee, Marshal and Sentinel are voting members. The term is not more than two – two year consecutive terms or until a qualified successor has been elected unless otherwise defined in the County By-Laws.

SECTION 3. COUNTY – APPOINTED:

All Chairmen appointed by the President are members of the County Board and are non-voting members of the State Board. The County President appoints Chairman to assist him to carry out his mission. All are to serve at the pleasure of the County President.

SECTION 4. BY-LAWS AND CONVENTION RULES OF COUNTY BOARDS:

In the event no By-Laws or Convention Rules have been approved for a County Board, it shall adapt and apply the By-Laws of the State Board to its proceedings and it shall adapt and apply the Convention Rules of the most recent Biennial State Convention to its Convention.

SECTION 5. NEW DIVISIONS:

The State President, State Organizer, State Deputy Organizer and each County President have the power to organize new Divisions. A petition to organize a new division must be made on an approved form issued by the National Secretary. This form must be signed by at least fifteen (15) applicants.

In the case of Junior Divisions, the form to organize must be signed by at least five (5) applicants.

The State Secretary shall furnish, without cost to new Divisions, the following supplies: six blue manuals, State By-Laws, the National Constitution and medallions for each officer. The division is responsible to pay the State Treasurer for the medallions.

SECTION 6. JUNIOR DIVISIONS:

Junior Divisions may be organized under the same provisions as contained in these By-Laws, subject to the approval of the State President.

SECTION 7. CHARTERS:

Applications for charters shall be made through the County and/or State secretaries to the National Secretary on approved forms furnished by the National Secretary.

SECTION 8. AMALGAMATION (Merge):

In counties where there are more than two Divisions, the County Board is vested with the power to amalgamate Divisions on terms and conditions not in conflict with this document. Members concerned shall be given at least five (5) days written notice, and a two-thirds vote of the members present at a regular meeting of each division is required for approval.

SECTION 9. MEETINGS:

Divisions shall meet at least once each month, between October 1 and June 30 of each year. Divisions shall not meet for any purpose in any place, under conditions or surroundings that would bring the Order into public disrepute.

SECTION 10. ENTERTAINMENT:

No Division shall provide public entertainment, or participate in any public function, or hold a meeting for any purpose outside of the regular business of the Order without the permission of the State Board.

SECTION 11. COMMITTEES:

Each division shall have regular committees on finance, employment, entertainment, Irish history, sick, publicity, Catholic action and such other committees as may be necessary, appointed by the President at the first regular meeting of his term.

SECTION 12. DIVISION – ELECTED:

President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Chairman of Standing Committee, Marshal and Sentinel. The term is not more than two consecutive terms or until a qualified successor has been elected unless otherwise defined in the division By-Laws.

SECTION 13. DIVISION – APPOINTED:

The division President appoints Chairman to assist him to carry out his mission. All are to serve at the pleasure of the Division President.

SECTION 14. BY-LAWS OF DIVISIONS:

In the event no By-Laws have been approved for a Division, it shall adapt and apply the By-Laws of its County Board to its proceedings. If the County Board has no By-Laws, the Division shall adapt and apply the By-Laws of the State Board to its proceedings.

SECTION 15. AUDITING COMMITTEES:

County President may appoint as many auditing committees as may be necessary to examine and audit the books of each division and County Board. The auditing committees shall file a written report (signed by the committee members) with the respective Board.

SECTION 16. QUALIFICATION FOR DIVISION OFFICERS:

As set forth in the National Constitution, candidates for Division elective office shall be a member of the Order for at least six months, and shall have received the Major Degrees of the Order. This section will not apply in the case of new Division, or where no Major Degrees have been exemplified during which the candidate could have participated. In any event, it will be assumed that the candidate has committed himself to taking the major Degrees at the earliest possible opportunity.

SECTION 17. TENURE OF OFFICE:

Divisions have the option of electing Officers for one-or two-year terms. Any change voted in accord with the provisions of this Section, shall take effect after the next scheduled election.

SECTION 18. CONFLICT OF INTEREST:

No County Board or Division shall schedule or sponsor any event or function which conflicts with a State Convention, a State Board meeting or any State Board-sponsored program without the consent of the State Board. The State Board shall publish a schedule of events, which it is planning, to preclude such conflicts.

SECTION 19. TEMPORARY VACANCY:

The President of that jurisdiction shall fill all temporary vacancies resulting from the suspension or incapacity of officers.

SECTION 20. SENIORITY OF OFFICERS:

At all meetings, masses, banquets, parades, social, and other affairs, officers are to be positioned according to rank (National- State County-Division). This courtesy is due to the office that the brother represents. Chaplain should always occupy a place of honor to the right of their President.

ARTICLE 7: TRANSFERS

SECTION 1. TRANSFER CARDS:

A member in good standing who desires to transfer to another Division shall (on application to his division) be furnished with a transfer card. Admission depends on a majority vote for acceptance by the new division; otherwise membership reverts to the original division.

SECTION 2. TRANSFER INFORMATION:

Said transfer card shall show all pertinent information including benefits if any.

SECTION 3. AUTHORIZED TRANSFER CARDS:

Transfer cards (obtainable from the National Secretary) shall be filled in as required and issued in duplicate. Within three (3) months after date of issue, the member affected shall deliver one copy to the division (or County) President at his destination. The division Secretary originating the transfer shall mail the second copy to the officer designated above.

