

Subject: *Modified Motion to Suspend Those Specific Portions of the Department's Constitution, Bylaws, and Executive Committee Rules and Robert's Rules of Orders Relating to:*

- the Elections of Officers,
- Reports of Officer Elections to Higher Headquarters,
- Business Normally Conducted at Post Elections and District Conferences,
- Requirements for the Conduct of the State Convention and Reports thereof, Including the Last Meeting of the Department Executive Committee for Membership Year 2019-2020 and the First Meeting of the Department Executive Committee for Membership Year 2020-2021 and other items related to the conduct of Business within the Department and its subordinate elements;

All in Response to the Current International Covid-19 Pandemic and in accordance to the requirements of:

- the Proclamations and Orders of Government of the United States and the Guidance of the US Centers for Disease Control and Prevention for the duration of this declared National Emergency,
- the Proclamations and Orders of the State of Oklahoma, including the "Safe at Home" Proclamation for the duration of this declared Statewide Disaster
- all County and Municipal Proclamations and including those of the State, County, and City-County, or City Health Departments during the periods of Declared Emergency,
- the Guidance issued from the National Commander and the National Headquarters of The American Legion,
- the 14 March 2020 Electronic Written Ballot Vote of the Department of Oklahoma Executive Committee cancelling all Spring District Conferences that had not yet been held and the Department Commander's confirming email of the passing of the motion on same,
- and the 25 March 2020 Electronic Written Ballot Vote of the Department of Oklahoma Executive Committee canceling all Department further Department events until the end of June 2020, including the 2020 Baseball Program, Boys State 2020 and the 2020 Annual Department Convention as confirmed by the 31 March 2020 Statement of the Department Commander.

MODIFIED MOTION TO SUSPEND RULES

¶ 1 I RESPECTFULLY MOVE TO SUSPEND THE RULES, each of which are specifically set forth below, that interfere with the modification of the procedures and related corporate methodologies of The American Legion Department of Oklahoma, Inc., a non-profit Oklahoma Corporation, and its subordinate units to conduct business and fraternal operations as needed or required, but to do so in compliance with Federal, State, and Local Proclamations, Orders, Edicts, Regulations and Laws designed to protect the Public from the Covid-19 Virus and Stop the Spread of Covid-19 during this period of a Declared National Emergency and a Declared Statewide Disaster and to suspend these Rules listed below only until the end of the calendar day 30 June 2020 and to adopt the listed modifications in place of the suspended Rules only until the end of the business day 30 June 2020.

¶ 2 This Motion to Suspend Rules with temporary substitution of modifications is intended to comply with all applicable governmental life safety codes, proclamations, orders, edicts, advisories, and mandates throughout the duration of the Covid-19 Pandemic Emergency and to specifically comply with all applicable provisions of Federal, State, and local Laws, Regulations, Ordinances, and Rules as well as The American Legion Charter, Constitution, Bylaws, Resolutions, NEC Resolutions, NEC Rules, and the Department Constitution, Bylaws, Resolutions, and DEC Rules. Should any portion of this Motion be determined to be in conflict with any of these higher authorities, then the offending provision shall be considered void, but all other portions of the motion, shall be deemed separate and several from any invalid provision and continue to be in full force and effect.

¶ 3 **THE FOLLOWING RULES OF THE DEPARTMENT OF THE EXECUTIVE COMMITTEE (2014) SHALL BE SUSPENDED FROM THE DATE THAT THIS MOTION TO SUSPEND THE RULES IS PASSED AND SHALL REMAIN SUSPENDED UNTIL THE END OF THE CALENDAR DAY 30 JUNE 2020 AND SHALL BE TEMPORARILY MODIFIED AND/OR REPLACED AS INDICATED FOR THE SAME PERIOD:**

Decorum if Newer Technology Utilized for Meetings

A. DEC Rule 4(A) – Decorum: Current rule to be Suspended as it only offers methods to gain recognition for speaking at face to face meetings;

AND

The following **Modified Rule 4(A) Recommended to be Substituted** to account for possible use of technology such as meetings held over the Internet during the specified period:

“Rule 4(A). When a member desires to speak, then s/he will either rise, raise her/his hand, or in some other courteous and quiet or unobtrusive manner seek recognition from the presiding officer of the DEC meeting, wait for said recognition from the Chair, and after being recognized clearly state her/his name, and address her/his remarks to the Chair.”

