

GRAND MASTER'S DECISIONS AND RECOMMENDATIONS

Grand Master Adamson's Decision No. 1 Guidelines for Use of Alcoholic Beverages

The sale and consumption of alcoholic beverages at Masonic activities and on Masonic properties are governed by the laws of the State of California and our California Masonic Code. Guidelines for the use of alcoholic beverages at Masonic activities and on Masonic properties were approved by Grand Lodge in 1995 as Grand Master's Recommendation No. 5. Since that time, the California Department of Alcoholic Beverage Control has tightened its rules pertaining to this subject. On January 27, 2009, I wrote all Lodge Masters, Lodge Secretaries, Hall Association Presidents and Hall Association Secretaries with revised alcoholic beverage guidelines to align them with current interpretation of the laws of the State of California. Based on comments received after that mailing, I have clarified some of the provisions of those guidelines and present in final form in this decision.

Essentially, the revised guidelines proposed in this decision will prohibit the sale and consumption of alcoholic beverages at Lodge and Hall Association activities unless one of the following two conditions is met:

1. The alcoholic beverages are donated by one person. Those in attendance may not bring their own alcoholic beverages as such would constitute a "bottle club" which requires a state liquor license. Our law prohibits Lodges and Hall Associations from holding a state liquor license.

2. The alcoholic beverages are sold and served by a caterer with a proper state liquor license.

These changes in the alcoholic beverage guidelines apply only to Lodges and Hall Associations. The balance of the guidelines remains unchanged, and they continue to apply to alcoholic beverage usage at Lodges, Hall Associations, all prerequisite organizations and their Hall Associations.

If you approve this decision, the outdated alcohol beverage guidelines now found in the appendix of the *California Masonic Code* in which the Grand Master's interpretative decisions are recorded will be replaced with the following narrative:

Interpretation of Sections 811.010, 900.030 and 1200.045 of the California Masonic Code.

Guidelines for Use of Alcoholic Beverages by Masonic Lodges and Masonic Organizations (1995 G.M. Recommendation No. 5, as revised by 2009 G.M. Decision No. 1)

Questions frequently arise with respect to permissible use of alcoholic beverages in Lodge halls, on other property owned by or leased to a Masonic body and at Masonic activities held elsewhere. These guidelines explain the Grand Lodge rules applicable to such use. These guidelines apply to Lodges, Hall Associations, the Scottish Rite, the York Rite bodies, the Shrine, Eastern Star and all other prerequisite organizations and their Hall Associations.

These guidelines address only the policy and regulations of the Grand Lodge. Your use of alcoholic beverages also must comply with the applicable laws of the State of California and the rules established by your Masonic Hall Association or other landlord. The Scottish Rite, the York Rite bodies, the Shrine, Eastern Star and other Masonic Organizations may also be subject to their own organization's regulations on alcohol.

A Masonic Lodge, Hall Association and a Masonic Organization may allow alcoholic beverages to be served on Masonic property to their members and invited guests, with one exception. Alcoholic beverages are not permitted in a room where Masonic ceremonies are normally conducted unless that room is also the regular social hall.

Lodges, Hall Associations and Masonic Organizations may maintain a bar on Masonic property so long as alcoholic beverages are not regularly or permanently stored in the bar. Alcohol should not be stored elsewhere on Masonic property either.

Lodges and Hall Associations may not use funds from the Lodge's or the Hall Association's treasury to purchase alcoholic beverages. No Lodge or Hall Association funds may be used to reimburse anyone who has purchased alcoholic beverages. Proceeds from ticket sales to a Lodge or Hall Association event may never be used to purchase alcoholic beverages or to reimburse anyone who has purchased alcoholic beverages. These restrictions apply only to Lodges and Hall Associations. The Scottish Rite, the York Rite bodies, the Shrine, Eastern Star and other Masonic Organizations may use funds from their own treasuries to purchase alcoholic beverages and reimburse the purchase of alcoholic beverages by others from their treasuries, if their regulations so permit. The Scottish Rite, the York Rite bodies, the Shrine, Eastern Star and other Masonic Organizations may use proceeds from ticket sales to an

event to purchase the alcoholic beverages dispensed at the event or to reimburse anyone who has purchased alcoholic beverages for the event, if their regulations so permit and if the alcohol is served under a license from the California Department of Alcoholic Beverage Control (ABC).

Alcoholic beverages may not be served, consumed, or sold during the course of a meeting of a Masonic Lodge, Hall Association, or Masonic Organization. Any alcoholic beverages must be removed from the meeting room prior to beginning the meeting. The meeting may be opened and called to refreshment, after which alcoholic beverages may be served, but the alcoholic beverages must be removed from the meeting room prior to calling back to labor. However, as noted above, alcoholic beverages are not permitted in a room where Masonic ceremonies are normally conducted unless that room is also the regular social hall.

Lodges and Masonic Organizations may hold tiled meetings and social events on non-Masonic properties where there is a permanent bar, such as a hotel or restaurant, provided that no alcoholic beverages are present during any meeting. Any bar located elsewhere in the building may remain open during the meeting.

Caterers with an ABC license may serve and sell alcoholic beverages at all Masonic events held by any Lodge, Hall Association or Masonic Organization on or away from Masonic property, if all applicable California laws are followed. If the event sponsor is a Lodge or Hall Association, the caterer with an ABC license and not the event's sponsor must sell the tickets to the event.

No Lodge or Hall Association may directly or indirectly apply for, assume title to or operate under any governmental license or permit for the purpose of consuming, serving or selling alcoholic beverages, whether in, on or away from premises owned, leased or rented by a Masonic Lodge or Hall Association. Therefore, if alcoholic beverages are not sold and served by a caterer with an ABC license, there are certain restrictions on the event which must be observed because the event has not been licensed. As a general rule, no license or permit is required if alcoholic beverages are not sold and the premises are not open to the general public when alcoholic beverages are being served or consumed.

- If alcoholic beverages cannot be sold, you cannot have a cash bar or sell drink tickets or tokens to be exchanged for alcoholic beverages. You may charge for the meal or other event at which alcoholic beverages are served, so long as the alcoholic beverages have been donated by one person and everyone pays the same price, regardless of whether they will be served an alcoholic beverage. Members and guests may not bring their own alcohol as such would be a "bottle club" which requires an ABC liquor license.
- Under no circumstances may the general public be present when alcoholic beverages are served without a license. You may not advertise to the general public an event at which alcoholic beverages will be served on Masonic property. Only members of the sponsoring Masonic body and their invited guests may be in attendance when alcoholic beverages are served on Masonic property by someone other than a caterer with an ABC license. The term "general public" does not include the members of the organization, their families or friends.

If alcoholic beverages are not sold and served by a caterer with an ABC license, Masonic Organizations are subject to these same restrictions unless the group is properly licensed by the California Department of Alcoholic Beverage Control. This may include a single event license as well as a permanent club license. Masonic Organizations, such as the Scottish Rite, the York Rite bodies, the Shrine and Eastern Star, may hold such licenses, if their regulations so permit, even though a Lodge and Hall Association may not hold such a license.

Lodges, Hall Associations and Masonic Organizations may rent or lease their land or buildings to business establishments which serve and sell alcoholic beverages as an incidental part of their businesses. For example, you may rent to a restaurant which has a bar or to a grocery store that sells alcoholic beverages. However, you may not rent to a bar business or a liquor store, even those bars and liquor stores with incidental sales of non-alcoholic products.

Lodges, Hall Associations and Masonic Organizations may rent or lease their land or buildings to non-Masonic tenants other than business establishments who serve and sell alcoholic beverages, if the sponsor or caterer is properly licensed by the California Department of Alcoholic Beverage Control. For example, you may rent your building for a wedding reception or similar activity where alcoholic beverages will be served and sold by a licensed sponsor or caterer.

As a reminder, activities of a Lodge, Hall Association or Masonic Organization are always subject to Grand Lodge rules on commercialism and permitted financial support, in addition to these guidelines.

When questions arise with respect to these Guidelines, contact your Grand Lodge Committee on Masonic Properties.

Grand Master Adamson's Decision No. 2
Moral Turpitude

The *California Masonic Code* defines moral turpitude as follows:

§100.075. MORAL TURPITUDE:

Conduct contrary to generally accepted moral standards. It includes any act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between people. It also includes conduct which is contrary to justice, honesty or good morals, including acts of fraud, deceit and dishonesty, even though not necessarily a crime.