ARTICLE 8: DEFUNCT DIVISIONS

SECTION 1. DIVISION:

Whenever a division ceases to affiliate with the County Board or is suspended, all available property, books, records and funds shall vest in the County President who will take possession thereof and turn over the same to the State Board. The charter, if available, shall be returned to the State Secretary without delay. If not available, the charter shall be canceled by the National Secretary Where no County Board exists, this authority is vested in the State President.

SECTION 2. MEMBER OF DISBANDED UNIT:

Whenever a Division's charter is revoked, the County President or the next higher jurisdiction will assist the members of the disbanded unit find a Division to join.

SECTION 3. COUNTY:

Whenever any County Board ceases to affiliate with the State Board or is suspended, all available property, books, records and funds shall vest in the State President who shall take possession thereof and turn over same to the State Board.

SECTION 4. NATIONAL SECRETARY, REPORT TO:

Any action taken in connection with any section of this article shall be reported, in writing, to the National Secretary within sixty(60) days.

ARTICLE 9: BOARD MEETINGS

SECTION 1. REGULAR:

The State and County Boards shall conduct regular meetings during the months that are suitable for each level at a site to be selected by the President no less than two times a year. No regular meetings shall be conducted in any month during which a State National Convention is conducted, unless a majority of eligible voting delegates authorize a special State Board meeting.

SECTION 2. SPECIAL:

Special meetings of the State and County Boards may be called at any time by the President, and shall be called upon the written request of not less than ten (10) voting members of the State Board, which shall be addressed to the President. Written notice of the special meeting, stating time, place and object thereof, shall be forwarded to each member of the State Board no less than ten (10) days prior to any special meeting. No business, other than that specified in the notice of the special meeting, shall be transacted at any special meeting.

SECTION 3. SPEAKING AND VOTING:

Only members of the State Board may speak or vote at meetings. The Chair may allow members in good standing the privilege of speaking, but may not under any situation permit them to vote.

Any member of the Ancient Order of Hibernians in America Inc., who is in good standing, whether a resident of New Jersey or elsewhere, and who is properly identified by a National AOH dues card shall be admitted to all meetings and Conventions.

SECTION 4. QUORUM AT MEETINGS:

At any regular or special State or County Board meetings, eight (8) members shall constitute a quorum with full power to decide all questions that may come before the meeting, except as prohibited by the National By-Laws or these By-Laws.

ARTICLE 10: EXPENSES

SECTION 1. EXPENSES:

Board members may be reimbursed for reasonable expenses incurred while on State Board business or attending a State or National Convention. An expense report must be submitted with all receipts. Travel expense by automobile, shall be reimbursed at the rate not exceeding the current US Government Rate.

SECTION 2. PRESIDENTS EXPENSES:

The State President shall receive a stipend allowance of \$300 per quarter. He may submit bills for any additional expenditure for the approval of the State Board.

SECTION 3. BUDGET:

The State President and State Treasurer will submit an annual budget to the State Board for approval each September.

ARTICLE 11: CONVENTIONS

SECTION 1. BIENNIAL CONVENTIONS:

Conventions shall be held in odd-numbered years in accordance with the National By-Laws. The length will be for two consecutive days.

SECTION 2. DELEGATES:

The State Convention shall be composed of the following delegates:

- Officers (elected)
- Chairmen (appointed)
- County Boards (each officer total 8)
 - However, each County Board shall also be entitled to an additional delegate for each 100 members in their County or major fraction thereof (51 members or more) in excess of 100 members.
- Division Presidents
 - However, each division receives one vote for every 15 members or major fraction. Major fraction for example means, say if a division has 23 members, they receive

one for the first 15 and then one vote for the next eight (eight or a number higher, but less than 15 is a major fraction)

- Past State Presidents, who are members of the Order in good standing, will be invited to attend the State Conventions as delegates. Past State Presidents said representation shall be in addition to the other delegates already provided for in this section.

SECTION 3. DELEGATE OPTION:

In a County in which only one division exists, that division may choose the option of registering as a County Board or as a division. If they choose registering as a County Board, they will receive eight delegates.

Membership count is based upon the membership of each division as recorded in the office of the National Secretary 30 days prior to the first day of the State Convention.

SECTION 4. DELEGATE SELECTION:

Delegates, outside of the State Board and division President, shall be elected at a meeting held prior to the Convention.

SECTION 5. ALTERNATES:

Each Board or division may elect at a meeting held prior to the opening of a Convention, an alternate for each delegate entitled to a seat in the Convention. Alternates for State Board officer are chosen by the State President.

SECTION 6. DELEGATES LISTS:

County and Division Presidents shall furnish a list of elected delegates and alternates to the State Secretary no later than 30 days prior to the date of the opening of any Convention. Division recording secretaries shall furnish a copy the delegates to the County President within the same time limit. The State Secretary shall provide, at no cost, copies of the delegate lists to any member of a division in this, who signifies, in writing, his intention to be a candidate for any elective State Board office. The State Secretary shall forward a copy of each list to the State President upon receipt of the same to aid the State President in making Convention committee appointments.

SECTION 7. LATE REGISTRATION ASSESMENT:

Any delegate list received after 30 days prior to the date of the opening of any Convention and any person whose name is not reported on the delegate list, will not be allowed to vote upon any matter before the Convention, unless he is certified by his division President (or designated representative) that he is an elected delegate and upon payment of an assessment of \$15.00 per delegate to the Chairman of the Credentials Committee, which sum shall be non-refundable, and shall be turned over to the State Board.