THE DEPARTMENT CONSTITUTION

¶ 4 **THE FOLLOWING PROVISIONS OF THE CONSTITUTION OF THE AMERICAN LEGION DEPARTMENT OF OKLAHOMA, INC., (25 JULY 2019/30 JULY 2019) SHALL BE SUSPENDED FROM THE DATE THAT THIS MODIFIED MOTION TO SUSPEND THE RULES (AND/OR TEMPORARILY SUSPEND PORTIONS OF RULES, SUBSTITUTE WHOLE OR PARTIAL SECTIONS OF RULES), IN ACCORDANCE WITH ROBERTS’S RULES OF ORDER NEWLY REVISED, IS PASSED AND SHALL REMAIN SUSPENDED OR MODIFIED UNTIL THE CLOSE OF THE BUSINESS DAY 30 JUNE 2020 AND/OR UNTIL THE ELECTION RESULTS ARE OFFICIALLY COUNTED AND RESULTS ANNOUNCED BY THE DEPARTMENT AS SOON THEREAFTER IS POSSIBLE, ALLOWING REASONABLE TIME FOR ANY BALLOTS OR REPORTS OF VOTING THAT HAVE BEEN POSTMARKED BY THE US POSTAL SERVICE 30 JUNE 2020 TO ARRIVE AT THE DEPARTMENT HEADQUARTERS AND FOR THE ADJUDICATION OF, IF ANY, DEPARTMENT VERIFIED TIES OR TIMELY FILED CHALLENGES UNDER THESE TEMPORARY SUSPENSIONS, MODIFICATIONS, OR PARTIAL MODIFICATIONS OF THE SUSPENDED RULES OR SUSPENDED PORTIONS OF RULES ARE CONCLUDED AS INDICATED IN THE APPLICABLE SECTIONS SET OUT BELOW.**

POSTS => ELECTIONS AND VOTING

A. POSTS: Statement of intent of rule suspensions and modifications. If not already completed, then Post Officer Elections will go forward. All Rule Suspensions in this Motion relating to Post Elections are designed to give Posts as much flexibility at the District and Department level so that each Post can Suspend their own Post's Rules, Constitution and Bylaws in the most effective way *AS DETERMINED BY THE POST* to get the Elections done and the Forms sent to Department ASAP. **UNDER ALL CIRCUMSTANCES, ALL LEVELS OF VOTING MUST BE COMPLETED AND SENT TO THE DEPARTMENT HEADQUARTERS BY THE CLOSE OF BUSINESS ON 30 JUNE 2020 OR POSTMARKED BY THE US POSTAL SERVICE ON 30 JUNE 2020.**

POSTS are still responsible to get the **Officer's Report** and the **Consolidated Post Report** in to the Department **NO LATER THAN THE CLOSE OF BUSINESS ON 15 JUNE 2020.** AN URGENT REMINDER TO ALL POSTS – PLEASE PASS IT ALONG: **POSTS ONLY UNTIL 15 APRIL 2020 TO SUBMIT THEIR ANNUAL POST DATA REPORT TO THE DEPARTMENT!!!** PLEASE ALSO ENCOURAGE POSTS to send the “Notification of New Post Commander and Adjutant” Form and/or SAL Squadrons to send the “New Squadron Commander and Adjutant” Form to Headquarters (and watch what supporting proof is needed and when). There are going to be tasks associated with the Elections for District Commander and other officers. HEADQUARTERS WILL CONFIRM ALL INSTRUCTIONS – FOR NOW TELL IT TO ALL: * ANNUAL PDRS DUE NLT 15 APRIL. * ANNUAL CPR's DUE NLT 15 JUNE. ** ALL VOTING & RESULTS IN BY CLOSE OF BUSINESS 30 JUNE 2020.**

B. ART. VIII, POSTS, SEC. 5: POST VOTING TO BE HELD AT LEAST 20 DAYS BEFORE ANNUAL CONVENTION AND INSTALLATION TIMING: *Current Section 5 as a whole needs to be temporarily suspended as a whole for the period specified until the close of the business day on 30 June 2020 because (A) as it requires all Post Officer elections be completed 20 days before the opening of the Department's Annual Convention which the DEC has **already canceled** and (B) this section also requires installation/assumption of duties by the new Post Officers at the first Post meeting after the closing of the Annual Convention; therefore the following Temporary Substitution should be substituted for the same period:*