The term "moral turpitude" is used in three places in the Code. A Mason may not take a demit if a charge is pending under the criminal laws of the United States or of any other governmental entity involving moral turpitude. §§804.130 and 804.135 of the *California Masonic Code*. Unmasonic conduct includes (1) any violation, before or after initiation, of the criminal laws of the United States or of any other governmental entity involving moral turpitude and (2) any action or failure to act in violation of the requirements of the Code, the General Regulations of Masonry or the Ritual which involves a breach of faith or other moral turpitude. §1401.010 of the *California Masonic Code*. If a Mason has pleaded guilty or nolo contendere to, or has been convicted of, a crime of moral turpitude by a federal or state court, he shall be deemed automatically expelled from membership in any Lodge in this Jurisdiction without any further action of his Lodge or Grand Lodge when the time for appeal of his conviction has lapsed or the judgment of conviction has been affirmed on appeal. §1404.820 of the *California Masonic Code*.

I have been asked on a number of occasions to decide if certain conduct involves moral turpitude under our law. With the help of the Grand Lodge Committee on Jurisprudence, I have developed a list of such conduct. This list has helped me decide when conduct does involve moral turpitude. Although it would be nearly impossible for the list to be all inclusive of every possible conduct involving moral turpitude, I believe that this list is generally comprehensive and will help others in making similar determinations. I now present to you this list in the form of a Grand Master's Decision for publication in the appendix of the *California Masonic Code* to help others on this issue.

If you approve this decision, the following narrative will be added to the appendix of the *California Masonic Code* in which the Grand Master's interpretative decisions are recorded:

Interpretation of Section 100.075 of the *California Masonic Code*.

Moral Turpitude
(2009 G.M. Decision No. 2)

For conduct to involve moral turpitude, it normally must be accompanied by an inherently evil intent. The most common examples of this inherently evil intent are:

- (1) An intent to defraud;
- (2) An intent to take a thing unlawfully (larceny); and
- (3) An intent to harm a person or a thing.

Conduct involving moral turpitude can be broken down into three general categories: actions against property, actions against people and actions against government.

Actions Against Property

The following actions committed against property involve moral turpitude:

- (1) Arson;
- (2) Blackmail;
- (3) Burglary;
- (4) Embezzlement;
- (5) Extortion;
- (6) False pretenses;

- (7) Forgery;
- (8) Fraud;
- (9) Larceny (grand or petty);
- (10) Malicious destruction of property;
- (11) Receiving stolen goods (with guilty knowledge);
- (12) Robbery;
- (13) Theft (if it involves the intention of permanent taking);
- (14) Transporting stolen property (with guilty knowledge); and
- (15) Similar actions.

The following actions against property do not involve moral turpitude:

- (1) Damaging private property (if intent to damage is not present);
- (2) Breaking and entering (if no specific or implicit intent to commit an act involving moral turpitude);
- (3) Passing bad checks (if intent to defraud is not present);
- (4) Possessing stolen property (if guilty knowledge is not present);
- (5) Joy riding (if the intention to take permanently is not present);
- (6) Juvenile delinquency; and
- (7) Similar actions.

Actions Committed Against Person, Family Relationship or Sexual Morality

The following actions committed against the person, family relationship or sexual morality involve moral turpitude:

- (1) Abandonment of a minor child (if deliberate, voluntary and with knowledge and if it results in the destitution of the child);
- (2) Assault (which includes battery) (this action is broken down into several categories, which involve moral turpitude):
 - (a) Assault with intent to kill;
 - (b) Assault with intent to commit rape;
 - (c) Assault with intent to commit robbery;
 - (d) Assault with intent to commit serious bodily harm; and
 - (e) Assault with a dangerous or deadly weapon (some weapons may be found to be dangerous or deadly as a matter of law, while others may or may not be found factually to be such, depending upon all the circumstances in the case; such circumstances may include, but are not limited to, the size of the weapon, the manner of its use, and the nature and extent of injuries inflicted);
- (3) Bigamy;
- (4) Trafficking in any controlled substance;
- (5) Contributing to the delinquency of a minor;
- (6) Gross indecency;
- (7) Incest (if the result of an improper sexual relationship);
- (8) Kidnapping;
- (9) Lewdness;
- (10) Manslaughter:
 - (a) Voluntary; and

- (b) Involuntary, if done with recklessness, which is defined as the awareness and conscious disregard of a substantial and unjustified risk which constitutes a gross deviation from the standard that a reasonable person would observe in the situation;
- (11) Mayhem;
- (12) Murder;
- (13) Pandering;
- (14) Prostitution;
- (15) Rape (by statute, a person may be convicted of statutory rape even though the female consents if she is under the statutory age at the time of the commission of the act; such is known as “statutory rape” and involves moral turpitude);
- (16) Bestiality;
- (17) Possession of child pornography; and
- (18) Similar actions.

The following actions committed against the person, family relationship or sexual morality do not involve moral turpitude:

- (1) Assault (simple) (i.e., any assault without an evil intent or depraved motive, although it may involve the use of a weapon, which is neither dangerous nor deadly);
- (2) Adultery;
- (3) Bastardy (i.e., the offense of begetting a bastard child);
- (4) Creating or maintaining a nuisance (if knowledge that premises were used for prostitution is not present);
- (5) Fornication;
- (6) Involuntary manslaughter (if the killing is not the result of recklessness);
- (7) Libel;
- (8) Mann Act violations (if coercion is not present);
- (9) Riot;
- (10) Suicide (attempted); and
- (11) Similar actions.

Actions Against Government

The following actions committed against governmental authority involve moral turpitude:

- (1) Bribery;
- (2) Counterfeiting;
- (3) Fraud against revenue or other government functions;
- (4) Mail fraud;
- (5) Perjury;
- (6) Harboring a fugitive from justice (if with guilty knowledge);
- (7) Tax evasion (if deliberate, voluntary and with knowledge);
- (8) Terrorism;
- (9) Espionage; and
- (10) Similar actions.

Violation of laws which are regulatory in character and do not include an element of fraud or other evil intent do not involve moral turpitude. The following actions do not involve moral turpitude, unless in violation of a law which requires an intent to defraud or commit other evil:

- (1) Black market violations;
- (2) Breach of the peace;
- (3) Carrying a concealed weapon;
- (4) Disorderly conduct;
- (5) Drunk or reckless driving;
- (6) Traffic violations;
- (7) Drunkenness;
- (8) False statements (not amounting to perjury or involving fraud);
- (9) Firearms violations;
- (10) Gambling violations;
- (11) Immigration violations;
- (12) Liquor violations;
- (13) Loan sharking;
- (14) Lottery violations;
- (15) Possessing burglar tools (if no intent to commit burglary);
- (16) Smuggling and customs violations (if no intent to commit fraud);
- (17) Tax evasion (if no intent to commit fraud);
- (18) Vagrancy; and
- (19) Similar actions.

Attempts, Aiding and Abetting, Accessories and Conspiracy

The following actions involve moral turpitude:

- (1) An attempt to commit an act involving moral turpitude;
- (2) Aiding and abetting in the commission of an act involving moral turpitude;
- (3) Being an accessory (before or after the fact) in the commission of an act involving moral turpitude;
- (4) Taking part in a conspiracy (or attempting to take part in a conspiracy) to commit an act involving moral turpitude; and
- (5) Similar actions.

Grand Master Adamson's Decision No. 3
Guidelines for Restoration

The suspension or expulsion of a Mason deprives him of all rights, privileges and benefits as a Mason, and prohibits all Masons and Lodges from holding any Masonic Communication with him until he is legally restored.

Section 1404.1000 of the *California Masonic Code* sets forth the procedure for the restoration of a suspended Mason. A suspended Mason may be restored only by a two-thirds vote of his lodge or by a simple majority vote of Grand Lodge.

Section 1404.1050 of the *California Masonic Code* sets forth the procedure for the restoration of a Mason who was expelled after a Masonic trial for unmasonic conduct. This Mason may only be restored by Grand Lodge. A simple majority vote is required for the restoration.

A Mason who is automatically expelled under Section 1404.820 of the *California Masonic Code* after a federal or state conviction on a crime of moral turpitude can only be restored by a resolution presented to Grand Lodge and adopted by the same vote required for an amendment to the Code: a five-sixths vote at the Annual Communication where introduced or, if it then receives a simple majority, at the next Annual Communication by a two-thirds vote.

