

**MILITARY ORDER OF THE PURPLE HEART OF THE U.S.A.  
NATIONAL CONSTITUTION AND BYLAW RESOLUTIONS**

**NATIONAL CONVENTION, AUGUST 10 – 14, 2010  
ORLANDO, FLORIDA**

**AS VOTED ON THE CONVENTION FLOOR**

<b>RESOLUTION NO.</b>	<b>SUBJECT</b>	<b>RESOLVE</b>
2010-B1.....	Amend the number of Chapters required for a Department ..... <b>Article I, Section 2 – Departments</b>	<b>WITHDRAWN</b>
2010-B2.....	Clarify the use of the Purple Heart Medal image and MOPH Emblem..... <b>Article XV, Section 11 – Use of Purple Heart</b>	<b>WITHDRAWN</b>
2010-B3.....	Elimination of National Executive Committeeman and Alternate National..... Executive Committeeman <b>Article VII, Sections 3, 5, 6, and 12 – Departments</b> <b>Article VIII, Section 18 – Duties of Department Officers</b> <b>Article IX, Sections 2 and 5 – National Convention</b> <b>Article X, Sections 2 and 6 – National Officers</b> <b>Article XI, Sections 1 and 10 – Duties of National Officers –</b>	<b>WITHDRAWN</b>
2010-B4.....	Resolve the conflict in the Duties and Responsibilities of the Commander..... Adjutant and Finance Officer at the Chapter, Department and National Levels <b>Article XV, Section 17 – Dual Hatting</b>	<b>DISAPPROVED</b>
2010-B5.....	To provide guidance concerning the process of transfers..... <b>Article I, Section 9 – Transfers</b>	<b>APPROVED</b>
2010-B6.....	National Inspector to make inspections without notice to the Department..... or Chapter <b>Article XI, Section 8 – National Inspector</b>	<b>APPROVED</b>
2010-B7.....	Trustees make a semi-annual audit and report to the Chapter..... <b>Article V, Section 9 – Trustees</b>	<b>APPROVED</b>
2010-B8.....	To add a Residence Section to Article V and Article III..... <b>Article V – Duties of Chapter Officers – Add Section 18 – Residence</b> <b>Article VIII –Duties of Department Officers – Add Section 19 – Residence</b>	<b>WITHDRAWN</b>
2010-B9.....	Amend the National Public Relations Committee Editor’s Responsibilities..... <b>Article XII, Section 5 - National Public Relations’ Committee</b>	<b>WITHDRAWN</b>
2010-B10.....	Add Chief Financial Officer to National Investment Committee..... <b>Article XII, Section 7- National Investment Committee</b>	<b>WITHDRAWN</b>
2010-B11.....	The Department Commander to Obtain Concurrence of the Region..... Commander and approval of the National Commander before issuing Suspensions <b>Article XV, Section 9 – To Suspend and Revoke a Chapter Charter</b>	<b>APPROVED</b>
2010-B12.....	Appointed Positions of Associate Members <b>Article XVIII, Section 4, Participation.....</b>	<b>WITHDRAWN</b>
2010-B13.....	Part III, Installation of New Officers, Admonition and Obligation.....	<b>APPROVED</b>

**RESOLUTION: 2010-B5**

**COMMITTEE: Constitution & Bylaws**

**Proposed Bylaw – To provide guidance concerning the process of transfers.**

**Committee Recommendation:**

- Approval
- Disapproval
- Other:

<b>CONVENTION ACTION:</b>
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**RE: ARTICLE 1, Section 9 - TRANSFERS**

**WHEREAS: ARTICLE I, Section 9**, states that “the gaining Chapter shall be given sufficient time to approve or disapprove such transfer.”

**WHEREAS:** The specific amount of time for a Chapter to vote on a transferring member is not addressed in the Bylaws. Only on the Transfer Form is the specified amount of time mentioned -- that being 30 days from anticipated receipt by the Chapter.

**WHEREAS:** Many Chapters meet every other month. In the Northern states many active members snowbird in the south for several months. This creates a hardship on getting the most active members to a Chapter Meeting.

**RESOLVED:** That **ARTICLE 1, Section 9** is amended to read:

**ARTICLE 1, Section 9 – TRANSFERS.**

“Any active member in good standing may request transfer to another Chapter or to an “At-Large” status by submitting an appropriate request to the National Adjutant. The National Adjutant, in turn, will make the transfer and notify the gaining and losing Chapters of such action. The gaining Chapter will be allowed up to 90 days to approve/disapprove such transfer. The exception will be an At-Large Member who moves to another state; that member is automatically transferred to the state of new residence. Paid Rebates (i.e., from per capita dues payments from the National office, See Article XIII) of the transferee, however, shall be retained by the original Chapter for that year. An active member shall not belong to more than one Chapter at a time.”

