

BY-LAWS
OF
SAXTON WILLIS POST NO. 64
THE AMERICAN LEGION DEPARTMENT OF ARKANSAS

ARTICLE I

Section 1. The post existing under these By-laws is to be known as Saxton Willis Post No. 64, The American Legion, Department of Arkansas.

Section 2. The objects of this post are as set forth in the Constitution.

ARTICLE II MANAGEMENT

Section 1. The government and management of the post is entrusted to an Executive Committee to be known as the "Executive Committee".

Section 2. The Executive Committee shall consist of ten members, Immediate past Post Commander in addition to the officers of this Post shall be elected annually on the regular meeting night in May and take office at the next regular meeting following that of the election. All past Post Commanders are members of the Executive Committee, voice without vote. (((Changed May 14, 1998 by more than 2/3rd votes making the Immediate Past Post Commander a voting member of the Executive Committee and also adding all Past Post Commanders to the Executive Committee, voice without vote))) In March of each year the Post Commander shall appoint a nominating committee consisting of five persons subject to the approval of the Executive Committee. (((Changed May 14, 1994 by more than 2/3rd vote from Executive Committee to Post Commander shall appoint a nominating committee))) The nominating committee shall meet and select a slate of candidates for each office and shall make its report and nomination of officers at the regular meeting in April. Any other candidates shall be nominated for any office from the floor at that time. All nominations shall be made at the regular April meeting of the post and no nominations shall be made subsequent to the regular meeting in April. All election of officers and Executive Committee members shall be made by ballot. In the event that there are two or more candidates for any office the balloting shall continue until one of these candidates has received a majority of the votes of those present and voting. The ten persons receiving the most votes of those nominated for the Executive Committee shall be elected. The officers and the Executive Committeemen elected shall be installed at the regular June meeting of the post. (((Approved by a vote of two-thirds of the membership present at the general meeting on March 12, 1992, signed by John Fowlkes, Commander and Wayne Prestige, Adjutant.)))

Section 3. All vacancies existing in the Executive Committee, or in any office of the post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Executive Committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whom is succeeded. A vacancy shall exist when a member or officer is absent from their post for a continuous period considered detrimental to the interest of the post by the Executive Committee.

Section 4. No officer or their immediate family through marriage, Common-law marriage, co-habitation or fraternization shall be employed or receive compensation from The American Legion, Saxton -Willis Post 64 for that employment. (((changes approved June 6, 2021 by all members present)))

Section 5. That Post 64 having a canteen, said canteen shall be managed by a three (3) person committee. The Committee shall consist of Post Commander, Post Adjutant and Post Finance Officer.

- A. It shall be understood that said canteen shall be and is a separate operation within that of Post 64.
- B. However, it is accepted that any violation of American Legion Post 64 By-Laws may be cause for the removal of any Canteen Committee member by a two-thirds vote of the Executive Committee.
- C. Duties of Canteen Committee members shall be as follows: Commander is responsible for the conduct of canteen patrons, their removal and loss of canteen privileges. (Note: That as a matter of past practice, all loss of canteen privileges and conditions shall be confirmed by a two-thirds vote of the Executive Committee.)

The canteen committee shall be responsible for overseeing the scheduling of work hours and days of canteen employees, order inventory of all products used in canteen. The Adjutant shall also be the holder of the State Liquor License.

Post Finance Officer shall keep, as necessary, financial records separable from those of the Post and the canteen. All direct canteen expenses and income shall be kept under separate line items.

D. Personnel: With regards to canteen employees, it shall require a two-thirds vote by the Canteen Committee members to approve employment, or the discharge, of a canteen employee.

E. It is understood that all Post Officers and other employees, that in the performance of their duties that handle Post funds, be subject to a drug test without notice for any and all illegal drugs.

Failure to take said test when called upon, or failure of said test, shall be cause for removal from office or position without recourse.

((This addition was approved by a vote of two-thirds of the membership present of Post 64 at the general meeting of said Post, June 07, 2020.))