Our Code provides very little guidance on the standards to be used when evaluating whether to restore a suspended or expelled Mason. For a suspended Mason or a Mason expelled after a trial for unmasonic conduct, good cause must be shown, but good cause is not defined. The Code provides no guidance on the standards to be used for the restoration of a Mason who has been automatically expelled after a conviction for a crime of moral turpitude. This issue has been the subject of much discussion on the floor of Grand Lodge in past years. It became apparent to me that some guidance was necessary to assist Lodges and the delegates to Grand Lodge when considering restorations.

I believe that it would be helpful to publish guidelines to be used when considering whether to restore a suspended or expelled Mason. With the help of Masons with expertise in the restoration of privileges in civil society after a criminal conviction, I have prepared the guidelines set forth in this decision. These guidelines are not a checklist which will lead automatically to restoration if some evidence is available on each point. These guidelines list areas to be explored and considered when a restoration comes before the Lodge or Grand Lodge. I believe these guidelines provide a reasoned framework for investigation and a vote on restoration and request your approval.

If you approve this decision, the following narrative will be added to the appendix of the *California Masonic Code* in which the Grand Master's interpretative decisions are recorded:

Interpretation of Sections 1404.820, 1404.1000 and 1404.1050 of the *California Masonic Code*.

Guidelines for Restoration
(2009 G.M. Decision No. 3)

Section 1404.1000 of the *California Masonic Code* sets forth the procedure for the restoration of a suspended Mason. A suspended Mason may be restored only by a two-thirds vote of his lodge or by a simple majority vote of Grand Lodge.

Section 1404.1050 of the *California Masonic Code* sets forth the procedure for the restoration of a Mason who was expelled after a Masonic trial for unmasonic conduct. This Mason may only be restored by Grand Lodge. A simple majority vote is required for the restoration.

A Mason who is automatically expelled under Section 1404.820 of the *California Masonic Code* after a federal or state conviction on a crime of moral turpitude can only be restored by a resolution presented to Grand Lodge and adopted by the same vote required for an amendment to the Code: a five-sixths vote at the Annual Communication where introduced or, if it then receives a simple majority, at the next Annual Communication by a two-thirds vote.

The following guidelines are suggested for use when a Lodge or the Grand Lodge considers the restoration of a suspended or expelled Mason. Before a vote on restoration is taken in a Lodge, it is suggested that a committee of the Lodge be appointed by the Master to gather the information suggested by these guidelines and report its findings and recommendation to the Lodge. Before a vote on restoration is taken in Grand Lodge, it is suggested that the Committee on Trial Review gather the information suggested by these guidelines and report its findings and recommendation to Grand Lodge.

In considering the restoration of a Mason who has been suspended or expelled for any reason, the following items should be considered:

- Whether his current standing, conduct, character and reputation are such as would make him worthy of membership in a Lodge.
- The nature of the conduct which gave rise to the suspension or expulsion.
- The seriousness and relative recentness of the conduct which gave rise to the suspension or expulsion.
- The passage of a suitable length of time to avoid denigrating the seriousness of the conduct which gave rise to the suspension or expulsion or undermining the deterrent effect of the suspension or expulsion.
- The impact on the Lodge, its members and non-Masons of the conduct which gave rise to the suspension or expulsion.
- The likelihood that he will repeat the conduct which gave rise to the suspension or expulsion.
- His acceptance of responsibility, remorse and atonement for the conduct which gave rise to the suspension or expulsion.
- His efforts to make amends for the consequences of the conduct which gave rise to the suspension or expulsion.
- Results of an interview of the suspended or expelled Mason.

- Recommendations of concerned and knowledgeable Masons and non-Masons.

When the suspension or expulsion is based on criminal activity, the following additional items should be considered.

- The police report on and court record of the crime and conviction.
- The passage of not less than five years from his release from custody and/or parole resulting from his most recent criminal conviction.
- Expungement of the conviction.
- Successful completion or early discharge from probation or parole.
- Payment of any fine and completion of any required restitution and/or community service imposed in connection with the criminal conviction.
- New and different social and business relationships.
- Significant involvement in community, charitable, church or privately-sponsored programs or other meritorious activities.
- Completion of, or enrollment in, educational or vocational training courses.
- Ability to lead a responsible and productive life for a significant period after conviction or release from confinement and parole.
- Financial and employment stability, responsibility toward family, stability of family life, fulfillment of parental and familial responsibilities and, if applicable, military record.
- Change in attitude from that which existed at the time of the commission of the criminal acts.
- Restitution to victims.

When the suspension or expulsion is based on criminal activity, we should look for evidence of rehabilitation, and one cannot just add up those criteria that have been met and those that have not in order to determine whether a person has been rehabilitated. These factors are just indicators that a person has changed his ways and is, therefore, unlikely to reoffend. No one of them alone – in fact not all of them together – can guarantee that an individual is truly rehabilitated. Therefore, merely meeting these criteria does not excuse a person from responsibility for his prior criminal conduct nor entitle him to restoration.

Rehabilitation is evaluated on the basis of two different scales. One is an internal, attitudinal scale and the other is an external objective scale. In other words, evidence must be presented of a state of mind and a state of facts showing he has been rehabilitated. The state of mind demonstrating rehabilitation is one that has a mature, measured appreciation of the gravity of the misconduct and remorse for the harm caused. Acceptance of responsibility is a necessary prerequisite to establishing rehabilitation. The rehabilitative state of facts is demonstrated by a track record of conduct that convinces and assures us that the suspended or expelled Mason can once again be a credit to the fraternity.

Grand Master Adamson's Decision No. 4 Use of Social Networks

There is not a week that passes without questions to the Grand Secretary about a Masonic presence on the Internet – and many times the issue concerns advertising. Many Lodges, Masonic groups and Masons have a presence on social networking sites like Facebook and Myspace. These sites are the exact places for a Masonic presence. There are more than 90 million active Facebook users today, and the age groups with the most use are those who seem to seek out Freemasonry at the highest rates.

Facebook of course is supported by the line of ads appearing on the right hand side of the page. Myspace similarly uses third-party advertising to support the service. At least for Lodges, this is a problem under Grand Master Whitaker's Decision No. 3, interpreting CMC Section 809.220.B. Under that decision, a Lodge may have a website and make it available to the general public. However, the website may not be hosted by a provider which inserts banner, pop-up or other advertising on the Lodge's site. I believe that it is time to reconsider this decision in the light of more recent experience.

In my view, there is a difference between advertising that a Lodge solicits for its own trestleboard (for which the Lodge receives the sole benefit) and the advertising solicited by a third party hosting a website or social networking service. Most Internet users accept that websites and networking sites need advertising revenue in order to provide the profile functionality free of charge to the user, so Internet users usually do not associate the adjacent site advertising with the profile owner – I know I don't. Networking sites like the ones we are discussing do have advertising standards. I use Facebook, and I have not seen ads on my Facebook page which I found offensive or problematic to the integrity of Freemasonry. We now allow Lodges to advertise in newspapers, and newspapers are filled

with third-party advertising. Indeed, newspapers could not exist today without advertising. It makes no sense to prohibit a Masonic presence on an Internet page with ad banners, while CMC Section 810.060 allows a Lodge presence in a newspaper of general circulation with the same kind of advertising.

It is therefore my decision that Grand Master Whitaker's Decision No. 3 should be removed from the appendix of the *California Masonic Code* in which the Grand Master's interpretative decisions are recorded and replaced with the following.

A Lodge, a Masonic group and a Mason may have a presence on social networking sites like Facebook and Myspace. A Lodge and a Masonic group may have a website and make it available to the general public, even though the website may be hosted by a provider which inserts banner, pop-up or other advertising on the Lodge's or group's site. A Lodge and a Masonic group may publish announcements relative to its activities and advertisements relative to its public relations program in a newspaper of general circulation containing advertising.

If you approve this decision, the following narrative will be added to the appendix of the *California Masonic Code* in which the Grand Master's interpretative decisions are recorded:

Interpretation of Sections 809.220 and 810.060 of the *California Masonic Code*.

Use of Social Networks and Websites
(2009 G.M. Decision No. 4)

A Lodge, a Masonic group and a Mason may have a presence on social networking sites like Facebook and Myspace. A Lodge and a Masonic group may have a website and make it available to the general public, even though the website may be hosted by a provider which inserts banner, pop-up or other advertising on the Lodge's or group's site. A Lodge and a Masonic group may publish announcements relative to its activities and advertisements relative to its public relations program in a newspaper of general circulation containing advertising.