“ART. VIII, POSTS, SEC. 5. All Post Officer elections should be completed for the Membership year 2020-2021 at date so that the report of the election results is in to the Department Headquarters NOT LATER THAN the close of business on 30 June 2020 or postmarked by the US Postal Service on 30 June 2020; the results of the Post Elections must be reported to the Department Adjutant no later than the close of business on or postmarked by the US Postal Service on 30 June 2020 by using the Officers Report, Notification of Post Commander and Adjutant Report to the Department Adjutant or in the Case of A SAL Detachment the Officers Report, the Notification of Squadron Commander and Adjutant. Do not rely upon the postmark as the US Postal Service does not always mark the envelope or package correctly. The New Post Officers shall assume their duties following installation into their newly elected office at the next scheduled Post meeting following the announcement of the election results for the Department Officers for the Membership Year 2020-2021.”

POSTS => DEPARTMENT ELECTIONS

C. ART. V, DEPARTMENT CONVENTION, POSTS, SECTION 3(A) –METHOD OF VOTING:

Current Section 3(A) needs to be Temporarily Suspended for the period specified until the close of the business day on 30 June 2020 as it calls for Voice Votes in all instances other than the election of the listed Officers and Amendments to the Constitution and / or Bylaws; the votes on all Department Officer Elections, National Department Officer, any and all Resolutions, or other issues properly before the Department that would normally be submitted to the Department meeting as a whole at the Annual Convention will be voted upon by written ballot said ballots being supplied to the Posts by the Department Adjutant no later than 16 June 2020 and which must be returned to the Department no later than the close of business on 30 June 2020 or Postmarked by the US Postal Service on 30 June 2020; on all issues; *therefore the current Art. V., Sec. 3(A) should be suspended temporarily as defined and the following should be substituted for the same:*

ART. V, DEPARTMENT CONVENTION, (Voting – Posts), SECTION 3(A): On all matters of business that would normally be presented to the Department membership, represented by their Posts, sitting as a Committee of the Whole at the Department’s Annual Convention, which for Membership Year 2019-2020 has been cancelled due to the declared National Emergency and State Disaster caused by the Covid-19 Pandemic, including the issues of Resolutions, Amendments to the Constitution and Bylaws, election of Department Officers, DEC Members, and National Department Officers for the Membership Year 2020-2021 through the close of the business day 30 June 2020, shall be conducted by written ballot.

D. ART. V, DEPARTMENT CONVENTION, Voting - Posts, SECTION 3(B): Current **Section 3(B)** needs to be suspended for the period specified until the end of the calendar day on 30 June 2020 as it calls for Roll Call Voting in the Officer elections and is made redundant by the substitution at **Section 3(A)** above.

E. ART. V, DEPARTMENT CONVENTION, Voting - Posts, SECTION 3(D): Current Section 3(D) needs to be suspended for the period specified until the end of the calendar day on 30 June 2020 as it affords Posts the opportunity to change or amend a vote and to pass while called to vote during a round of voting, and should therefore the following should be substituted for the period listed above :

“ART. V, DEPARTMENT CONVENTION, Voting - Posts, SECTION 3(D): In all voting, the vote of each Post shall be equal to the total number of delegates which the Post is entitled to and all votes will be cast by the designated delegate of that Post. The Department Adjutant will provide the final POST delegate vote/entitlement for the Department Elections for Membership Year 2020-2021 to All Posts when he sends out the Election Notification and Call for Nominations on 1 June 2020. The Adjutant Shall include a Notification regarding Nominations for the Ballot that states substantially as follows: All individuals who desire to run for any Department or National Offices normally voted upon by the Posts during an Annual Convention, whether or not they have previously announced their intention, formally or informally at any time in 2019 or 2020, to run for such office, **MUST SEND A WRITTEN NOTICE TO THE DEPARTMENT ADJUTANT STATING THEIR NAME, THAT THEY ARE RUNNING FOR THE OFFICE OF – INSERT THE OFFICE – AND CONFIRM THEIR EMAIL AND/OR PHYSICAL ADDRESS.** Note that NO Second is necessary. **ALL SUCH NOTICES OF INTENT TO RUN FOR DEPARTMENT OR NATIONAL OFFICES MUST REACH THE DEPARTMENT NO LATER THAN THE CLOSE OF BUSINESS ON 12 JUNE 2020 OR BE POSTMARKED BY THE US POSTAL SERVICE ON 12 JUNE 2020.”**