SECTION 8. QUORUM:

For the purpose of transacting any business at a State Convention one third (1/3) of the delegates must be registered and present at said State Convention, this shall constitute a quorum.

SECTION 9. SPEAKING AND VOTING:

Only qualified delegates, or in the absence of a delegate, his alternate, may speak or vote at Convention sessions. At the discretion of the Chair and subject to Convention rules, members in good standing who are not delegates may be permitted the privilege of speaking, but may not under any situation be permitted to vote on any question before the Convention. Any member of the Ancient Order of Hibernians in America Inc., who is in good standing, whether a resident of New Jersey or elsewhere, and who is properly identified by a National AOH dues card shall be admitted to all sessions of the Convention.

SECTION 10. ORDER OF BUSINESS:

The Order of business at any Convention of the State Board shall be:

1. Calling of Convention to Order.
2. Checking membership cards; appointing an assistant Secretary or Secretaries, a Doorkeeper, and Auditing Committee.
3. Prayer by Chaplain.
4. Report of the Credential Committee.
5. Adoption of the Convention rules.
6. Appointment of committee on Finance, By-Laws and Resolutions, Grievances, and such other Committees as may be necessary.
7. Reports of the officers - Chairmen and Committees.
8. Nominations of officers (done on first day only – cannot be changed).
9. Nominations for Convention cities (done on first day – cannot be changed).
10. New Business.
11. Workshop for Hibernian National documents & Financial Advisement
12. Election of officers and selection of the next Convention site. Balloting to begin no later than 1:00 p.m. on the final day (cannot be changed)
13. Installation of Officers.
14. Adjournment.
15. Closing Mass.

SECTION 11. ALTERING ORDER OF BUSINESS:

The order of business set forth in Section 10 above, may be altered by a two-thirds (2/3) vote of those delegates present and voting. Items 8 - 9 & 12 cannot be changed, except as provided for in the Rules of the Convention.

SECTION 12. SPECIAL CONVENTIONS:

Special Conventions shall be called by the President upon written petition of not less than fifty percent (50%) of the total members eligible to vote at regular meetings of the State

Board, and may be called by the President with the consent of a majority of the officers of the State Board. The petition shall be addressed to the President or Secretary of the State Board. Within seven (7) days of the delivery of the petition the Secretary shall forward to all State Board members a notice setting forth the contents of the petition and listing the date and place of the special Convention. Delegates shall be as described above in Delegate definition. No registration fees shall be required for any special Convention. Only those items of business specified in the petition shall be discussed at a special Convention. The Convention rules from the last previous biennial Convention shall govern any special Convention.

SECTION 13. RULES OF ORDER:

Roberts' Rules of Order in all matters not satisfactorily provided for in this document shall govern all meetings.

SECTION 14. CREDENTIALS:

At least 30 days prior to the State Convention, County and division secretaries shall forward to the State Secretary a list of the duly elected delegates and alternates from each respective jurisdiction which shall be the official list for the use of the committee on credentials and for proceedings in the State Convention. Alternates may change up to the start of the vote.

SECTION 15. COMMITTEE REPORTS:

Reports of committees to the State Convention shall be typed in triplicate, two copies to be filed with the State Secretary, one copy to be retained by the Chairman of the committee.

SECTION 16. APPOINTMENTS:

At each State Convention, the State President shall appoint an assistant Secretary; an official stenographer, an auditing committee, doorkeeper and such other assistants as may be necessary to carry on the work of the Convention.

SECTION 17. OFFICIAL CALL:

The State Secretary shall prepare the Official Call for the State Convention and forward copies to all concerned not less than sixty (60) nor more than ninety (90) days prior to the State Convention.

SECTION 18. POWERS OF CONVENTIONS:

Conventions in sessions shall exercise complete legislative and judicial power over the affairs and funds of the Order – subject to the purpose of the Order as set forth in the preamble and the limits of the National Constitution.

SECTION 19. REGISTRATION OF DELEGATES AND GUESTS:

No delegate or alternate to any Convention shall be permitted to register unless he has properly identified himself with his current paid-up Membership Card issued by the

National Board or other proof of identification. Visitors, upon proper identification, shall be entitled to register as guests and receive guest badges. A visitor must be a bona-fide member of the Order.

SECTION 20. SEATING DELEGATES:

Delegates will occupy seats in a section reserved exclusively for them while the Convention is in session.

SECTION 21. AGENDA PROCEDURES:

In order to receive placement on the agenda for all matters relating to new business and/or the adoption of convention rules with respect to the Biennial Convention, such matters must be submitted by a member of the State Board or approved by a County Board or Division and submitted by it's President in writing and furnished to the State Secretary and the State By-Laws Chairman on or before the second State Board immediately preceding the Biennial Convention. At that State Board meeting immediately preceding the Convention the State By-Laws Chairman will issue a ruling as to whether any requests conflict with the National Constitution and State/or these By-Laws. A finding of no such conflict will entitle the written submission to be placed on the agenda for the Convention.

ARTICLE 12: NOMINATIONS, ELECTIONS AND INSTALLATION

SECTION 1. QUALIFICATION FOR OFFICE:

No member shall be eligible for election to State Office or appointed unless he has received the Shamrock and Major Degrees of the Order.

SECTION 2. NOMINATION:

Candidates for office should be in attendance at the Convention, or meeting, or if not present, they shall signify their willingness to accept nomination and election, and shall be nominated from the floor. This will be performed on the first day of the Biennial Convention.

