

**86th National Conventon, Spokane, Washington
2018 Proposed Bylaw Amendments**

Summary of Voting Results

RESOLUTION NO.	SUBJECT	RESULTS
2018 ~ 1	ARTICLE II ~ MEMBERSHIP Section 3 MEMBERSHIP at LARGE	FAILED
2018 ~ 2	ARTICLE II ~ MEMBERSHIP Section 1 APPLICATIONS, B	PASSED
2018 ~ 3	ARTICLE III ~ Section 1 ELIGIBILITY	PASSED
2018 ~ 4	ARTICLE IX ~ Section 5	FAILED
2018 ~ 5	ARTICLE XIII ~ DUES, Section 2, A	PASSED
2018 ~ 6	ARTICLE XIII ~ DUES, Section 2, A	FAILED
2018 ~ 7	ARTICLE XII ~ Section 2, I, 1, d) (1)	PASSED
2018 ~ 8	ARTICLE III ~ Section 4, A & ARTICLE VI ~ Section 1, B	PASSED
2018 ~ 9	ARTICLE VI Departments, Section 6 Removals	FAILED
2018 ~ 10	ARTICLE IX National Convention, Section 3	FAILED
2018 ~ 11	ARTICLE IX ~ Section 8	WITHDRAWN
2018 ~ 12	ARTICLE XI ~ Section 8, A	FAILED
2018 ~ 13	Article XII ~ Section 5: Investment Committee	WITHDRAWN
2018 ~ 14	Article XII ~ Section 4 (N), Article II ~ Section 4 B (2) Article XIII ~ Section 1 (C) DUES	PASSED
2018 ~ 15	ARTICLE II ~ Section 1 MEMBERSHIP	PASSED
2018 ~ 16	ARTICLE II ~ Section 1 MEMBERSHIP	FAILED
2018 ~ 17	ARTICLE XII ~ Section 1, A National Executive Committee	WITHDRAWN
2018 ~ 18	ARTICLE XII ~ Section 1 NEC, A	PASSED
2018 ~ 19	CONSTITUTION ARTICLE V ~ MEMBERSHIP Section 2	REJECTED
2018 ~ 20	ARTICLE V ~ Section 2, D Quorum	WITHDRAWN
2018 ~ 21	MOPH CONSTITUTION & BYLAWS AMENDMENTS	WITHDRAWN

Committee's Recommendation:
APPROVE

Convention's Actions:
FAILED

RE: Change to **ARTICLE II - MEMBERSHIP Section 3**

WHEREAS: ARTICLE II Section 3 - MEMBERSHIP at LARGE states:

"An applicant residing in a State where no department or chapter exists will be a National Member-at-Large", and

WHEREAS: The bylaws do not provide for the status of Members-at-Large where offices at the chapter and department are concerned, and

WHEREAS: Members of a chapter or department have the right to vote and hold office within their respective entities, and

WHEREAS: Allowing a non-chapter or non-department member to vote or hold any office in their respective entities is against the concept of a self-governing body, therefore be it

RESOLVED: That Article II Section 3. be changed to read:

Section 3 - MEMBERSHIP at LARGE

- A. An applicant residing in a State where no department or chapter exists will be a National Member-at-Large.
- B. A member may ask to be or may be assigned to be either a Department Member-at-Large or a National Member-at-Large.
- C. A Department Member-at-Large:
 - 1) May not vote in any chapter meetings, nor hold any chapter office.
 - 2) May hold either an elected or appointed Department office.
 - 3) May hold either an elected or appointed National office.
- D. A National Member-at-Large:
 - 1) May not vote in any chapter or department meetings, nor hold any chapter or department office.
 - 2) May hold either an elected or appointed National office.

Submitted by: National Bylaws Committee

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE II Section 1, B**

WHEREAS: ARTICLE II Section 1, B states:

"Applications for membership must be submitted to the National Headquarters with a copy of the applicant's DD-214, DD-215, AGO 53-55 or General Orders of the award of a Purple Heart." , and

WHEREAS: ARTICLE II Section 2, A states:

"Any person who is serving in or has served in one of the Armed Forces of the United States, or any foreign country who can show proof of the award of the Purple Heart for wounds."

WHEREAS: A form DD-215 of itself does not establish eligibility as required of ARTICLE II Section 2, A is only makes a correction or addition to a DD-214, therefore be it

RESOLVED: In ARTICLE II Section 1, B after the word "DD-215" and before the word "AGO" the following be inserted **(supported by a DD-214)**.