**RESOLUTION: 2010-B6**

**COMMITTEE: Constitution & Bylaws**

Proposed Bylaw – National Inspector to make inspections without notice to the Department or Chapter

**Committee Recommendation:**

- Approval
- Disapproval
- Other:

<b>CONVENTION ACTION:</b>
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**RE: ARTICLE XI, Section 8 – NATIONAL INSPECTOR**

**WHEREAS: ARTICLE XI, Section 8– NATIONAL INSPECTOR** states:  
“The National Inspector will give suggestions to the Department Inspectors, and shall make such inspections of Departments or are requested or are delegated to him by the National Commander.

(Inspections of Chapters shall be made by the Department Inspector unless an appeal shall be made to the National Commander.) He shall also have the authority to make inspections without notice of such action to the Department or Chapter to be inspected.”

**RESOLVED:** That **ARTICLE XI, Section 8 – NATIONAL INSPECTOR** is amended as follows:

**Section 8 – NATIONAL INSPECTOR.** The National Inspector will give suggestions to the Department Inspectors, and shall make such inspections of Departments or Chapters as necessary or are requested or delegated to him.

Inspections of Chapters shall be made by the Department Inspector unless a request shall be made by the Department or Chapter to the National Inspector. The National Inspector shall also have the authority to make inspections without notice to the Department or Chapter to be inspected.

Rest to remain the same.

**RESOLUTION: 2010-B7**

**COMMITTEE: Constitution & Bylaws**

**Proposed Bylaw** – Trustees shall, at least semi-annually, audit the accounts of the Chapter and make a report to the Chapter.

**Committee Recommendation:**

- Approval
- Disapproval
- Other:

<b>CONVENTION ACTION:</b>
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**RE: ARTICLE V, Section 9 – TRUSTEES**

**WHEREAS: ARTICLE V, Section 9 – TRUSTEES** states.

“The Trustees shall, semi-annually in June and December, audit the account of the Adjutant and Finance Officer, make a report to the Chapter, and perform other such duties as may be assigned to them by the Chapter.”

**RESOLVED:** That **ARTICLE V, Section 9 – TRUSTEES** be amended to read.

**Section 9 – TRUSTEES.** The Trustees shall, at least semi-annually in June and December, audit the accounts of the Chapter, make a report to the Chapter, and perform other such duties as may be assigned to them by the Chapter.

**RESOLUTION: 2010-B11**

**COMMITTEE: Constitution & Bylaws**

**Proposed Bylaw** – The Department Commander to obtain concurrence of the Region Commander and approval of the National Commander before issuing suspensions.

**Committee Recommendation:**

- Approval
- Disapproval
- Other:

**CONVENTION ACTION:**

**RE: ARTICLE XV – TO PRESERVE THE INTEGRITY OF THE CORPORATION –  
Section 9 – TO SUSPEND AND REVOKE A CHAPTER CHARTER**

**WHEREAS:** The Department Commander, being closest in authority to the Chapters of his/her jurisdiction, and the most aware of issues concerning the integrity of their portion of the Order;

**WHEREAS:** The National Command authority and its structure wields lengthy deliberation upon Chapter issues; when irreparable harm could come from continued non-compliance of an offending Chapter;

**WHEREAS:** The Department has the nearest and best interest of the Order in mind in addressing issues that may reflect immediately and negatively upon the good of the Order and discipline within the Department

**BE IT RESOLVED:** that **ARTICLE XV – Section 9 – TO SUSPEND AND REVOKE A CHAPTER CHARTER** is amended to read:

“The Department Commander may suspend the Charter of any Chapter within the jurisdiction of his Department, for a period of 60 days, for its refusal to comply with the lawful mandates of the National organization or Department. The Department Commander needs to obtain the concurrence of the Region Commander and approval of the National Commander before issuing the suspension. If no appeal is processed through the chain of command, [Department, and Region] and received at the National Headquarters within such 60-day period, the Charter of the Chapter may be revoked by mail ballot of the National Executive Committee or voice vote at a National Convention. No revocation of the Charter shall be accomplished unless notice in writing, via certified mail of such proceeding, is duly served on the Chapter, as for the affected Chapter, a reasonable opportunity (60 days) is provided to file a brief with Department Commander, thru the Region Commander to the National Commander stating its objections and defense to the proposed cancellation of the Charter. Upon approval by the National Executive Committee, the Charter shall stand as officially revoked.”

**RESOLUTION: 2010-13**

**COMMITTEE: Constitution & Bylaws**

Proposed Bylaw Change: Part III, Installation of New Officers, Admonition and Obligation, delete the word "retarded."

**Committee Recommendation:**

- Approval
- Disapproval
- Other:

<b>CONVENTION ACTION:</b>
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**RE: PART III – RITUAL AND MANUAL OF CEREMONIES, INSTALLATION OF NEW OFFICERS, Admonition and Obligation**

**WHEREAS:** "... and its progress will be retarded." could be misconstrued to be offensive;

**BE IT RESOLVED** that the word "retarded" be replaced with the word "limited."