Grand Master Adamson's Recommendation No. 1
Two Grand Organists and Two Grand Tilers

To cut back on travel expenses, our Grand Lodge several years ago authorized the appointment of an Assistant Grand Organist and an Assistant Grand Tiler. If the Grand Organist is from the northern portion of the state, the Assistant Grand Organist must be from the southern portion of the state, and vice versa. The same rule applies to the Grand Tiler and the Assistant Grand Tiler. The officer from the north performs the duties of the office when Grand Lodge opens in the north, and the southern officer performs the duties when Grand Lodge opens in the south. Only the officer performing the duties can submit for expense reimbursement related to the opening. At present, there is no difference in the duties required of the Assistant Grand Organist from what is required of the Grand Organist nor any difference in the duties required of the Assistant Grand Tiler from what is required of the Grand Tiler.

It is sometimes difficult for the Grand Master to decide between two equally qualified brothers as to who will be the Grand Tiler and who will be the Assistant Grand Tiler. This problem would be resolved if we could call both brothers the Grand Tiler. To recognize the reality of the job requirements and to recognize properly the brothers who serve in these offices, I recommend that Grand Lodge grant this authority. The same rules would apply as before about expense reimbursement claims: only one Grand Tiler could claim reimbursement. However, both men could be introduced as the Grand Tiler. There would be no Assistant Grand Tiler when there are two Grand Tilers. The same rules would apply with respect the Grand Organist and the Assistant Grand Organist.

If you adopt this recommendation, the following changes will be made to the *California Masonic Code*. Section 20.000 of the Code would be amended to read as marked:

§20.000. MEMBERS.

- A. Grand Lodge shall be composed of a Grand Master (whose manner of address shall be Most Worshipful), a Deputy Grand Master, a Senior Grand Warden, and a Junior Grand Warden (whose manner of address shall be Right Worshipful), a Grand Treasurer, a Grand Secretary and a Grand Lecturer (whose manner of address shall be Very Worshipful), a Grand Chaplain (whose manner of address shall be Very Reverend), the Assistant Grand Lecturers, a Grand Orator, an Assistant Grand Secretary, a Grand Marshal, a Grand Standard Bearer, a Grand Sword Bearer, a Grand Bible Bearer, a Senior Grand Deacon, a Junior Grand Deacon, a Senior Grand Steward, a Junior Grand Steward, a Grand Pursuivant, a Grand Organist, a Grand Tiler, and, at the discretion of the Grand Master, an additional Grand Organist ~~an Assistant Grand Organist~~ and an additional Grand Tiler ~~and an Assistant Grand Tiler~~ (whose manner of address shall be Worshipful), together with all of the Past Grand Officers and Past Masters of this Jurisdiction, and the Master and Wardens of the several chartered and duly constituted

Lodges (except Research Lodges or the Grand Master's Lodge) of this Jurisdiction or the representatives thereof duly elected. A Past Grand Officer is someone who has been regularly elected by the members of Grand Lodge and installed as one of the first seven Grand Lodge officers listed above and who has served his full term in that office; and

B. Members of Grand Lodge shall meet in Communications to conduct whatever business may properly come before them.

Section 403.075 of the Code would be amended to read as marked:

§403.075. VOTES.

Except as provided in Sections 403.080 and 403.085 of this Code, the following shall each be entitled to one vote only:

- A. Elective and appointive Grand Lodge Officers except the Grand Tiler ~~and the Assistant Grand Tiler;~~
- B. Past Grand Officers;
- C. Masters, Senior Wardens and Junior Wardens of chartered Lodges; and
- D. Past Masters collectively of each chartered Lodge.

If neither the Master nor either of the Wardens of a Lodge has registered, the elected representative of the Lodge may cast the votes of Master and Wardens of the Lodge.

Section 404.000 of the Code would be amended to read as marked:

§404.000. PREREQUISITE FOR OFFICERS.

Each officer of Grand Lodge must be a member of a Lodge in this Jurisdiction. Each officer, other than the Grand Chaplain; and Grand Organist ~~and Assistant Grand Organist~~, must, at the time of his election or appointment, be a Past Master of this Jurisdiction or a Master or Warden of a chartered and duly constituted Lodge of this Jurisdiction (other than a Research Lodge or the Grand Master's Lodge).

Section 404.365 of the Code would be amended to read as marked:

§404.365. GRAND ORGANIST.

It shall be the duty of the Grand Organist to preside at the organ during the opening and closing of Grand Lodge, and to conduct its music upon all occasions of ceremony when required by the Grand Master.

The Grand Master may appoint two Grand Organists, each from opposite parts of the state, and divide between them the discharge of the duties of the Grand Organist. A Grand Organist shall be entitled to any expense reimbursement otherwise available to a Grand Lodge Officer only when thus discharging the duties of the Grand Organist. Any reference in this Code to the Grand Organist shall refer to both Grand Organists when two are in office.

~~The Grand Master may appoint an Assistant Grand Organist from the opposite part of the state from the Grand Organist. The Assistant Grand Organist shall discharge the duties of the Grand Organist in the absence of that officer. The Assistant Grand Organist shall be entitled to any expense reimbursement otherwise available to a Grand Lodge Officer only when thus discharging the duties of the Grand Organist.~~

Section 404.370 of the Code would be amended to read as marked:

§404.370. GRAND TILER.

It shall be the duty of the Grand Tiler to:

- A. Guard the outer door of the Grand Lodge and communicate with the Grand Pursuivant;
- B. Report to the Grand Pursuivant all applications for admission and see that all who enter are duly authorized and properly clothed;
- C. Make suitable preparation for the accommodation of Grand Lodge at all its Communications;

- D. Take charge of and safely keep the jewels, furniture, clothing, and other paraphernalia of Grand Lodge during its Communications; and
- E. Serve all notices and summonses, and perform such other duties as may be required of him by Grand Lodge or the Grand Master.

The Grand Master may appoint two Grand Tilers, each from opposite parts of the state, and divide between them the discharge of the duties of the Grand Tiler. A Grand Tiler shall be entitled to any expense reimbursement otherwise available to a Grand Lodge Officer only when thus discharging the duties of the Grand Tiler. Any reference in this Code to the Grand Tiler shall refer to both Grand Tilers when two are in office.

~~The Grand Master may appoint an Assistant Grand Tiler from the opposite part of the state from the Grand Tiler. The Assistant Grand Tiler shall discharge the duties of the Grand Tiler in the absence of that officer. The Assistant Grand Tiler shall be entitled to any expense reimbursement otherwise available to a Grand Lodge Officer only when thus discharging the duties of the Grand Tiler.~~

Grand Master Adamson's Recommendation No. 2
Personal Service of Grand Master's Edict

As a general rule under our *California Masonic Code*, any notice to a particular person must be either delivered in person or sent in a sealed envelope by certified United States mail, return receipt requested, postage prepaid, addressed to the recipient at his address of record. However, when the notice is a Grand Master's edict addressed to a particular person, it must be delivered in person.

I have issued a number of edicts this year, and it sometimes have been very difficult administratively to get someone to hand deliver the edict, particularly if the person to whom it is addressed knew it was coming and was not anxious to receive it. Before I became Grand Master, one brother who was breaking our law received by mail an edict to comply with our law and acknowledged receipt of the edict to the then Grand Master. However, because the edict was not hand delivered, we could not bring this brother up on Masonic charges when he continued violating the law after his acknowledged receipt of the edict! We need to change this rule. I recommend that Grand Master be allowed to issue their edicts by certified mail as other notices may be given.

If you adopt this recommendation, Section 404.130 of the *California Masonic Code* would be amended to read as marked:

§404.130. DUTIES OF THE GRAND MASTER.

The Grand Master shall:

- A. Exercise a general and careful supervision over the Craft, and see that the requirements of this Code, the General Regulations of Masonry and the Ritual are strictly maintained, supported and obeyed;
- B. Investigate any matter which may be in violation of the requirements of this Code, the General Regulations of Masonry or the Ritual and make such orders in respect to the case as may be required;
- C. Cause to be ~~personally served on~~ issued to any Mason, who the Grand Master believes may have acted or failed to act in violation of the requirements of this Code, the General Regulations of Masonry or the Ritual, a notice requiring that Mason to act in accordance with those requirements. If the Mason thereafter fails to act as required by the Grand Master, the Grand Master shall refer the matter to a Lodge of this Jurisdiction for trial on the charge of unmasonic conduct. The Junior Warden of the Lodge shall prefer the charge against the Mason. Pending the trial, the Grand Master may suspend the Mason from all the rights and benefits of Masonry;
- D. Cause to be ~~personally served on~~ issued to any Masonic Organization or Masonic Youth Order, which the Grand Master believes may have acted or failed to act in violation of the requirements of this Code, a notice requiring that organization to act in accordance with those requirements. If the organization fails to act as required by the Grand Master, the Grand Master may issue an edict prohibiting all Masons from giving any aid or support of Masonry to or personally participating in such organization, until the Grand Master has determine that such organization is again in compliance with this Code;
- E. Preside in Grand Lodge at all Annual and Special Communications. There shall be no appeal from his rulings as presiding officer;
- F. Present, at each Annual Communication, a written message setting forth:
 - 1. All his official acts during the year;
 - 2. The general condition of Masonry within this Jurisdiction; and

3. Recommending such legislation as he deems necessary or expedient for the welfare of the Craft;
- G. Constitute the Lodge for which a charter is granted in accordance with the ancient usages and regulations. He may do so either in person or by a duly authorized representative;
- H. Discharge all necessary executive functions of Grand Lodge when it is not in session; and
- I. Perform such other duties as are set forth elsewhere in this Code.