Submitted by: National Bylaws Committee

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE III - Section 1 ELIGIBILITY**

WHEREAS: ARTICLE III Section 1 ELIGIBILITY states:

"All members, except as hereinafter provided, shall be eligible for any office in the chapter,"
and

WHEREAS: The intent is only "chapter" members are eligible to hold a chapter office (elected or appointed), therefore be it

RESOLVED: To add the word "**chapter**" after the word "All" and before the word "*members*".

Submitted by: National Bylaws Committee

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

- RE:** Change to **ARTICLE IX, Section 5 – Rules of the National Convention**
- WHEREAS:** In 2015, of 417 Chapters, 109 Chapters failed to submit required Financial Reports, and
- WHEREAS:** 80 Chapters failed to submit an election Report, and
- WHEREAS:** In 2016, of 400 Chapters, 127 Chapters failed to submit required Financial Reports, 82 Chapters failed to submit an Election Report, and
- WHEREAS:** In 2017, of 386 Chapters, 124 Chapters failed to submit required Finance Reports, 78 Chapters failed to submit an Election Report, and
- WHEREAS:** The IRS has increased its scrutiny and review of Veteran Service Organizations, and
- WHEREAS:** The Purple Heart Service Foundation has twice been audited by the IRS, and
- WHEREAS:** It is essential that the Military Order of the Purple Heart maintain its IRS Tax-Exempt status, and be it further
- RESOLVED:** That Article IX, Section 5 – RULES of the NATIONAL CONVENTION be amended as follows:
- I (2) Not submitted election reports, finance reports and a verified IRS 990s by the required dates.
 - J. Departments that have not submitted election reports, finance reports and a verified IRS 990s by the required dates shall not be entitled to any votes.

Submitted by: Department of Washington

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE XIII ~ DUES Section 2, A**

WHEREAS: ARTICLE XIII ~ DUES Section 2, A states:

A. *The department and chapters will be rebated annually for all eligible Life members on record as of June 30, and who have been verified by October 1, and*

WHEREAS: ARTICLE VII Section B states the duties of the Department Adjutant is to: *Conduct the correspondence and issue all order under the direction of the Commander, and*

WHEREAS: ARTICLE IV, Section 5 – Adjutant states:

1. Prepare all reports required by the commander, and

WHEREAS: Nowhere do the bylaws specify who has to verify the eligible Life members described in Article XIII Section 2, A

WHEREAS: A number of departments lose out on Life Membership rebates because Chapter Adjutants fail to file the Life Membership Verification Reports (LMVR), and

WHEREAS: It is patently unfair to Departments not to allow their Adjutant to file the LMVR, therefore be it

RESOLVED: That ARTICLE XIII ~ DUES, Section 2, A be changed to add the following sentence after the words "*verified by October 1.*"

A chapter's Life Membership Verification Report may be made by either the Chapter or Department Adjutant.

Submitted by: Department of Kentucky Convention

Committee's Recommendation:
APPROVE

Convention's Actions:
FAILED

RE: Change to **ARTICLE XIII ~ DUES, Section 2, A**

WHEREAS: ARTICLE XIII ~ DUES Section 2, A states:

A. *The department and chapters will be re rebated annually for all eligible Life members on record as of June 30, and who have been verified by October 1, and*

WHEREAS: There are serious consequences for a Chapter or a department that fails to file IRS 990 form, and

WHEREAS: Requiring a 990 in addition to the Life Membership Verification Report would be an incentive for chapters and departments to file the IRS 990, and

WHEREAS: Chapters and Departments have failed in large numbers to submit Finance Reports, and

WHEREAS: Requiring a Finance Report in addition to the Life Membership Verification Report would be an incentive for chapters and departments to file their Finance Report, therefore be it

RESOLVED: That ARTICLE XIII ~ DUES, Section 2, A be changed to add the following sub-sections after the words "*verified by October 1.*"

- (1) A Chapter's Life Members Verification Report must be accompanied by their Finance Report and a verified IRS 990.
- (2) A Department's Life Members Verification Report must be accompanied by their Finance Report and a verified IRS 990.

Submitted by: Department of Kentucky Convention

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE XII Section 2, I, 1, d) (1)**

WHEREAS: ARTICLE XII Section 2, I, 1, d) states:

*I. Be polled by the National Adjutant through a **digital** vote on any matter.*

1) The requirements for polling the NEC are:

*d) To have a vote on the NEC between in-person meetings, said member(s) shall have an **e-mail address**.*

*(1) The voting on issues other than at NEC or National Convention meetings will be done by the National Adjutant using **digital** votes.*

*(2) Patriots will provide the National Adjutant an **e-mail address** for NEC **digital** votes, and.*

WHEREAS: The intent of requiring "digital" voting was to avoid any inconvenience to NEC members, avoid relying on the United States Postal Service, and to provide any easy verifiable method to accomplish a timely vote, and

WHEREAS: There are many online services that can provide a simple to use and reliable method for digital voting, therefore be it

RESOLVED: To change ARTICLE XII Section 2, I, 1, d) (1) to read:

The voting on issues other than at NEC or National Convention meetings will be done by the National Adjutant using digital votes. Digit voting is an electronic voting method that precludes having to mail a physical document.