ARTICLE III – POST EXECUTIVE COMMITTEE

Section 1. The post Executive Committee shall meet for organization and such other business as may come before it at the will of the Post Commander within 10 days after the installation of the new officers. Thereafter, the post Executive Committee shall meet at the call of the Commander at least every month and as often as said Commander may deem necessary. The Commander shall call a meeting of the post Executive Committee upon the joint written request of three or more members of said post Executive Committee, four members of the committee shall constitute a quorum thereof. All members of the Committee shall be notified of the time, place and reason for the special meeting.

Section 2. The post Executive Committee shall hire such employees as may be necessary; The Post Commander has a discretionary spending limit of up to \$500.00, to be used in case of emergency; The Executive Committee shall authorize and approve all expenditures over \$500.00; Shall require adequate bonds from all persons having the custody of post funds; shall hear the reports of post committee chairmen; and generally, shall have the charge of, and be responsible for the management of the affairs of this post. This has been approved by 2/3 vote of the Executive Board.

ARTICLE IV – DUTIES OF OFFICERS

Section 1. Duties of Post Commander. It shall be the duty of the Post Commander to preside at all meetings of the post and to have general supervision over the business and affairs of the post, and such officer shall be Chief Executive Officer of the post. The Post Commander shall approve all business of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the department Adjutant., and shall perform such other duties as directed by the post.

Section 2. Duties of Vice Commander. The Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander.

Section 3. Duties of Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National organizations may require, render reports of membership annually or when called upon at meeting, and under direction of the Commander handle all correspondence of the post.

Section 4. Duties of the Finance Officer. The Finance Officer of the post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Executive Committee the condition of the finances of the post, with such recommendations as may be deemed expedient or necessary for raising funds with which to carry on the activities of the post. The Finance Officer shall sign all checks and cause counter-signer, this counter-signer shall be the Commander or Adjutant. In the absence of one of the three, the other two officers will sign all checks. (((Changed May 14, 1998 by more than 2/3rd vote of members present to adding cause one counter signer, this counter signer shall be the Commander or Adjutant. In absence of one of the three, the other two officers will sign all checks.))) The Finance Officer shall furnish such surety bonds in such some as shall be fixed by the Post Executive Committee.

Section 5. Duties of Post Historian. The Post Historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may properly pertain to the office as may be determined by the post or the Executive Committee.

Section 6. Post Chaplain. The Post Chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 7. Duties of Sergeant-at-Arms. The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the post Executive Committee.

Section 8. Duties of the Judge Advocate. The primary duty of the Judge Advocate is to supply professional advice in the conduct of the post business or to procure proper counsel and to be the guardian of constitutional form of post government. The Judge Advocate and a legal committee are charged by the suggested post constitution with the duty of auditing post financial accounts. (((This addition was approved by the majority of members at the General Membership meeting on March 12, 1992, signed by John Fowlkes, Post Commander and L. Wayne Prestidge, Post Adjutant)))

Section 9. Duties of Second Vice Commander. The duties of the Second Vice Commander shall be- in charge of all kitchen facilities and operation, and oversee the preparation of all meals as may be requested by the Post Commander. (((This addition was approved by the majority of members at the General Membership meeting on November 13, 2014, signed by Verlon Abram, Post Commander, and Wallace Rosier, Post Adjutant)))

ARTICLE V – DELEGATES

Section 1. Delegates and alternates to a Department convention shall be selected from volunteers by the post at a regular meeting of post, to be held at least 20 days prior to the date of such convention.

Section 2. The Post Commander shall cast all delegate votes for all Department of Arkansas elections and District elections. In the event that the Post Commander is unable to cast such votes, then the duty shall fall to the most senior Post Officer who is able to attend such meetings. The person responsible for casting votes shall call a caucus of delegates if list of candidates is different from that voted on by the post earlier or if their was not an early vote by the membership. This will be to determine each delegates vote to be cast by the leader. Only Post Officers shall be allowed to attend State Department meetings as a delegate and then be reimbursed for expenses. Any others attending may be compensated as approved by the executive board.. (((This addition was approved by the majority of members at the General Membership meeting on June 7, 2020)))

Section 3. Delegates selected, at the Department Convention and approved by the post, to attend the National Convention, shall be compensated for lodging and gasoline expense for the trip. Lodging and gas receipts must be submitted upon return to the post. Post members serving on committees that receive a call-in to attend meetings may chose for the post to pay expenses as listed above, but must return all monies received from headquarters, for the call-in to the post. . (((This addition was approved by the majority of members at the General Membership meeting on June 7, 2020)))

ARTICLE VI – APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, Ceremonials, Children and Youth, Economic, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, and Nation Security. Such standing committees shall consist of such members, and the chairman thereof, as shall be designated by the Post Commander.