Grand Master Adamson's Recommendation No. 3
Executive Powers of Grand Lodge

From time to time, Grand Lodge signs contracts for goods and services. Occasionally, the other party to the contract wants to see proof that Grand Lodge as an entity is authorized to sign these contracts. It would be helpful if our *California Masonic Code* clearly allowed the powers which state law allows California nonprofit mutual benefit corporations. Under California law, nonprofit mutual benefit corporations have all of the powers which a natural person has. Therefore, I recommend that the *California Masonic Code* be amended so that these powers are clearly set forth in our law:

If you adopt this recommendation, Section 401.010 of the *California Masonic Code* would be amended to read as marked:

§401.010. EXECUTIVE POWERS.

The executive powers of Grand Lodge include:

- A. The granting of dispensations and charters to establish and perpetuate Lodges in this state and in other territory where no Grand Lodge exists, and the revocation or suspension thereof;
- B. The issuing of special dispensations for all purposes permitted by any of the provisions of this Code; ~~and~~
- C. The exercise of all of the powers of a natural person, except as limited by or inconsistent with the law of this Grand Lodge or with any of the laws, rules or regulations of the State of California; and
- ~~D.~~ The exercise of all authority as may be convenient to carry its laws into complete effect and to secure their due observance.

Grand Master Adamson's Recommendation No. 4
Concurrent Jurisdiction with the Grand Lodge of Iran (In Exile)

Last year, I was asked by Grand Master Abbas Satrap of the Grand Lodge of Iran (In Exile) if we would be open to expanding the relationship between our Grand Lodges. Specifically, he was interested in exploring the possibility of a concurrent jurisdiction arrangement which would allow the Grand Lodge of Iran (In Exile) and its lodges to meet, confer degrees and conduct other Masonic business in California.

We agreed to appoint a joint taskforce to study the matter. Most Worshipful Satrap appointed to the taskforce Most Worshipful Brothers Ali Razi and Mozafar Jandaghi, both Past Grand Masters of the Grand Lodge of Iran (In Exile), and Worshipful Mark K. Ameli, a Past Master of a lodge under the jurisdiction of the Grand Lodge of Iran (In Exile) and also a member of a California lodge and our Grand Lodge's Committee on Jurisprudence. I appointed to this taskforce Most Worshipful Brothers R. Stephen Doan, Melville H. Nahin and M. William Holsinger, all Past Grand Masters of Masons of California, and Very Worshipful John L. Cooper, III, Past Grand Secretary. Most Worshipful Steve Doan chaired this joint taskforce. This recommendation comes from the report of the joint taskforce.

The Grand Lodge of Iran was formed in 1969 by the recognized Grand Lodges of Scotland, France and Germany. With the fall of the Shah in 1979, Iran became an Islamic Republic and the Grand Lodge of Iran was forced into exile. In 1985, the Grand Lodge of Massachusetts authorized the Grand Lodge of Iran (In Exile) and its lodges to meet again, confer degrees and conduct other Masonic business in Boston. The Grand Lodge of Iran (In Exile) and its lodges have thus conducted their business ever since. Our Iranian brothers work using a ritual from the United Grand Lodge of England, known as Emulation, which was translated into Farsi, the Iranian national language, many years ago for their use. All meetings of the Grand Lodge of Iran (In Exile) and its lodges are conducted in Farsi.

As a Grand Lodge in Exile, its needs are unique and challenging. Our Iranian brothers wish to keep Iranian Masonry alive until they can return to their homeland. To remain in existence for that return, they must accept candidates from the Iranian community in a way that makes it practical for men to become Masons and practice their craft without great hardship. At present, all candidates must

travel to Boston to receive a degree. Our Iranian brothers must travel to Boston to conduct lodge business. This is a great expense for Iranians living in California, and sharing jurisdiction in California would allow their lodges to function here without the need to travel to Boston. As a majority of Iranian exiles lives in California, California is the logical jurisdiction in which the Grand Lodge of Iran (In Exile) should function.

At present, lodges under the Grand Lodge of Iran (In Exile) do not accept applications from men residing in California without a waiver of jurisdiction from our Grand Lodge. Our Grand Lodge has on occasion authorized the conferral of degrees in a California lodge using the Iranian ritual and the officers of one by their lodges. The degrees so conferred, however, are conferred *by* the Iranian lodges but not *in* an Iranian lodge. While this is appreciated by the Grand Lodge of Iran (In Exile), it lacks something for the Iranian lodges and their members. They would like to meet, and elect and initiate their own candidates, in their own lodges in California.

The Grand Lodge of Iran (In Exile) is willing to accept the following restrictions on its lodges if the Grand Lodge of California approves concurrent jurisdiction. Its lodges will confer all degrees in the Farsi language using the ritual of the Grand Lodge of Iran (In Exile) and admit to membership only men who are of Iranian ancestry and who have a knowledge of the Farsi language. Iranian ancestry means that at least one of the man's parents, grandparents or great-grandparents was or is an Iranian national. Concurrent jurisdiction would end automatically when the Grand Lodge of Iran (in Exile) is again permitted to operate in Iran.

Our Iranian brothers suffered greatly as a result of the 1979 revolution in their homeland. Masonry has helped them keep their culture alive while they have been in exile. When they are allowed to return to their homeland, their Masonry will bring to Iran the democratic principles that are at the foundation of our nation. I believe that we must do whatever we can to keep Masonry alive for Iran, and concurrent jurisdiction in California will be a great help to our Iranian brothers in their efforts to maintain the light of Masonry for their eventual return home.

I therefore recommend that the Grand Lodge of California grant concurrent jurisdiction to the Grand Lodge of Iran (In Exile) in the state of California, until such time as their Grand Lodge can return to Iran, thereby allowing its Grand Lodge and its lodges to meet, confer degrees and conduct other Masonic business in California.

If you adopt this recommendation, a new Section 409.035 would be added to the *California Masonic Code* to read as follows:

§409.035. RECOGNITION OF THE GRAND LODGE OF IRAN (IN EXILE).

Any other provision of this Code to the contrary notwithstanding, this Grand Lodge recognizes the Grand Lodge of Iran (In Exile), Ancient, Free and Accepted Masons, as having concurrent jurisdiction with this Grand Lodge within the State of California. This recognition includes the following:

- A. A Mason may have Masonic Communication with any Mason of a Masonic Lodge which has been chartered by, or holds allegiance to, the Grand Lodge of Iran (in Exile), with one exception. While outside this Jurisdiction, a Mason shall not have Masonic Communication with any Mason of a Masonic Lodge which has been chartered by, or holds allegiance to, the Grand Lodge of Iran (in Exile), unless the Grand Lodge which we recognize with jurisdiction over that state or territory recognizes the Grand Lodge of Iran (in Exile).
- B. A Mason may have Masonic Communication with any person legally present at the tiled meeting of a Masonic Lodge or Masonic Organization within this Jurisdiction which has been chartered by, or holds allegiance to, the Grand Lodge of Iran (in Exile). A Mason may have Masonic Communication with any person legally present at the tiled meetings of the Grand Lodge of Iran (in Exile). During such a tiled meeting, a Mason may have Masonic Communication with any person legally present even though such a person is not a Mason of a Masonic Lodge chartered by or holding allegiance to a Grand Lodge recognized by the Grand Lodge of California. This exception applies only during such a tiled meeting and at no other time.

A Mason of a Masonic Lodge chartered by, or holding allegiance to, the Grand Lodge of Iran (in Exile) who resides in this Jurisdiction shall be subject to the concurrent disciplinary jurisdiction of the Grand Lodge of Iran (in Exile) and this Grand Lodge. A Mason who is not of a Masonic Lodge chartered by, or holding allegiance to, the Grand Lodge of Iran (in Exile) but who is subject to the disciplinary jurisdiction of this Grand Lodge shall not be subject to the disciplinary jurisdiction of the Grand Lodge of Iran (in Exile).