Submitted by: Department of Kentucky Convention

RESOLUTION 2018 ~ 8 ARTICLE III, Section 4, A & ARTICLE VI, Section 1, B
COMMITTEE Bylaws

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE III, Section 4, A**

RE: Change to **ARTICLE VI, Section 1, B**

WHEREAS: The bylaws read:

ARTICLE III, Section 4 ~ ELECTIONS

A. Election of the chapter officers shall be held in April of each year.

ARTICLE VI, Section 1 ~ GOVERNING BODY

B. MEETINGS - There shall be an annual department convention held between May 1 and June 30 of each year.

WHEREAS: National Conventions have been scheduled earlier than in the past which shortens the time frame for the Adjutant's staff to prepare the paperwork for the national convention booklets and reports, and

WHEREAS: Moving the dates forward on the calendar for chapter elections and department conventions would allow the Adjutant's office staff adequate time to prepare for the national convention, therefore, be it,

RESOLVED: That Article III Section 4, A be changed by substituting "**March**" for "April", therefor be it further

RESOLVED: That Article VI Section 1, B be changed by substituting "**April**" for "May" and "**May**" for "June".

Submitted by: National Bylaws Committee

**RESOLUTION 2018 ~ 9 ARTICLE VI Departments, Section 6 Removals
COMMITTEE Bylaws**

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

RE: Change to **ARTICLE VI Departments, Section 6 Removals**

WHEREAS: *Section 6 – Removals currently states: Any department officer who misses two meetings of the constituent body may have the office declared vacant by a vote of the Department Executive Committee.*

- A. The officer may be retained if a legitimate excuse is provided for each absence.*
- B. When so removed, the officer shall have the privilege of an appeal to the Region Commander. The appeal must be initiated within sixty (60) calendar days of the date of the order declaring such office vacant.*

WHEREAS: There is no language within the MOPH Constitution and By Laws that addresses the absences of or provides a definition of “in good standing in terms of participation” for, a Past Department Commander that misses two or more consecutive Department Executive Committee Meetings to include Department Conventions.

RESOLVED: That the Bylaws Article VI Departments, Section 6 Removals be changed at the 2018 National Convention by changing Title of Article VI and adding Paragraph C as follows:

ARTICLE VI ~ Departments, Section 6 Removals or Suspension from Active Status for Voting Privileges

- C. Any Past Department Commander who misses two or more consecutive meetings of the constituent body of the Department of which he/she is a member, shall be declared not in good standing in terms of participation and considered suspended from active status by order of the Department Executive Committee, and therefore unable to participate in Department Executive Committee business and ballots/voting unless a legitimate excuse can be made for each absence. When so suspended, he/she shall have the privilege of an appeal to the Region Commander to be initiated within sixty (60) calendar days of the date of the order declaring his/her position as a Past Department Commander vacant or removed from active status.**

Submitted by: Department of Arkansas

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

RE: Change to **Cancellation of National Conventions**

WHEREAS: ARTICLE IX - NATIONAL CONVENTION Section 3 - MEETINGS C states: In the event a national Convention cannot be held because of a government edict (e.g., a time of a war or any other emergency), a USPS mail or digital vote for the election of officers is to be held not later than October 31.

WHEREAS: There is no provision for cancelling a national Convention due means other than a government edict. Other reasons for cancellation of a National Convention may include a national security action other than a time of war, a natural or manmade disaster, any other emergency, or the lack of adequate funds to convene a national convention.

RESOLVED: That ARTICLE IX - NATIONAL CONVENTION Section 3 - MEETINGS C be amended to read:

In the event a national Convention cannot be held because of a government edict (e.g., a time of a war or national security action), a natural or manmade disaster, any other emergency, **or the lack of adequate funds to convene a national convention, a USPS mail or digital vote for the election of officers is to be held not later than October 31. No national Convention shall be cancelled without the advice and consent of the National Executive Committee.**

Submitted by: Department of Arkansas

Committee's Recommendation:
DISAPPROVE

Convention's Actions:
WITHDRAWN

COMMITTEE Bylaws

RE: Change to **Authorization and Appointment of Deputy National Judge Advocates**

WHEREAS: The National Judge Advocate performs critical duties for the order in a volunteer capacity.