SECTION 3. INSTALLATION:

Shall be conducted prior to the adjournment of the Convention.

SECTION 4. TERM:

Not more than two consecutive terms or until a qualified successor has been elected.

SECTION 5. ELECTION RULES:

Before balloting, each candidate shall name one clerk. The President shall name one judge. These men, together with additional election officials as the Convention may determine, shall constitute the Board of elections. The State Secretary shall obtain ballots

and ballot boxes. Ballots shall be used bearing candidate's name and office to which he has been nominated and a blank square at right of name for placing an X. Ballots shall also be printed with the names of the cities nominated for the next State Biennial Convention.

In the event any candidates or convention cities receive an equal number of votes, the winner shall be decided by a drawing out of one name from those tied, (under the direction of the Judge of Elections and the respective tellers). The results of the election at the time the candidate's observers/clerks are dismissed shall be considered final and not subject to further change.

SECTION 6. VACANCY:

In the case of the death, resignation or removal of any President, the Vice-President shall assume the office of President for the remainder of the term; the State or County Boards shall fill all other vacancies occurring in the State and County Offices respectively. All other vacancies occurring in division offices, except appointed, shall be filled by an election.

ARTICLE 13: INITIATION AND REINSTATEMENT FEES, DUES, ASSESSMENTS

SECTION 1. INITIATION FEE:

Initiation fee is \$5.00 per member. Of that \$5, \$2 is payable to the National Board and \$3 is payable to the State.

SECTION 2. STATE PER CAPITA:

Per capita is \$6.00 per member and payable to the State.

SECTION 3. COUNTY BOARD PER CAPITA:

Per capita is \$1.00 per member and payable to the County Board if one exists.

SECTION 4. NATIONAL PER CAPITA:

Per capita is \$16 per member and payable to the National Secretary. If paid by February 15, there is a \$4 discount to be taken.

SECTION 5. ASSESMENT FEE:

Assessment Fee is \$1.00 per member and payable to the State.

SECTION 6. NOTICE:

No per capita tax increase shall be levied unless written notice of intention to impose such a per capita tax change shall be forwarded to all members of the State Board at least ten (10) days prior to the date of the Biennial or Special Convention at which the per capita tax levy will be voted upon. In the case of assessments, the notification will apply to the State Board meeting at which it will be considered. Assessments may be imposed without

prior notice at any Biennial State Convention. A two-thirds (2/3) vote of those eligible voters who cast ballots shall be required to levy any assessment or per capita tax.

Newly organized Divisions shall pay an assessment of one dollar (\$1.00) per member for each month the Division has been in existence during the year in which it was organized. This may not exceed twelve dollars (\$12.00) to the National Board.

Newly organized Divisions shall be exempt from any and all fees for the first 60 days of their existence. They shall pay an assessment of one dollar (\$1.00) per member for each month the Division has been in existence during the year in which it was organized. This may not exceed eight dollars (\$8.00).

Divisions are also exempt from payment of the above on, National Life Members; Priests and members of religious congregations; college, high school Divisions and members of the U.S. active duty military are exempt from this fee.

SECTION 7. PAYMENT OF FEES & DUES; REPORTS:

Any Division, which has not paid its National or State per capita tax and/or assessments, or which has not filed its required annual reports shall not be permitted to seat delegates at a State Convention and will be fined \$100.

ARTICLE 14: REPORTS AND ACCOUNTING

SECTION 1. UNIFORM SYSTEM:

There shall be a uniform system of accounting and reports covering all financial transactions of the Order in the manner and form prescribed by the National Board.

SECTION 2. BLANKS AND BOOKS:

The National Secretary shall prepare the necessary approved forms, blanks, books, etc., for use by all financial officers in keeping their accounts and making reports.

SECTION 3. ANNUAL AND BIENNIAL REPORTS:

The State Secretary shall make biennial reports on the blanks furnished in duplicate, sending one copy to the National Secretary and retaining the second for records and file.

County and division secretaries shall make annual reports in quadruplicate on the blanks furnished together with corrected membership roster. Send one copy to the County, one to the State, one to the National Secretary, and retain the fourth copy for records and file

SECTION 4. FILING PERIOD:

Annual reports of Divisions must be in the hands of the National, State and County Secretaries not later than February 15. County biennial reports must be in the hand of the

National and State Secretaries no later than fifteen (15) days after the adjournment of their Convention.

SECTION 5. CONTENTS OF AND COUNTY REPORTS:

Each biennial report shall show the number of counties in the State; number of counties in which the Hibernians are organized; number of counties organized as of December 31 of the year preceding; number of counties organized since the last State Convention; number of counties dropped since last State Convention, total counties organized as of December 31 preceding; number of Divisions on December 31 preceding; decrease of Divisions since last State Convention; and total Divisions in as of December 31 preceding. It shall show receipts from assessments on Divisions; interest and other sources; cash balance on hand at termination of last State Convention; and total receipts. It shall show expenditures for contributions, benefits, maintenance, and all other expenses; cash balance on hand; monies invested in US Savings Bonds; other negotiable assets; total assets; personal property (flags, banners, etc.); and grand total assets. Each biennial report shall show the names of all officers and Chairmen of committees required by these By-Laws.