F. ART. V, DEPARTMENT CONVENTION, Voting – Past Department Commanders & Posts, SECTION 3(E): Current Section 3(E) needs to be suspended for the period specified until the end of the calendar day on 30 June 2020 as Past Department Commanders (PDC), *if the PDC is in good standing in*

their respective Post, are given life appointments as delegates to Department Conventions with voice and Vote, that must be exercised with the Posts and at which their Post has a right to Vote and so long as the PDC is properly registered it is immaterial as to whether or not his Post is properly registered, therefore *the following should be substituted for the period listed above* in order to protect the rights of the PDC during this period when no Annual Convention will be held:

“ART. V, DEPARTMENT CONVENTION, Voting – Past Department Commanders and Posts, SECTION 3(E): All Past Department Commanders, if in good standing in their respective Post, have a life appointment as a delegate to Department Conventions, whether or not said Conventions are held in normal, face to face convention fashion or voting is to be held by written ballots physically returned to the Department by the close of business on a date certain and/or using the US Postal Service mail method to return the ballots and being postmarked no later than the date certain so that the PDC may participate with his Post to exercise his vote or voice privileges, whatever may be available. Said ballots to be sent to the Post AND the Past Department Commanders, if in good standing in their respective Posts, by the Department Adjutant by 16 June 2020 and which must be returned to the Department no later than the close of business on 30 June 2020 or be sent via the US Postal Service postmarked no later than 30 June 2020. The Past Department Commander’s vote is to be cast along with their Post’s vote.

G. ART. V, DEPARTMENT CONVENTION, Voting – Ballot Order, SECTION 4(c): Current Section 4C should be suspended until the close of the calendar day on 30 June 2020 as it does not address the use of the written ballots and the following modification should be utilized, so that the written ballots use the same order as used at the Annual Convention, in its place for the period listed:

“ART. V, DEPARTMENT CONVENTION, Voting – Ballot Order, SECTION 4(c): The Officers listed in Section 4(a) who are to be elected by the Department Convention whether in a normal Convention setting or in an alternate method such as is necessary for Membership Year 2020-201 Elections due to the Social Distancing Requirements of Covid-19 Pandemic, the order in which the nominations, elections or the listed order to be used on a printed/reproduced ballots shall be listed in the same order as listed in the Department’s Constitution and Bylaws for use at the Annual Conventions.

H. ART. V, DEPARTMENT CONVENTION, SECTION 2, CALCULATING THE NUMBER OF VOTES EACH POST RECEIVES (Same Method as a Face to Face Convention): Current Section 2 should be suspended until the close of the calendar day on 30 June 2020 as the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 by vote on 25 March 2020, however, a Department wide vote will be conducted for Department Officers and regarding any Resolutions which may have made the cut for Department wide vote, therefore the following Article V, Section 2 should be adopted as a substitute for the period specified during this declared emergency:

“Art. V, Department Convention, Section 2. Although a physical annual convention will not be held by the Department in 2020, the Department will conduct Departmental Elections for the upcoming Membership Year 2020-2021. As with the conduct of a physical convention, each Post’s selected “delegates” shall be members in good standing of the Post by which they’re elected, and any and all Past Department Commanders may also participate while still in good standing in their Respective Posts. Each Post that is in good standing (five current members, conducts regular meetings, and participates in American Legion activities, including but not limited to Oratorical, Boys State, and Baseball, when those programs have not been cancelled due to emergency conditions such as experienced this year) will be entitled to two delegates. Further, each Post with 26 members in good standing shall be entitled to a third delegate and an additional delegate for each additional fifty members after the first 26. Each Post shall be entitled to an alternate for each delegate they are allowed. This is the same method of calculating the authorized delegates for each Post as if the annual convention was going to be held fact to face. “Delegate” can be read to mean

“Vote.”. Membership strength of the Post, for determining delegate strength shall be computed as the paid-up membership in the Department Headquarters at the close of business on 1 June 2020.”