WHEREAS: The National Judge Advocate may be unavailable or indisposed to perform the required duties of their position.

WHEREAS: There is a need for regulated appointed national deputies within the provisions the Order to ensure proper corporate legal representation.

RESOLVED: That Article XI, Section 8 be amended as follows:

- (1) Add Sub-paragraph "G" below Sub-paragraph "F" that will read "National Deputy Judge Advocate(s) may be appointed to assist the National Judge Advocate by the National Commander as required to assist the Order subject to the following restrictions:"
- (2) Add Sub-section "1)" within Sub-paragraph "G" that will read "The National Deputy Judge Advocate(s) will be subject to the same rules and restrictions as the National Judge Advocate while appointed in this position."
- (3) Add Sub-section "2)" within Sub-paragraph "G" that will read "The National Deputy Judge Advocate(s) shall not be a member of the NEC or National Finance Committee in any circumstance and have no vote or voice in NEC or NFC matters except when (a) the National Judge Advocate is not available to handle the NEC or NFC matters, (b) the National Commander has specifically appointed one National Deputy Judge Advocate to the matter, and (c) the National Commander makes this announcement in writing sent out to the NEC or NFC prior to the meeting. In these cases, the National Deputy Judge Advocate assigned to this role will have a voice, but no vote.
- (4) Add Sub-section "3)" within Sub-paragraph "G" that will read "The National Deputy Judge Advocate(s) will not be eligible receive any compensation, including travel pay, as an appointed officer unless it is (a) authorized directly by the Bylaws and the Constitution, (b) approved by the NEC, and (c) approved prior to the date of the expense."

Submitted by: Department of Arkansas

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

COMMITTEE Bylaws

RE: Change to **ARTICLE XI - Section 8, A Clarification of Qualifications for the National Judge Advocate**

WHEREAS: Article XI, Section 8, Sub-section A reads "The National Judge Advocate shall be an active licensed attorney and in good standing with his/her state bar."

WHEREAS: The intent of the article was to mean the National Judge Advocate be simply an active licensed attorney in good standing with a state bar.

WHEREAS: The current language does not express this consent.

WHEREAS: There is no definition on what is a "state bar".

RESOLVED: That Article XI, Section 8, Subsection A be amended as follows:

The National Judge Advocate shall be an active licensed attorney in good standing with a state bar. 'State bar' is defined as a bar of the highest court of any United States' state, territory or possession, or the District of Columbia. The American Bar Association is not a licensing authority.

Submitted by: Department of Arkansas

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
WITHDRAWN

RE: Change to **Article XII: National Committees, Section 5: Investment Committee**

WHEREAS: As specific certifications are required for MOPH National Officers such as the, Judge Advocate (active licensed attorney), Chaplain (ordained minister), and Surgeon (licensed medical doctor), should not then the Chairman/Chairwoman of the Investment Committee also have specific certifications to hold the position? Examples of certifications are: Registered Investment Advisor (RIA); Certified Financial Planner (CFP); Chartered Financial Analyst (ChFA); Certified Insurance Counselor (CIC); Chartered Financial Counselor (ChFC); or Personal Financial Specialist (PFS).

WHEREAS: Having a licensed/certified individual as a chairman/chairwoman ensures a fiduciary standard of care as required by the US Investment Advisers Act of 1940 (United States Public Law 76-768) as amended by Public Law 96-477 (OCT. 21, 1980) and the Dodd-Frank Act of 2010. This standard serves in the Order's best interests with the intent to eliminate, or at least to expose, all potential conflicts of interest which might incline an investment adviser/committee chairperson—consciously or unconsciously—to render advice which was not in the best interest of the Order.

WHEREAS: To ensure compliance with fiduciary standards by investment advisers and their personnel, on August 31, 2004, the Security Exchange Commission (SEC) adopted Rule 204A-1 under the Investment Advisers Act of 1940 as amended, requiring investment advisers to adopt a code of ethics setting forth "standards of conduct expected of investment advisory personnel and to address conflicts that arise from personal trading by investment advisory personnel. Among other things, the rule requires investment advisers' supervised persons to report their personal securities transactions

RESOLVED: That the Bylaws, Article XII: National Committees, Section 5: Investment Committee be changed at the 2018 National Convention by adding paragraphs D and E as follows:

- A. Includes the Chair of the National Finance Committee, the National Finance Officer, the National Adjutant, and the voting members of the National Finance Committee.

Conduct periodic reviews of investment policies. These reviews will be done at least annually, but preferably more often.