Section 2. Americanism Committee. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 3. Ceremonials Committee. The principal duty of the Ceremonials Committee is to insure that all new members are properly initiated. The Committee must also concern itself with proper presentation of other rituals outlined in the "*Manual of Ceremonies*" - burial detail and the wearing of Legion regalia.

Section 4. Children and Youth Committee. Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "No child of a war veteran shall be in need of the necessities of life" and "a square deal for every child".

Section 5. Economic Committee. The post Economic Committee is primarily concerned with local employment programs, Veterans preference, government employment and re-employment rights.

Section 6. Finance Committee. The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting

of all post funds.

Section 7. Foreign Relations. This committee has become active as America has recognized its responsibility as a world leader. Maintaining a securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

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Section 8. Graves Registration and Memorial Committee. The duties of this committee involve recording of grave sites and complete information on veterans burial in cemeteries assigned to the post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries.

Section 9. House and Entertainment Committee. The House and Entertainment Committee shall have charge of all matters pertaining to the care of the post quarters, promotion of club advantages and arrangement for social activities.

Section 10. Legislative Committee. The Legislative Committee needs to have a knowledge of what is going on in Congress – what we favor or oppose, and should be ready to initiate action in support of our position when requested by the National or Department organization.

Section 11. Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatement and eligibility of members.

Section 12. Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, Department and National Legion news service and by local publicity of post programs and activities.

Section 13. Veterans Affairs and Rehabilitation Committee. The Veterans Affairs and Rehabilitation Committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state governments, employment, relief, etc..

Section 14. Security Committee. The Security Committee shall work with and coordinate Legion efforts with the Local Civil Defense Council on matters pertaining to National, Civilian and home defenses. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the nation and the security of the American home.

ARTICLE VII – RESOLUTIONS

Section 1. All resolutions of state or national scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post on the subject and copy of same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by the post is taken.

ARTICLE VIII – MEETINGS

Section 1. The regular meetings of the post shall be held at the Post, in a room selected by the Post Commander, on the second Thursday of every month or such other night as the Executive Committee shall

designate by a majority vote. At these meetings business that is properly brought up for action shall be transacted. These meetings may be converted into entertainments, as may be deemed advisable by officers of the Post. (((Changes approved to Section 1 at a regular general meeting January 8, 2015)))

Section 2. The Post Commander or a majority of the Executive Committee shall have power to call a special meeting of the post at any time.

Section 3. Upon written request of 3 members, the committee shall call a special meeting of the post.

Section 4. A majority of members present shall constitute a quorum.

ARTICLE IX – NOTICES

Section 1. Every member shall furnish the Post Adjutant with a viable current address for mailing purposes.

Section 2. the Post Adjutant shall cause notice of the annual election to be given at least two weeks prior thereto in a local newsletter. (((Change from newspaper to newsletter, approved by two-thirds of the membership present at the General meeting on March 12, 1992)))

ARTICLE X – RULES OF ORDER

Section 1. All proceedings of this post shall be conducted under and pursuant to Robert's Rules of Order, except as herein otherwise provided.


ARTICLE XI – LIMITATIONS OF LIABILITIES

Section 1. This post shall incur, or cause to be incurred, no liability nor obligations whatever which shall subject to liability any other post, subdivision, groups of members of The American Legion, or other individuals, corporations or organizations.

ARTICLE XII – AMENDMENTS

Section 1. These By-Laws may be amended at any regular post meeting by a vote of two-thirds of the members of said post attending such regular meetings; Provided that the proposed amendment shall have been submitted in writing and read at the next proceeding regular meeting of said post.

Adopted this 13th day of January '13 2022 Corrections and approved changes added



Post Commander Becky Dillon



Post Adjutant Bob Wetzel