This section shall remain in effect only for as long as all Masonic Lodges which have been chartered by, or hold allegiance to, the Grand Lodge of Iran (in Exile), confer all degrees in the Farsi language using the ritual of the Grand Lodge of Iran (In Exile) and admit to membership only men who are of Iranian ancestry and who have a knowledge of the Farsi language. Iranian ancestry means that at least one of the man's parents, grandparents or great-grandparents was or is an Iranian national.

This section shall be automatically repealed when the Grand Lodge of Iran (in Exile) is again permitted to operate in Iran.

Nothing in this section shall impair the right of this Grand Lodge to authorize one or more of its Constituent Lodges to work in the Farsi language.

Grand Master Adamson's Recommendation No. 5
Procedure on Ballot Box Rejection

I have dealt with at least six different lodges during my term of office as Grand Master where one brother used the ballot box improperly, either to punish the lodge or someone other than the applicant. Many Grand Masters before me have had the same problem. As have other Grand Masters, I have struggled with how to preserve the unanimity and secrecy of the ballot box while finding an effective way to prevent one brother from using the ballot box to keep a deserving man out of the craft for unmaasonic reasons.

I think that I have found a solution. To protect the sanctity of the ballot box but assure that one brother cannot abuse his right to consent to the admission of a man to his lodge, I recommend that we adopt the procedure used by the Grand Lodge of Wisconsin in these instances. If you adopt this recommendation, we would use the following procedure when only one black cube appears in the ballot box, both on the first ballot and on the second ballot taken to correct a possible mistake.

On the second ballot with only one black cube appearing, the Master would announce that the member who has cast the negative vote may within 48 hours identify himself privately to the Master, either orally or in writing, as having cast the negative vote and state the cause for the objection. The objecting member would have no obligation to come forward. However, if he does not come forward and state the cause for his objection, the Master at the next Stated Meeting of the Lodge would declare that the applicant has been elected despite the one black cube in the ballot box at the prior Stated Meeting. If the objecting member does come forward and state the cause for the objection, the Master would refer the matter to the Grand Master in writing. The Grand Master would determine the legality of the objection and respond to the Master in writing of his decision. At the Stated Meeting of the Lodge next following the receipt of the Grand Master's decision, the Master would declare that the applicant has been elected, if the Grand Master determines that the objection was not legal, or rejected, if the Grand Master determines that the objection was legal. Neither the identity of the member casting the negative vote nor the cause of the objection would be disclosed to anyone other than to the Master or by him to the Grand Master.

A similar procedure would be used for an objection before balloting and for an objection after balloting but before the complete conferral of the Entered Apprentice Degree. This recommended procedure would apply only if there is one objection. As before, if there are two or more objections, the applicant is rejected or the already elected applicant is not made an Entered Apprentice Mason. This recommendation does not change the procedure followed when an objection is made after initiation or when an objection is made by someone other than by a member of the Lodge. Sufficient safeguards are already in place to protect against abuse in these circumstances.

If you adopt this recommendation, the following changes will be made to the *California Masonic Code*. Section 804.440 of the Code would be amended to read as marked:

§804.440. BALLOTING PROCEDURE.

- A. The Master shall read the name of the applicant with the essential information about him, as supplied by the application and/or as furnished by the Investigating Committee, after which a ballot shall be taken in the usual manner;
- B. A Lodge shall have but one ballot for the three degrees;
- C. There shall be no discussion in the Lodge during a ballot or between ballots;
- D. Every member of a Lodge, when present, must vote upon a ballot using a ball or a cube;
- E. The Master should not permit anyone to enter or retire from the Lodge room during a ballot except for sickness or other imperative reason. For this purpose, the "Lodge room" does not include the Tiler's room or the preparation room. Members and visitors may enter or retire between ballots if in the Master's judgment such will not interfere with the taking of the subsequent ballot;
- F. When balloting upon two or more applicants, the Master may at his discretion determine whether a separate ballot shall be taken on each applicant or whether the entire group shall be balloted upon collectively. When a collective ballot is used, the Master shall read the names of all of the applicants included in the collective ballot, with the essential information about each, as supplied by the application and/or furnished by the Investigating Committee. A ballot shall then be taken in the usual manner on the applicants collectively. If no cube appears, each applicant shall be declared elected. If one or more cubes appear, the Master may either direct an individual ballot or divide the names of the applicants into smaller groups. The Lodge shall then proceed to ballot in the usual manner on each individual or on each group. The Master shall declare each

applicant in a group elected if no cube appears. This procedure shall continue until an individual ballot has been taken in the usual manner, if necessary, and all applicants have been balloted upon;

- G. It shall require a unanimous vote of the members present to elect an applicant. If all members of the Lodge have voted and no negative vote appears, the ballot is unanimous regardless of the fact that one or more members failed to deposit a ball at the time he voted;
- H. When balloting upon a single applicant, if only one cube appears, the Master, without declaring the result, shall at once order a second and last ballot for the purpose of correcting a possible mistake. The second ballot shall not be postponed to another meeting of the Lodge. If in the second ballot ~~one~~ two or more cubes appear, the Master shall declare the applicant rejected. If in the second ballot only one cube appears, the Master shall declare that accountability for casting the negative vote is required in order for the applicant to be rejected. The Master shall then state that the member who has cast the negative vote may within 48 hours identify himself privately to the Master, either orally or in writing, as having cast the negative vote and state the cause for the objection. The objecting member shall be under no obligation to identify himself to the Master or to disclose the cause for the objection. However, if the member does not so identify himself and state the cause for the objection, the Master shall at the next Stated Meeting of the Lodge declare that the applicant has been elected. If the member does so identify himself and state the cause for the objection, the Master shall refer the matter to the Grand Master in writing. The Grand Master shall determine the legality of the objection and respond to the Master in writing of his decision. At the Stated Meeting of the Lodge next following the receipt of the Grand Master's decision, the Master shall declare that the applicant has been elected, if it is the Grand Master's decision that the objection was not legal, or rejected, if it is the Grand Master's decision that the objection was legal. Neither the identity of the member casting the negative vote nor the cause of the objection shall be disclosed to anyone other than to the Master or by him to the Grand Master; and
- I. When balloting upon a single applicant, if two or more cubes appear, the Master shall declare the applicant rejected, and there shall be no second ballot.

Section 804.450 of the Code would be amended to read as marked:

§804.450. BALLOT SECRECY.

Except for the three officers whose duty it is to examine the ballot box, no one is entitled to know the number of votes cast for or against an applicant. There shall be no discussion regarding an unfavorable ballot. No member of a Lodge shall be required, requested, or allowed to divulge his vote upon a ballot, or to assign reasons for such vote, if it be known, except to the Master for the purpose of correcting a mistake or as provided in Section 804.440.H.

Section 804.510 of the Code would be amended to read as marked:

§804.510. OBJECTION BY A MEMBER BEFORE BALLOT.

At any time after an application for the degrees is received and before the ballot, objection to the applicant's election may be made orally or in writing by any member of the Lodge privately to the Master.

- A. If only one member of the Lodge objects, he must state the cause for the objection or the objection shall be disregarded. If the member does state the cause for the objection, the Master shall refer the matter to the Grand Master in writing. No ballot shall be taken, unless the objection is withdrawn or the objection is determined as being not legal by the Grand Master. The Investigating Committee need not be appointed, or if appointed need not act, unless the objection is withdrawn or the objection is determined as being not legal by the Grand Master. The Grand Master shall determine the legality of the objection and respond to the Master in writing of his decision. If it is the Grand Master's decision that the objection was not legal, the Master shall proceed as if the objection had not been made. If it is the Grand Master's decision that the objection was legal, the Master shall report the fact at the Stated Meeting of the Lodge next following the receipt of the Grand Master's decision, and such objection shall have the effect of a rejection by ballot and shall be reported to the Grand Secretary. Neither the identity of the objecting member nor the cause of the objection shall be disclosed to anyone other than to the Master or by him to the Grand Master.
- B. If two or more members of the Lodge object, ~~No~~ ballot shall be taken unless the objections ~~is~~ are withdrawn. The Investigating Committee need not be appointed, or if appointed need not act, unless the objections ~~is~~ are withdrawn. If ~~an~~ an ~~objection is made~~ objections are made, the Master shall report the fact to the Lodge at the next Stated Meeting. If the second ~~objection is made~~ objection is made at a Stated Meeting, the Master shall report the fact to the Lodge at that meeting. Unless the objections ~~is~~ are withdrawn within 60 days of the Stated Meeting at which ~~it was~~ they were reported by the Master, such objections shall have the effect of a rejection by ballot and shall be reported to the Grand Secretary. No reason need be given for the objections, and they may be renewed after withdrawal.