SECTION 6. CONTENTS OF DIVISION REPORTS:

Each annual report shall show the number of members on the division roll, date of report, number admitted since last report; number lost by death, by resignation, by expulsion, by suspension, by transfer; receipts from initiations, from dues, from fines, from assessments, from donations, discernments for salaries, for rent, for entertainment, for sick benefits, for funeral expenses, for charity, for dues, for all other purposes; and such statistical information as the National Secretary may require and call for in the blanks furnished by him. Each annual report shall show the names of all officers and Chairmen of committees required by these By-Laws.

SECTION 7. PENALTY FOR NOT REPORTING:

Any financial officer in the Order failing or refusing for a period of 60 days to make and forward his annual report, shall be suspended by the President of that jurisdiction and shall forfeit any monies due or accruing to him during his default and suspension.

ARTICLE 15: CORPORATION OR BUILDING ASSOCIATIONS

SECTION 1. REAL ESTATE HOLDINGS:

It shall be unlawful for any jurisdiction of the Order to own, lease, manage or operate a clubhouse or hold real estate in the name of the jurisdiction or the Order. Any jurisdiction that owns, leases, manages or operates a clubhouse or holds real estate must form a separate business corporation under the laws of its respective for such purposes. The jurisdiction prior to incorporation must submit its articles of incorporation and corporate By-Laws to the State President for review. The State President shall review the articles of

incorporation and corporate By-Laws for the sole and limited purpose of insuring that the corporation formed is a legitimate and bona fide corporation, entirely separate and apart from the jurisdiction and the Order. The elected officers of the jurisdiction which forms a corporation under this Article shall be responsible for compliance with all the conditions for incorporation herein, and shall insure that the corporation formed is and remains a separate entity from the jurisdiction of the Order in level activities in their own.

SECTION 2. CORPORATION OR BUILDING ASSOCIATION INSURANCE AND INDEMNIFICATION:

A clubhouse or social hall owned or operated by a corporation formed under this Article shall not be permitted to use the name AOH, Hibernian Hall, or any similar variation without the written approval of the State President and upon proof that the corporation, at its own expense, has named each superior jurisdiction of the Order as an additional insured on its binder or certificate of liability insurance. The approval of a corporation to use the name AOH, Hibernian Hall or other similar variation under this Article shall continue so long as the corporation submits to the State President annually written proof that each superior jurisdiction continues to be named additional insured on its binder or certificate of liability insurance.

SECTION 3. RECORDS:

The corporation formed under this Article shall file annual tax returns in its own name as may be required by law, and shall keep books and records separate and apart from the books and records of the jurisdiction of the Order.

ARTICLE 16: IMPROPER CONDUCT AND PENALTIES

SECTION 1. IMPROPER CONDUCT:

Any member found guilty of joining the Order under false pretenses, which affects his eligibility for membership, shall be expelled, and any dues paid prior thereto shall be forfeited.

Any member found guilty of divulging any business discussed at a Hibernian meeting, to anyone not a member of the Order or to a member not in good standing, may be expelled or suspended for a period not exceeding 12 months, and any dues paid prior thereto shall be forfeited.

Any member found guilty of unauthorized use of a membership card will be subject to expulsion or suspension for a period not exceeding 12 months and any dues paid prior thereto shall be forfeited.

Any member who seeks legal redress in any court of law or equity, or before any quasijudicial body or administrative agency, for any grievance or alleged violation of the National, State, County or Division By-Laws before first exhausting his remedies in all the

tribunals of the Order shall be expelled, or suspended for a period not exceeding twelve months, and any dues paid prior thereto shall be forfeited.

Any member convicted of a felony or a crime of moral turpitude may be expelled. The procedures for expulsion under this section shall be the same as provided in Article XVIII of the National Constitution.

No member, Board or division shall support or oppose any person for public office in the name of the Order. Any violation of the provisions of this section shall require expulsion, or suspension for a period not exceeding twelve 12 months, and any dues paid prior thereto shall be forfeited. A presiding officer who fails to bring charges against any violator of the foregoing provision shall himself be subject to the penalties set forth above and, in addition, shall be removed from office and may not resume his seat during the balance of his term.

Any officer or former officer of the Order, who, after due process, has been found guilty of violating his oath of office by withholding funds and/or property belonging to the Ancient Order of Hibernians, shall be expelled.

ARTICLE 17: HEARINGS AND SUSPENSIONS

SECTION 1. PROCEDURES:

No member shall be required to appear in any tribunal under the jurisdiction of this Order to answer a complaint of a violation of a provision of National or State, or County By-Laws or their respective Division By-Laws, unless he has been served with written charges, setting forth the time and the place of the alleged misconduct. Service of charges may be made on the accused by any member of the Order by certified mail, for which a return receipt has been requested and received. Refusal of service or acceptance of the charges shall be presumptive of service of charges. The charges should be of such specificity as to give the accused a reasonable opportunity to provide a defense. The accused may ask for a bill of particulars if the charges are not sufficiently specific. If such is requested, all hearing time limits shall be considered as an amended service of charges and not new charges.

A member of the Order must serve charges within 60 days of discovery of the infraction.

Hearings of the charges shall commence within 120 days of the service of charges unless the accused consents to further delay. Notice of the hearing must be given by certified mail at least 60 days prior to the hearing date.

The member complained against, if he chooses, may be represented by counsel of his choice from within the Order at the hearing of the charges. The accused shall have the

right to introduce evidence, examine and cross-examine witnesses and to argue the matter, either in person or by counsel.