- B. Based on these reviews, the Investment Committee will advise the Finance Committee— every time that committee meets—regarding the investment of funds controlled by the Military Order of the Purple Heart.
- C. To ensure compliance with the US Investment Advisers Act of 1940 (United States Public Law 76–768) as amended by Public Law 96-477 (OCT. 21, 1980) and the Dodd-Frank Act of 2010, the Investment Committee Chair and, to the extent possible, members of the Investment Committee shall hold one of the following certifications Registered Investment Advisor (RIA); Certified Financial Planner (CFP); Chartered Financial Analyst (ChFA); Certified Insurance Counselor (CIC); Chartered Financial Counselor (ChFC); or Personal Financial Specialist (PFS).**
- D. The Chair and Members of the Investment Committee will comply with the Securities and Exchange Commission (SEC) Rule 204A-1 under the Investment Advisers Act of 1940 as amended, requiring investment advisers to adopt a code of ethics setting forth "standards of conduct expected of investment advisory personnel and to address conflicts that arise from personal trading by investment advisory personnel. Among other things, the rule requires investment advisers' supervised persons to report their personal securities transactions.**

Submitted by: Department of Arkansas

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
WITHDRAWN

COMMITTEE Bylaws

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
PASSED

RE: Change to Authority of the National Finance Committee:

Article XII, Section 4 (N)

Article II, section 4 B (2) MEMBERSHIP

Article XIII section 1 (C) DUES

WHEREAS: That Article II, Section 4 (C) stipulates the National Convention will determine the disposition of any money left in the Life Membership fund upon dissolution of the Military Order of Purple Heart, and

WHEREAS: That should the dissolution of the Military Order of the Purple Heart be due to funding, the bylaws offer no alternative for the National Finance Committee to predict collapse and offer a potential solution, and

WHEREAS: That the duties of the National Finance Committee necessitate safeguarding the financial stability of the Order to grow or strengthen assets that may ensure longevity, and

WHEREAS: That the National Finance Committee must have discretion to develop and recommend financial alternatives to preserve the Order, therefore be it

RESOLVED: That Article XII, Section 4 (N) be changed to read:

The National Finance Committee: Will act as custodian of the Life Membership Fund and as such will review any consideration for withdrawal of any part of the principal from this account and submit its recommendation to the National Executive Committee for approval. Approval to withdraw funds will require two thirds of the votes received from the National Executive Committee by ballot or at a National Convention. Recommendation to withdraw funds must include a plan for repayment over a specific period of time and, be it further,

RESOLVED: That Article II, section 4 B (2) MEMBERSHIP be changed to read: Withdrawal of the Life Membership principal is prohibited **except as provided in Article XII, Section 4 (N)** and, be it further,

RESOLVED: That Article XIII section 1 (C) DUES be changed to read; Withdrawal from the Life Membership Fund principal is prohibited **except as provided in Article XII, Section 4 (N)**

Submitted By: Department of Michigan

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
PASSED

- RE:** Change to **Distribution of Life Member Rebates**
- WHEREAS:** That Article II, Section 4 (B) Any interest, dividends, or capital gains earned shall be used exclusively for the Life Membership rebates to chapters and departments, and
- WHEREAS:** That Article XIII, Section 2 (B) provides that the per capita payment—based on a previous national convention vote—will be 50% to the departments and 50% to the chapters, and
- WHEREAS:** That the recent shortfall of the Purple Heart Foundation to fund the Order is likely to result in the dissolution of the organization known as Military Order of the Purple Heart, and
- WHEREAS:** That enacting critical fiscal policy changes to preserve the institution where all viable funds are combined may safeguard the Order, therefore be it
- RESOLVED:** That Article II, Section 4 (B) be changed to read: Any interest, dividends, or capital gains earned shall be used exclusively for Life Membership rebates, and be it further,
- RESOLVED:** That Article XIII, Section 2 (B) be changed to read: The per capita payment will be **50% to the National Organization and 50% equally split between Departments and Chapters.**

Submitted By: Department of Michigan

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

RE: Change to **Membership Application**

WHEREAS: The Military Order of the Purple Heart Constitution and By Laws ARTICLE II – MEMBERSHIP Section 1 – APPLICATION reads as follows:

- A. Every application for admission to membership in the Order must be on a form provided by the National Headquarters.*
- B. Applications for membership must be submitted to the National Headquarters with a copy of the applicant's DD-214, DD-215, AGO 53-55 or General Orders of the award of a Purple Heart. Certificates showing the award of the Purple Heart Medal are not accepted.*
- C. The Fees submitted with an Application for Membership are NONREFUNDABLE.*

WHEREAS: The MOPH Membership Application requires that a copy of the document that supports the award of the Purple Heart medal must accompany each application, and