Section 804.520 of the Code would be amended to read as marked:

§804.520. OBJECTION BY A MEMBER BEFORE INITIATION.

If objection to an applicant for the degrees is made after election and before the initiation has been completed, the applicant shall not receive the degree or the remainder thereof unless the objection is withdrawn or resolved as provided in this section.

A. If an objection is made by only one member of the Lodge, he must state the cause for the objection or the objection shall be disregarded. If the member does state the cause for the objection, the Master shall refer the matter to the Grand Master in writing. The Grand Master shall determine the legality of the objection and respond to the Master in writing of his decision. If it is the Grand Master's decision that the objection was not legal, the Master shall proceed as if the objection had not been made. If it is the Grand Master's decision that the objection was legal, the Master shall report the fact at the Stated Meeting of the Lodge next following the receipt of the Grand Master's decision, and such objection shall have the effect of a rejection by ballot and shall be reported to the Grand Secretary. Neither the identity of the objecting member nor the cause of the objection shall be disclosed to anyone other than to the Master or by him to the Grand Master.

B. If an objection is made by two or more members of the Lodge, the Master shall report the fact to the Lodge at the next Stated Meeting. If the second objection is made at a Stated Meeting, the Master shall report the fact to the Lodge at that meeting. Unless the objections is are withdrawn within 60 days of the Stated Meeting at which ~~it was~~ they were reported by the Master, such objections shall have the effect of a rejection by ballot and shall be reported to the Grand Secretary. No reason need be given for the objections, and ~~it~~ they may be renewed after withdrawal.

Grand Master Adamson's Recommendation No. 6
Modification of Fund Raising Rules

Our *California Masonic Code* is the law of Masonry in this state, and it regulates not just California Masons but also any organization in California which requires a Masonic affiliation or relationship as a prerequisite for membership, such as the Shrine, the Scottish and York Rites and Eastern Star. However, few other Grand Lodges regulate these Masonic Organizations to the extent that we do. Our restrictions on fund-raising activities by Masonic Organizations is one such area.

Beginning in 1991 and made part of the *Code* in 1993, we expanded the list of activities by which Masonic Organizations could raise money for their fraternal and charitable activities. These expanded rules are now found in Section 1200.035.B of the *Code*. However, these rules have not kept pace with changes in our society. Today, university alumni groups, non-Masonic fraternal groups and other affinity organizations offer their members third party credit card, insurance policy, travel and other such opportunities and receive financial support from the third-party businesses for which these solicitations are issued. For those of you who belong to the Scottish Rite in the Southern Jurisdiction or the Shrine, you have received such solicitations in the *Scottish Rite Journal* and in *Shriners International Feztivities* which is distributed by e-mail. These solicitations violate our current law. Our current law makes it difficult for Masonic Organizations to have these fund-raising programs in their national publications because strict compliance with our *California Masonic Code* would require them to publish a separate magazine or other publication just for California Masons without the prohibited fund-raising.

I think that this result is onerous, and I do not believe that these solicitations are contrary to the spirit of our law, even though in violation of the current letter of our law. According, I used my power as Grand Master to waive compliance with our normal fund-raising rules for these solicitations by the Scottish Rite of the Southern Jurisdiction under the following circumstances:

1. These solicitations may be made only to the Masonic Organization's members and families;
2. These solicitations must be within the bounds of propriety and the prices charged must be fair; and
3. The entire activity must be conducted strictly in accordance with all applicable federal, state and local laws.

I believe that these solicitations are appropriate for Masonic Organizations with these limitations. I therefore ask that you make this program permanent and expand it to all Masonic Organizations by including this waiver with the limitations just described in the *California Masonic Code*.

If you adopt this recommendation, Section 1200.035 of the *California Masonic Code* would be amended to read as marked:

§1200.035. ADDITIONAL FINANCIAL SUPPORT.

A Masonic Organization may solicit and receive financial support for its fraternal operations and charitable activities from the following additional sources:

- A. A Masonic Organization may hold periodic activities to which tickets are sold to its members and their families and friends. No tickets to such an activity may be sold to the general public nor may there be any other public solicitation of support for such an activity. The sponsor shall disclose that any profits from the activity will be used for the sponsor's fraternal and not charitable purposes, if such is the case. In the event that such disclosure is not given, through inadvertence or otherwise, all proceeds from the activity shall be given to a recognized Masonic charity;
- B. A Masonic Organization may solicit and receive financial support for its fraternal operations and charitable activities from its members and their families and friends, as well as from the general public, if the sponsor observes the following guidelines:
 - 1. The square and compass, the words "Mason", "Masonic", "Masonry," "Freemasonry", "Freemason" and any variation of any such words may not be used in connection with the activity or any publicity associated with it;
 - 2. The activity may not be unethical, fraudulent, misleading or illegal under applicable state and federal laws;
 - 3. The sponsor shall disclose that any profits from the activity will be used for the sponsor's fraternal and not charitable purposes, if such is the case. In the event that such disclosure is not given, through inadvertence or otherwise, all proceeds from the activity shall be given to a recognized Masonic charity;
 - 4. Solicitation of support shall not occur on the premises of any Constituent Lodge.
Permitted fund-raising activities shall include the solicitation of advertising from any individual or business;
- C. A Masonic Organization may participate in local community fairs, celebrations and similar community events by sponsoring, occupying and operating booths for selling food or non-alcoholic beverages to persons attending or participating in such events; ~~and~~
- D. A Masonic Organization may solicit its members and their families to participate in third party credit card, insurance policy and other commercial activities and receive financial support from the businesses for which these solicitations are issued. This financial support may be used for the fraternal operations and/or charitable activities of the soliciting Masonic Organization. Among others, these solicitations may be in the form of direct mailings sent to the Masonic Organization's members and families and in the form of advertisements in the Masonic Organization's print or electronic publications which are distributed primarily to its members and their families. These solicitations must be within the bounds of propriety and the prices charged must be fair. The entire activity must be conducted strictly in accordance with all applicable federal, state and local laws; and
- ~~E~~. A Masonic Organization may participate in any other activity which has been approved by the Grand Master.

Grand Master Adamson's Recommendation No. 7
Unmasonic Conduct and Resulting Penalties

I have been frustrated this year by the Code's limitations on my ability to provide a measured response to unreasonable conduct.

On one extreme, a Lodge trustee invested the Lodge's funds entrusted to his care in a fashion which clearly violated his fiduciary duty. As a result of his investment program, the Lodge lost almost a \$1,000,000. Unless I could demonstrate that this brother was improperly enriched by his conduct, I could not have charges of unmasonic conduct brought against him.

On the other extreme, all too frequently two brothers are engaged in a heated and personal argument when one brother calls the other by some derogatory reference. The brother to whom the derogatory reference was addressed then insists that charges of unmasonic conduct be brought against the other for a violation of our Masonic obligations. These problems can quickly engulf a Lodge and sometimes escalate to a point that the Grand Master must suspend the Lodge's charter. While certainly inappropriate, these kinds of derogatory exchanges really cause no material harm to anyone and are inappropriately resolved through a Masonic trial.

I propose that our law clearly provide that violations of a fiduciary duty or other violations of our law can result in the filing of charges of unmasonic conduct even though no moral turpitude was involved. Our law should also clearly provide that actions between two individuals do not constitute unmasonic conduct unless some material harm can be shown.

I also propose that our law give some guidelines on the appropriate penalties for certain kinds of unmasonic conduct and that the penalties be expanded to allow for a suspension for a fixed period of time. At present, suspension must be for an indefinite period.

There are some actions which require a penalty more significant than a reprimand in open Lodge but for which an indefinite suspension is too harsh. A suspension for a definite period would fill this gap.

If you adopt this recommendation, the following changes will be made to the Code. Section 1401.010 of the Code would be amended to read as marked:

§1401.010. UNMASONIC CONDUCT.