All hearings may be adjourned from time to time by agreement of both parties, until completed. It shall be improper to unreasonably delay the conclusion of any hearings.

If an accused member fails to appear for a hearing at the appointed time and place, and no satisfactory explanation for his absence is provided to the tribunal, he may be tried in absentia or, if the accused shall not appear and defend himself with a satisfactory explanation for his absence, the accused may be defaulted and the charges be taken as confessed. A permanent record will be kept of all the above proceedings.

The tribunal in which the charges are heard shall record all evidence and any objections to the admissibility of evidence shall be noted in writing and the grounds for their objection(s). The tribunal in which the charges have been tried must decide the issue within 60 days after taking of evidence has been completed and immediately notify the member in writing of the results thereof by certified mail, return receipt requested. Simultaneously a copy of said decision shall be forwarded to each superior jurisdiction.

SECTION 2. TRIBUNALS:

For the hearing of all charges, suspensions, removals and controversies, the following tribunals are established:

The National Board shall have the original jurisdiction of all hearings in which National or State funds are involved; and appellate jurisdiction over all appeals taken from Orders or decisions rendered by State Boards.

The State Boards shall have original jurisdiction over all hearings in which County officers or State funds are involved; and appellate jurisdiction over all appeals taken from Orders or decisions rendered by County Boards.

County Boards shall have original jurisdiction over all hearings in which division officers or County funds are involved; and appellate jurisdiction over all appeals taken from Orders of decisions of Divisions. In all counties where there is but one division the jurisdiction herein vested in the County Boards shall be exercised by the State Board.

The National President shall have original jurisdiction to decide questions of law under these By-Laws arising in the general conduct of the business of the Order; and appellate jurisdiction to hear all questions of law appealed to him from the Orders and decisions of the State President in the administration of his duties.

The State President shall have original jurisdiction to hear and determine all questions of law arising under these By-Laws within the State's jurisdiction; and appellate jurisdiction to hear all appeals and such questions of law from the Orders and decisions of a County President. The County Presidents shall have original jurisdiction of all questions of law

arising under these By-Laws within the County; and appellate jurisdiction to hear appeals taken from division Presidents on all questions of law. Division Presidents shall have jurisdiction to decide all questions of law arising under these By-Laws on all matters within the jurisdiction of the division, and their Orders on questions of law in their jurisdictions shall be final unless reversed on appeal, taken under provision thereof.

SECTION 3. PRESIDENTS:

The President shall appoint a committee of impartial members from the Board over which he presides, whose duty it shall be to hear all questions of fact coming before said Board to appeal or otherwise, and report its conclusions of fact and its decisions, with its digest of hearing testimony, to said Board. The decision of said committee may be reversed, modified or approved as rendered on such report and when reversed, modified or approved the decision of said Board shall be final unless reversed on appeal.

SECTION 4. OFFICERS:

It shall be the duty of the State and County Presidents to suspend from office any officer under his respective jurisdiction, upon satisfactory proof in writing that such officer has failed or neglected to perform his duties or has committed any offense which tends to bring discredit upon or injure the Order, and upon such suspension to appoint an acting officer in his stead. It shall be the duty of the President to notify, in writing, a suspended officer, immediately, of his suspension, advise him of the reason for his suspension and of his rights as provided under the Appeals Article of these By-Laws. It shall further be the duty of the President to also notify, in writing, the Board of the suspended officer and all superior Boards within 15 days of such suspension.

SECTION 5. DIVISION:

It shall be the duty of the County President to suspend any division on satisfactory proof that it has violated the National constitution and State By-Laws, or has failed, for a period of three (3) months, to pay its National, State, or County dues. Within thirty (30) days after suspension, he shall report same to the County Board with reason for such suspension, whereupon the County Board shall, after notice to said division and investigation, affirm or reverse the same; where there is but one division in the County, the State officer acting in place of the County Board, shall instruct the State President to make such suspension.

SECTION 6. DIVISION OFFICERS:

The County President may suspend from office any division officer on satisfactory proof that such division officer has failed or neglected to perform his duties or has committed any offense which tends to bring discredit upon or injure the Order, and upon such suspension to appoint a division member within fifteen (15) days to act in his stead. Within 30 days after such suspensions, the County Board shall, upon notice to such officer and investigation of suspension, affirm or reverse the same; where there's but one division in the County; the State officer acting in place of the County Board, shall instruct the State President to make such suspension.

SECTION 7. MEMBERS:

The division President may suspend a member who fails to pay his dues, fines or assessments for a period of three months, and he shall be duly notified by the financial Secretary of his indebtedness in writing and asked to appear at the next regular meeting to pay the same. On his failure to appear, the President of the division shall appoint a committee of at least two members to personally contact the member to try to reclaim him if possible. After these two steps have been taken, suspension will be made if carried by a motion at a regular meeting. A member suspended under this section who fails to apply for reinstatement within the prescribed time shall not be admitted to membership in any other division until he pays the amount due the division from which he was suspended. When a member is in arrears nine (9) months he is dropped automatically from the division at the close of the meeting on which the ninth month expires.

SECTION 8. PROOF REQUIRED:

No suspension, except for non-payment of dues and assessments, shall be made by the President while presiding in his own jurisdiction without charges having first been filed, to which the Order of suspension must be attached. In case of suspension by the President while presiding, the fact must be entered in the minutes and the grounds upon which the suspension is ordered set forth.