WHEREAS: One of the following documents must be submitted with the application. If discharged, a discharge document such as a DD214 must be provided reflecting character of service as honorable or general, and

WHEREAS: A copy of documentation will be retained on file for future reference. Certificate alone does not constitute proof of the award, and

WHEREAS: The MOPH Membership Office does not accept any Membership Application that is not accompanied by a DD214 (or WD AGO 53-55 for WWII Discharges) although Article II Section 1 indicates that it will, and

WHEREAS: In addition, the Membership Office will not accept a DD214 that is not a Member 4 Copy although that is not requirement of either the Constitution and By Laws or the Membership Application, therefore be it

RESOLVED: The Military Order of the Purple Heart Constitution and By Laws ARTICLE II – MEMBERSHIP Section 1 – APPLICATION be rewritten as follows:

- A. Every application for admission to membership in the Order must be on an application form provided by the MOPH National Headquarters.
- B. Applications for membership must be submitted to the MOPH National Headquarters with a copy of the applicant's DD-214 or WD AGO 53-55. If a DD-214, the form must be a Member 4 Copy indicating Honorable

or General service. If the DD-214 or WD AGO 53-55 does not reflect the award of the Purple Heart medal, then the applicant must also submit a copy of a DD-215 or a copy of the Orders indicating award of the Purple Heart medal. The Certificate may accompany the application, but the Certificate alone does not constitute proof of the award.

C. The Fees submitted with an Application for Membership are NONREFUNDABLE, therefore be it futher

RESOLVED: Should the updates to the By Laws in the paragraph above be approved, The Military Order of the Purple Heart Membership Application will be updated to more adequately reflect the requirements in Paragraph B.

Submitted by: Departments of Arkansas and Colorado

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
FAILED

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
WITHDRAWN

RE: Change to **ARTICLE XII, Section 1 NATIONAL EXECUTIVE COMMITTEE**

WHEREAS: ARTICLE XII - NATIONAL COMMITTEES states

Section 1 - NATIONAL EXECUTIVE COMMITTEE

*A. The National Commander, **Past National Commanders**, National Senior Vice Commander, National Junior Vice Commander, six Region Commanders, National Finance Officer, National Judge Advocate, National Inspector, National Sergeant-at-Arms, Department Commanders, National Finance Committeemen, and National Publications Committeemen who shall all have a voice and a vote.*

WHEREAS: To save the Military Order of Purple Heart additional funds on the continuously increasing cost to hold a nation convention, and

WHEREAS: To save the Order the added expenses with the upcoming younger ages of national commanders becoming Past Nation Commander, and

WHEREAS: Taking into consideration the knowledge and help that a Past National Commander may be to the current command staff of the Order, therefore be it

RESOLVED: That ARTICLE XII Section 1, A add:

- 3) Past National Commanders (PNC) will retain their NEC vote, however after seven (7) years of PNC status they will no longer be reimbursed for travel to and from pre and post National Convention NEC meetings. therefore be it further

RESOLVED: All current PNC's seven (7) years will commence immediately following the 2018 National Convention.

Submitted by: Department of Georgia

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

RE: Change to **ARTICLE XII, Section 1 NATIONAL EXECUTIVE COMMITTEE**

WHEREAS: ARTICLE XII - NATIONAL COMMITTEES states

Section 1 - NATIONAL EXECUTIVE COMMITTEE

*A. The National Commander, **Past National Commanders**, National Senior Vice Commander, National Junior Vice Commander, six Region Commanders, National Finance Officer, National Judge Advocate, National Inspector, National Sergeant-at-Arms, Department Commanders, National Finance Committeemen, and National Publications Committeemen who shall all have a voice and a vote.*

- 1) In the absence of the Commander, the Senior Vice Commander or Junior Vice Commander may represent the Department at the NEC meetings in the Convention City at the pre-convention and post national convention NEC meeting.*
- 2) Only the Department Commander has a vote during all other NEC votes, and*

WHEREAS: To save the MOPH additional funds on the continuously increasing costs to hold a national convention, and

WHEREAS: To save the Order the added expenses with the upcoming younger ages of National Commanders becoming Past National Commanders, AND

WHEREAS: Taking into consideration the knowledge and help that a Past National Commander may be to the current command staff of the Order, be it

RESOLVED: That ARTICLE XII to read:

Section 1 - NATIONAL EXECUTIVE COMMITTEE

A. The National Commander, Past National Commanders, National Senior Vice Commander, National Junior Vice Commander, six Region Commanders, National Finance Officer, National Judge Advocate, National Inspector, National Sergeant-at-Arms, Department Commanders, National Finance Committeemen, and National Publications Committeemen who shall all have a voice and a vote.