The following acts constitute unmasonic conduct sufficient to support the filing of a charge against a Mason:

- A. Any violation, before or after initiation, of the criminal laws of the United States or of any other governmental entity involving moral turpitude;
- B. Any violation, before or after initiation, of any portion of the moral law;
- C. Any action or failure to act in violation of the requirements of this Code, the General Regulations of Masonry, ~~or~~ the Ritual or the laws, rules or regulations of the United States or of any other governmental entity which involves a breach of faith or other moral turpitude;
- D. Any action or failure to act in violation of a Mason's fiduciary duty to the Grand Lodge, the Masonic Homes of California, the California Masonic Memorial Temple, the California Masonic Foundation, a Lodge, a Masonic Hall Association, an Officers Association or a Masonic Service Bureau;
- ~~E.~~ Any action or failure to act in violation of the requirements of this Code, the General Regulations of Masonry or the Ritual, after receipt from the Grand Master of a notice requiring that Mason to act in accordance with those requirements;
- ~~EF.~~ Any action or failure to act in material violation of the requirements of this Code, the General Regulations of Masonry or the Ritual, involving material harm to Masonry, a Mason, or the wife, or child, or widow of a Mason, even though the Grand Master did not provide a notice requiring that Mason to act in accordance with those requirements;
- ~~DG.~~ The following acts committed against a Mason, or the wife, or child, or widow of such a Mason if the conduct results in material harm:
 - 1. Use of defamatory, vile, indecent, profane, abusive or threatening language,
 - 2. Habitual intemperance and drunkenness,
 - 3. Personal violence,
 - 4. Falsehood, treachery and deceit, or
 - 5. Actions similar to those offenses listed herein;
- ~~EH.~~ The following acts committed against his Lodge or the Master thereof:
 - 1. Misrepresentation of any material fact in an application for degrees, affiliation or restoration,
 - 2. Attempted resignation from or renunciation of Masonry,
 - 3. Reducing secret work to writing or use of a cipher ritual during a tiled meeting,
 - 4. Refusal to obey the Master's authority properly exercised,
 - 5. Refusal to sign the Lodge's Bylaws upon request,
 - 6. Improper use of ballot or objection to candidate's advancement without proper cause, or
 - 7. Actions similar to those offenses listed herein;
- ~~EI.~~ The following acts committed by a Mason against Grand Lodge or the Grand Master:
 - 1. Knowingly refusing to obey ~~an edict of~~ the Grand Master's authority properly exercised,
 - 2. Electioneering as prohibited by this Code,
 - 3. Membership in any organization advocating the violent overthrow of the government or an organization whose tenets are in conflict with the basic principles and tenets of Masonry, or
 - 4. Actions similar to those offenses listed herein;
- ~~GJ.~~ Declaration that he does not believe in a Supreme Being;

- HK. Except as otherwise permitted in this Code, knowingly having Masonic Communication with or vouching for any person other than a Mason of a Lodge chartered by or holding allegiance to this Grand Lodge or to a Grand Lodge recognized by this Grand Lodge, who has not demitted, withdrawn, been expelled or been suspended from Masonry;
- HL. Acts or actions in material breach of the obligations of the degrees; or
- JM. The use of the Masonic name or emblems for other than legitimate Masonic purposes.

Section 1401.020 of the Code would be amended to read as marked:

§1401.020. NOT UNMASONIC CONDUCT.

The following do not constitute unmasonic conduct sufficient to support the filing of a charge against a Mason:

- A. A business dispute not involving fraud or other moral turpitude or one that involves the innocent inability to pay a just debt as promised;
- B. Political differences and acts in respect thereto;
- C. A possible conflict of interest arising from a transaction between a Mason in his private capacity and his Lodge or Masonic Hall Association where a full disclosure of the possible conflict has been made prior to the transaction; or
- D. Actions allegedly violating the laws of other fraternal or social organizations, including Masonic Organizations.

A new Section 1404.625 would be added to the Code to read as follows:

§1404.625. PENALTIES.

The penalty upon a finding of guilt on one or more specifications shall be set at one of reprimand in open Lodge, suspension for a definite or an indefinite period or expulsion, as determined by the Trial Master and subject to review by Grand Lodge as provided in Article 9 of this Chapter 4. The penalty set by the Trial Master shall also be subject to the following requirements:

- A. Absent mitigating circumstances, the penalty shall be set at expulsion upon a finding of guilt on one or more specifications involving moral turpitude or another violation of the moral law;
- B. Absent aggravating circumstances, the penalty shall not be set at expulsion unless there is a finding of guilt on one or more specifications involving moral turpitude or another violation of the moral law;
- C. Absent aggravating or mitigating circumstances, the penalty shall be set at suspension for a definite or an indefinite period upon a finding of guilt on one or more specifications involving a knowing refusal to obey the Grand Master's authority properly exercised but which do not involve moral turpitude nor another violation of the moral law;
- D. Absent aggravating circumstances, the penalty shall be set at reprimand in open Lodge upon a finding of guilt on specifications, all of which:
 - 1. Involve neither moral turpitude nor another violation of the moral law;
 - 2. Involve no breach of a fiduciary duty;
 - 3. Do not involve a knowing refusal to obey the Grand Master's authority properly exercised;
 - 4. Resulted in no material harm to Masonry or any individual; and
 - 5. Involved conduct not likely to be repeated; and
- E. The penalty upon a finding of guilt on any other specification shall be set as determined by the Trial Master, subject to review by Grand Lodge as provided in Article 9 of this Chapter 4.

Section 1404.1000 of the Code would be amended to read as marked:

§1404.1000. RESTORATION OF A SUSPENDED MASON.

All suspensions shall be for an indefinite period. A Mason suspended for a definite period shall be restored to all his Masonic rights and privileges upon the last to occur of (a) the expiration of the term of his suspension and (b) the payment of any dues and the performance of any other obligations required for restoration to membership. A Mason suspended for an indefinite period may be restored as follows:

A suspended Mason may apply in writing for restoration to the rights and privileges of Masonry to the Lodge by which he was suspended. His application may be filed at any time 60 or more days after the penalty of suspension has been imposed and affirmed by Grand Lodge. His application for restoration shall be read at the next Stated Meeting of the Lodge. No action shall be taken on the application until the following Stated Meeting at which the Lodge shall vote. If the application is approved by the votes of two-thirds of the members present, his penalty of suspension shall be annulled and he shall be restored thereby to all his Masonic rights and privileges upon the payment of any dues and the performance of any other obligations required for restoration to membership. The Secretary shall promptly notify the applicant of the Lodge's action on his application. In the case of restoration, the Secretary shall promptly notify the Grand Secretary of the action taken.

A Lodge may, at any Stated Meeting taking place 90 days or more after the penalty of suspension has been imposed and affirmed by Grand Lodge, by the votes of two-thirds of the members present, annul any such penalty of suspension and restore the Mason thus suspended to all his Masonic rights and privileges upon the payment of any dues and the performance of any other obligations required for restoration to membership. The Lodge may take action without any application by the suspended Mason. Notification of a resolution for such restoration must have been given at the Stated Meeting next preceding the meeting at which the vote is taken. If the suspended Mason is restored, the Secretary shall promptly notify him and the Grand Secretary of the action taken.

If the suspended Mason was not a member of the Lodge by which he was suspended, he may not be restored without the consent of his Lodge, if it is in this Jurisdiction and has not dissolved. The request for such consent shall lie over at least one Stated Meeting.

If the suspended Mason has moved beyond the Jurisdiction of this Grand Lodge, he may not be restored without satisfactory evidence furnished by action of the Lodge in whose Jurisdiction he at the time resides, duly certified, that the suspended Mason is worthy, and that his standing and character are such as would entitle him to affiliation in such Lodge.

Restoration of a suspended Mason by a Lodge need not be reviewed by Grand Lodge.

If a suspended Mason's application for restoration is not granted for any reason by the Lodge which suspended him, or if the Lodge which suspended him has dissolved, he may apply directly to Grand Lodge for restoration. Grand Lodge may, at any Annual Communication, if good cause is shown, restore to the rights and privileges of Masonry any such Mason who has been suspended within its Jurisdiction. Restoration by Grand Lodge shall not restore him to membership in any Lodge. The restored Mason shall be issued a certificate, advising all concerned of his status as an unaffiliated Mason. If he fails to become a member of some Lodge within one year from the date of the Grand Secretary's Certificate, he shall not thereafter be entitled to any of the rights, privileges or benefits of Masonry, except the right to apply for affiliation. If the suspended Mason has moved beyond the Jurisdiction of this Grand Lodge, he may not be restored without satisfactory evidence furnished by action of the Lodge in whose Jurisdiction he at the time resides, duly certified, that the suspended Mason is worthy, and that his standing and character are such as would entitle him to affiliation in such Lodge.