SECTION 9. SUSPENSION:

A division suspended under this Article, after a period of three (3) months, shall have its charter revoked, and the proper officer shall proceed to take charge of its effects as provided.

ARTICLE 18: APPEALS

SECTION 1. NOTICE:

Either party may take appeals from the decisions of any President or tribunal on all questions of law or fact, if notice of such appeal is served on the President of the jurisdiction from which the appeal is taken and filed with the President of the jurisdiction to which the appeal is taken. Such notice of appeal must be made within 60 days of receipt of notice of decision.

SECTION 2. TRANSMISSION OF RECORD:

Whenever notice of appeal is given, it shall be the duty of the tribunal, Board or President from whose decision the appeal is taken to transmit the original complaint, transcript of testimony, all exhibits involved, and the decision, to the tribunal to which the appeal is taken, whose duty it shall be to hear the same within its jurisdiction, and render the

decision thereon without any unreasonable delay, but not later than 60 days after date of appeal.

SECTION 3. PROCEDURE:

In decisions on appeal, the appellate tribunal is not bound by the record, but may take new testimony; findings, however, must be confined to the issues raised at the original hearing on the original charges.

SECTION 4. QUESTIONS OF FACT:

Questions of fact on controversies arising out of the performance of the duties of a State officer shall be heard, in the first instance, before the State Board, or a tribunal chosen by it. There shall be no appeal from the decision of said Board or tribunal. All questions of fact in which the rights of a member of a division or the funds of a division are involved shall be heard, in the first instance, before a standing tribunal of the division. Appeals from the decision of such tribunal may be taken to the County, State, and National Boards. In the case of a division President, it is the duty of the State President to be responsible for all tribunal proceedings.

SECTION 5. QUESTIONS OF LAW:

On questions of law involving the administration of the State officers, the decision of the National President is final and cannot be reversed or overruled. All other questions of law in which the rights of a member of a division or the funds of a division are involved shall be tried, in the first instance, before the division President, and from his decision appeal may be taken to the County President, State President, and then the National President, in that Order. All questions of law must be decided within 60 days from the date on which the member is notified in writing of such decisions.

SECTION 6. LIMIT OF APPEAL:

Any member or officer may take no appeal from any decision in which he is involved after 60 days from the date on which he is notified in writing of such decision.

ARTICLE 19: RITUALS

SECTION 1. RITUAL:

The secret work of the Order governing all initiations, installations, ceremonies and procedure shall conform to the ritual and rules furnished and prescribed by the National Board.

SECTION 2. DEGREES:

The State Vice President shall manage the secret work of the Order. He will choose the degree team, date, time, location and fees. If a division chooses to attend a degree

outside of the State of New Jersey, the division President must obtain written permission from the State President.

SECTION 3. INSTALLATION OF DIVISIONS:

Immediately after the election of Division Officers, the Division Secretary shall forward to the County President and the National Secretaries the names of the newly elected officers; he shall also notify the County President of the time and place of the installation of said officers. The County President shall install all officers of each division annually or a member designated by him to act as such installing officer in his place, but in no case shall any member act as installing officer unless authorized by the County President. If there is no County Board, the power rests with the State President.

SECTION 4. OPEN INSTALLATION:

It is permissible to invite the Ladies Ancient Order of Hibernians and the public to installations.

ARTICLE 20: EASTER COMMUNION AND HOLIDAYS

SECTION 1. HOLY COMMUNION:

Every member must receive Holy Communion during Easter time.

SECTION 2. MEMORIAL MASS:

The State Chaplain shall select a location, date and time to hold an Annual Mass to commemorate the memory of the departed members of the Order. This Mass will recognize the nine (9) NJ Brothers who were lost in the September 11, 2001 attacks on the World Trade Center complex in New York City.

These brothers are:

Pat Torphy Division - Monmouth County #2

1. Peter Milano

St. Michael's Division - Hudson County #8

2. Bruce Reynolds
3. Moe Barry
4. Mike Wholey
5. Don McIntyre
6. Steve Huczko
7. Liam Callahan
8. Jim Nelson
9. Thomas Gorman

SECTION 3. NATIONAL HOLIDAYS:

A day in August to honor Our Lady of Knock - Queen of Ireland; St. Patrick's Day; Easter Monday; the Fourth of July and Commodore John Barry Day, September 13, are the National Holidays of the Order, and they shall be celebrated in an appropriate manner.

ARTICLE 21: DONATIONS – CONTRIBUTIONS & EXPENSES

SECTION 1. DONATIONS - CONTRIBUTIONS OR EXPENSES:

The State Board shall make no donation or spend any monies of \$500.00 or more without the State Secretary first submitting the matter to a vote of all members of the State Board.

No request for a charitable contribution shall be considered at the State Convention unless it is first submitted to a committee appointed by the State President and received no later than thirty (30) days prior to the beginning of the State Convention.

A vote of the delegates shall be required at a State Convention before any request for a donation or contribution submitted to it can be approved.

ARTICLE 22: SOLICITATIONS

SECTION 1. SOLICITATIONS:

It shall be unlawful to solicit aid directly or indirectly from a division, County Board or the State Board without the written consent of the State President. The official membership roster may not be used for non-Hibernian business.

ARTICLE 23: AWARDS

SECTION 1. VOLUNTEER PAT TORPHY MEDAL:

The State Board shall award biennially, a memento to be known as the Volunteer Pat Torphy Medal to a Hibernian for outstanding service in his field of endeavor.

The memento shall be presented to the recipient at the State Convention.