- 1) In the absence of the Commander, the Senior Vice Commander or Junior Vice Commander may represent the Department at the NEC meetings in the Convention City at the pre-convention and post national convention NEC meeting.
- 2) Only the Department Commander has a vote during all other NEC votes, and
- 3) Past National Commanders (PNC) WILL retain their NEC vote. However, after 5 years of PNC Status they will no longer be reimbursed for travel to or from any NEC meeting. All Current PNC's 5 years will start immediately following the 2018 MOPH National Convention.

Submitted by Department of Florida

Committee's Recommendation:
APPROVE

Convention's Actions:
PASSED

Committee's Recommendation:

REJECT

Convention's Actions:

REJECTED

RE: Change to **CONSTITUTION**, in ARTICLE V ~ MEMBERSHIP Section 2

WHEREAS: Bylaws ARTICLE V Section 2, D Quorum states: *"Five members and/or Associate Members at a meeting constitutes a quorum for Chapter meetings"* and

WHEREAS: Robert's Rules of Order, Newly Revised defines *"Quorum"* as *"The number of voting members who must be present in order that business can be legally transacted"* and

WHEREAS: Our Constitution, in ARTICLE V ~ MEMBERSHIP Section 2 –states: *"Each member of the Corporation, other than Associate members, shall have the right to vote on each matter submitted to a vote at all meetings of the Corporation."*

RESOLVED: That the Military Order of Purple Heart **CONSTITUTION**, in ARTICLE V ~ MEMBERSHIP Section 2 be changed to read:

"Each member of the Corporation, other than Associate members, shall have the right to vote on each matter submitted to a vote at meetings of the Corporation. Associate members over 18 years of age shall be with a vote at Chapter meetings only."

Submitted by: Department of Florida

Committee's Recommendation:
DIS-APPROVE

Convention's Actions:
WITHDRAWN

- RE:** Change to **ARTICLE V ~ Section 2, D Quorum** Associate members included in quorum count
- WHEREAS:** ARTICLE V Section 2, D states: *"Five members and/or Associate members at a meeting constitutes a quorum for Chapter meetings"* and
- WHEREAS:** Roberts Rules of Order, Newly Revised defines "Quorum" as *"The number of voting members who must be present in order that business can be legally transacted"* and
- WHEREAS:** Many Chapters have and will continue to become inactive without the inclusion of Associate members to make a quorum and
- WHEREAS:** Article XVIII Section 4 states *"An Associate member shall: A. Be without a vote"* which conflicts with the intent of a quorum then be it
- RESOLVED:** That Article XVIII Section 4 Participation be changed to read: "An Associate member over the age of 18 years of age shall be with a vote."

Submitted by Department of Florida

Committee's Recommendation:
REJECT

Convention's Actions:
WITHDRAWN

- RE:** Granting the National Adjutant the Authority to Administratively Change Reports Due Dates Based on the Scheduling of the Military Order of the Purple Heart (MOPH) National Convention WHEREAS: **RE:**
- WHEREAS:** Due dates for the various Department or Chapter reports (Election, Finance, Delegate, VAVSO Americanism, Welfare, and etc.) are set within the MOPH Constitution and By Laws with the approval of the National Executive Committee.
- WHEREAS:** The report dues dates currently contained in the MOPH Constitution are based on National Convention dates that begin on 01 August or later.
- WHEREAS:** The 2018 National Convention dates are 30 July -03 August and with the possibility future National Conventions commencing before 01 August, this may require that required reports be submitted to the National Headquarters on a date earlier that shown in the Constitution and By Laws.
- WHEREAS:** Changing required report dates set within the Constitution and By Law normally requires a vote of the National Executive Committee (NEC). While the shifting of the dates for the 2018 National Convention by the National Adjutant is technically a violation of the Constitution and By Laws, common sense had to prevail in order to ensure that all required reports were submitted in a manner to ensure the MOPH Headquarters staff had all data on hand to publish the manuals and reports for the 2018 National Convention.
- RESOLVED:** That the MOPH **Constitution** and By Laws be amended as follows to provide the National Adjutant the authority to administratively adjust the due date for required reports when future National Conventions commence before 01 August. This will prevent having to call for special NEC votes and ease the burden and strain placed on the MOPH Headquarters staff to ensure all data is on hand for the timely publication of the National Convention manuals and reports.

ARTICLE III – CHAPTERS

- A. Election of the chapter officers shall be held in April of each year.
- B. Elections must be held in face to face meetings. Elections maybe held by digital means in instances when normal meetings cannot be held because of inclement climatic conditions or inability of a quorum to make a face to face meeting.
- C. Installation of newly elected and appointed officers shall not be later than April 30.
- D. Due notice of such election must be mailed or e-mailed to all members at least two weeks before the meeting.
- E. Both elected and appointed officers may succeed themselves if properly elected or appointed.

- F. Note: The National Adjutant shall have the authority to administratively change the month of elections and installation based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

ARTICLE VI -DEPARTMENTS

Section I - GOVERNING BODY

- B. MEETINGS - There shall be an annual department convention held between May 1 and June 30 of each year. However, the National Adjutant shall have the authority to administratively change the period of department conventions based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I. Elections must be held in face to face meetings.

ARTICLE VII - DUTIES of DEPARTMENT OFFICERS

Section 5 - FINANCE OFFICER

- D. Prepare a complete annual financial report on a form provided by the National Adjutant covering the period May 1 to April 30.
- 1) Allow the department's financial records to be open for inspection by the Department Finance Committee if applicable or a Department Audit committee appointed by the Department Commander before the Department Executive Committee meeting preceding the department convention. The Department Finance Committee/ Audit Committee will report their findings to the Department Executive Committee and the Department Convention.
 - 2) Provide a copy to the Department Commander and the department members in attendance a meeting by May 31.
 - 3) Provide a copy to the National Finance Officer by May 31.
 - 4) Provide a copy to the National Adjutant by May 31.
 - 5) Note: The National Adjutant shall have the authority to administratively change the Finance Report due dates based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

Section 7 - INSPECTOR

- H. Send an annual inspection report to the National Inspector no later than May 31. However, the National Adjutant shall have the authority to administratively change the Inspection Report due date based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

ARTICLE VIII - DELEGATES TO CONVENTIONS

Section 2 - NATIONAL CONVENTION

- B. One delegate may be elected for each twelve (12) members, or major fraction thereof, as recorded by the National Adjutant on June 30. However, the National Adjutant shall have the authority to administratively change the delegate report due date based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

Section 5 - CONVENTION PREREQUISITE

- E. These prerequisites must be met:
- 2) By June 30 for participation at the National Convention. However, the National Adjutant shall have the authority to administratively change the delegate report due date based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

ARTICLE IX - NATIONAL CONVENTION

Section 5 - RULES of the NATIONAL CONVENTION

- I. Chapters shall not be entitled to any delegate votes that have:
- 2) Not submitted election reports by June 30th. The National Adjutant shall have the authority to administratively change the Chapter election report due date based on scheduling of the National Convention.
- J. Departments that have not submitted election reports by June 30th shall not be entitled to any votes. However, the National Adjutant shall have the authority

Committee's Recommendation:

REJECT

Convention's Actions:

WITHDRAWN

to administratively change the Department election report due date based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

ARTICLE XI - DUTIES of NATIONAL OFFICERS

Section - 5 NATIONAL ADJUTANT

- I. Submit to the Convention a list showing the chapters and departments who have submitted election reports as of June 30 to determine the number of delegates for each chapter and department. However, the National Adjutant shall have the authority to administratively adjust this date based on scheduling of the National Convention for all conventions scheduled to start prior to August 1 in the year of the convention. In addition, the National Adjutant shall have the authority to adjust due dates for all reports listed on the “Key Filing Dates” form posted on the MOPH website.

ARTICLE XIII - DUES

Section 2 - LIFE MEMBER REBATES

- C. Rebates will not be made to a chapter or department that fails to submit a timely election report to National by June 30. However, the National Adjutant shall have the authority to administratively adjust this date based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

ARTICLE XVI - AUXILIARY

Section - 4 REPORTS

The MOPHA National Secretary, at its annual National Convention, shall give a complete report, as of June 30, to the MOPH.* This report shall include by way of enumeration and not limited to:

- A. A detailed list of departments and units, showing the number added, reinstated, reorganized, and charters forfeited.
- B. The total membership, showing increase or decrease.
- C. The National Secretary shall submit to the National Adjutant and Editor of the Purple Heart magazine a complete list of elected and appointed officers. The list is due immediately after the close of the NEC meeting following the National Convention.
- D. The MOPHA is responsible for submitting the necessary 990 reports directly to the Internal Revenue Service as prescribed by law.
- E. The MOPHA shall also submit a complete financial report, as of June 30 of each year, to the National Adjutant no later than July 31.*
- F. Note: The National Adjutant shall have the authority to administratively change required Auxiliary reports due dates based on scheduling of the National Convention as noted in Article IX, Section 5, Subsection I.

Submitted by: Department of Arkansas

Committee's Recommendation:
REJECT

Convention's Actions:
WITHDRAWN