SECTION 2. CORPORAL MICHAEL P. CURTIN AWARD:

The State Board shall award biennially, a memento to be known as the Corporal Michael P. Curtin Award to a Hibernian who has made a change in someone's life for the better.

The memento shall be presented to the recipient at the State Convention.

SECTION 3. THE MCFAUL- MULLAN AWARD:

The State Board shall award biennially, a memento to be known as the McFaul-Mullan award (Bishop James A. McFaul, the second Bishop of the Diocese of Trenton – Father Hugh Mullan, Corpus Christi Chapel, Belfast Ireland) honoring a Religious or Lay person that has shown outstanding service of love and forgiveness with understanding and compassion. We acknowledge their continued efforts of living the Gospel truths with justice and faithfulness as they humbly serve the Catholic Church. Their faith and spirit has guided The Ancient Order of Hibernians with the spiritual guidance that assists all men of this order in living our motto of friendship, unity, and true Christian charity.

The memento shall be presented to the recipient at the State Convention.

ARTICLE 24: PARADES AND PUBLIC EVENTS

SECTION 1. PARADES AND PUBLIC EVENTS:

It shall be unlawful for any unit of the Order to organize and conduct a parade or other public event.

SECTION 2. CORPORATION:

A unit of the Order seeking to organize and conduct any parade or public event for which authorization, permission, or license must be obtained from any governmental entity or authority must form a corporation, which corporation must be solely responsible for the organization and conduct of such parade or event.

SECTION 3. INDEMNIFICATION:

Where a unit of the Order believes it burdensome or impractical to form a corporation as described in this Article, such unit must obtain authorization from the State President to conduct such parade or public event in the name of the Order, provided such unit shall first enter into an agreement, in form satisfactory to the President of each jurisdiction, whereby such unit shall agree to indemnify and hold harmless all other jurisdictions of the Order for any costs, expenses and damages, including legal fees and expenses, and shall demonstrate to the satisfaction of each superior jurisdiction that the sponsoring unit has the resources and financial wherewithal to satisfy any claims which may be made against any jurisdiction of the Order.

SECTION 4. RECORDS:

Records of corporations organized pursuant to the proper section of this Article must be kept separate and distinct from those of the unit.

ARTICLE 25: STATE LOGO

SECTION 1.

This logo represents the nine (9) NJ Brothers who were lost in the September 11, 2001 attacks on the World Trade Center complex in New York City.



ARTICLE 26: MISCELLANEOUS PROVISIONS

SECTION 1. VOTING:

A majority of those eligible voters who cast ballots shall be sufficient to carry any question, motion or resolution at any meeting or convention, except as provided in the National Constitution, By-Laws, Directives or these By-laws, or by special rules adopted for said meeting or convention.

SECTION 2. NOTICE:

Whenever any notice is required by these By-Laws, personal notice is not meant unless expressly so stated, and any notice so required shall be deemed to be sufficient if given by depositing same in a Post Office box, postage prepaid, addressed to the person entitled thereto at his last address on record with the State Secretary, and such notice shall be deemed to have been given on the date of such mailing. Any notice required to be given by these By-Laws may be waived in writing by the person entitled thereto.

SECTION 3. FISCAL YEAR:

The fiscal year of the State Board shall commence on the first day of July of each year and end on June 30 of the following year.

SECTION 4. AUDIT:

The books of account shall be audited annually by a Certified Public Accountant, or in lieu thereof, by a committee or qualified individual approved by the State Board, prior to July 30.

SECTION 5. DRAFTS, SIGNATURES:

All disbursements, payment of all bills and claims shall be made by the Treasurer on issuance of an approved voucher by the State Secretary, countersigned by the State resident. No checks or drafts may be issued by the Treasurer on verbal orders.

SECTION 6. SEAL:

The Seal of the State Board shall be in such form as shall be adopted by the State Board, in conformity with the New Jersey Statutes, and as approved by the National President.

ARTICLE 27: AMENDMENTS

SECTION 1. PROPOSED AMENDMENTS:

All proposed amendments to these By-Laws must be presented in writing to the State Secretary at least sixty (60) days prior to a regular or special State Convention. The Secretary will forward the proposed amendments to the Chairman of Constitution and By-Laws, and will list the same under “New Business” on the agenda of the next Convention or special State Convention. The Constitution and By-Laws Committee shall review and report in writing on each proposed amendment presented at a Convention or special State convention. The chairman of Constitution and By-Laws shall review and report on each proposed amendment presented.

SECTION 2. NOTICE:

Copies of all proposed amendments to these By-Laws shall be forwarded by the State Secretary by regular mail to all members of the State Board at least thirty (30) days prior to the convention or meeting at which the amendment will be reviewed.

SECTION 3. VOTING:

An affirmative vote of two-thirds (2/3) of the eligible voters casting ballots shall be required to approve any amendment of these By-Laws.

ARTICLE 28: EFFECTIVE DATE

SECTION 1. APPROVAL:

These By-Laws and any amendments shall become effective immediately upon approval as set forth herein, and in the National Constitution. Upon such approval, all previous By-Laws, amendments, procedures and rules in use by this State Board shall be repeated.

Respectfully submitted,

Richard S. O'Brien
State President

Gerald Logan
State Secretary

- Originally adopted in a Special Convention in Belmar, N.J. on September 11, 2005
- Revised at the New Jersey State Convention in Middletown, NJ on May 15, 2021