DISTRICTS => ELECTIONS AND VOTING

I. DISTRICTS: Statement of intent of rule suspensions and modifications. If not already completed, then District Officer Elections will go forward. All Rule Suspensions in this Motion relating to District Elections are designed to give the Districts as much relief at the Department level so that each can Suspend their own District Rules, Constitution and Bylaws in the most effective way to get the Elections done and the Forms sent to Department ASAP. **ALL DISTRICTS MUST SUBMIT THEIR 2020-2021 OFFICERS ROSTER AND CERTIFICATION OF ELIGIBILITY TO THE DEPARTMENT HEADQUARTERS NO LATER THAN THE CLOSE OF BUSINESS ON 30 JUNE 2020. REMEMBER YOU DO NOT WANT TO RELY UPON THE POSTMARK.** Those Districts who completed their Spring District Conferences and Elections before the declaration of the Current National Emergency take note that those proceedings and elections remain valid.

The Judge Advocate, Judge Bill Teel, has suggested that the District Commanders canvas their District for Candidates and the offices they wish to run for so that a written ballot can be mailed or emailed to each Post in the District. He suggests that Each Post cast one vote for each position. Judge Teel also recommended that the District DEC serve as the Vote Tabulator since the DEC positions are not involved in the elections this year.

J. ART. V, DEPARTMENT CONVENTION, SECTION 7 – DISTRICT CONVENTIONS: Current Section 7 should be suspended until the close of the business day on 30 June 2020 as the DEC has already canceled all of the Spring District Conventions that were scheduled on or after 14 March 2020 by its vote on 14 March 2020 and canceled the Annual Department Convention Set for 18-20 June 2020 by vote on 25 March 2020, therefore the following substitution should be adopted for the same period of the suspension listed above:

“ART. V, DEPARTMENT CONVENTION, SECTION 7 – DISTRICT CONVENTIONS:
The District Commanders, assisted by the other District Officers and the DEC for the District, shall conduct a canvass of all those who were prevented from holding an actual District Convention during the Spring of 2020. The Canvass or informal polling of the Posts and Legionnaires will be done to locate those individuals who wish to be candidates for any and all positions up for election on the District’s 2020-2021 Ballot. Each Post in the District has One Vote for Each Position. Each Post must return the Ballots to the District Officers no later than 15 JUNE 2020. The current District Officers are responsible for seeing that all appropriate Officers Roster and Certification of Eligibility are delivered to the Department or postmarked NO LATER THAN 30 JUNE 2020.

K. ART. V, DEPARTMENT CONVENTION, SECTION 10 – DISTRICT CONVENTIONS: Current Section 10 should be suspended until the close of the calendar day on 30 June 2020 as the DEC has already canceled all of the Spring District Conventions that were scheduled on or after 14 March 2020 by its vote on 14 March 2020 and canceled the Annual Department Convention Set for 18-20 June 2020 by vote on 25 March 2020, therefore the following substitution should be adopted for the same period of the suspension listed above:

“ART. V, DEPARTMENT CONVENTION, SECTION 10 – DISTRICT CONVENTIONS – Election of District Commanders and Department Executive Committeeman: Each District in the Department shall elect a District Commander for a term of two years, on even years, and a Department Executive Committeeman for a term of two years, on odd years. The District Elections of a District

Commander must be completed and documentation regarding the same turned in to the Department or postmarked no later than 30 June 2020.

DEPARTMENT => OPERATIONS ♦ ELECTIONS AND VOTING

L. ART. V, DEPARTMENT CONVENTION, SECTION 1 – THE DEC FUNCTIONS AS THE ADMINISTRATIVE AND LEGISLATIVE BODY OF THE DEPARTMENT. Current Section 1 to be suspended until the close of the calendar day on 30 June 2020 as the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 by vote on 25 March 2020 which would normally constitute the Legislative Body of the Department or if not set the DEC, by default would so serve and substituting thereby the following Article V, Section 1 in lieu thereof for the specified period of time:

“**ART. V, DEPARTMENT CONVENTION, SECTION 1.** The Annual Corporate meeting of the American Legion, Department of Oklahoma, which normally constitutes the Legislative Body of this Department, having previously been canceled by the 25 March 2020 vote of the DEC in response to the Covid-19 National Emergency and Statewide Disaster and the current Governmental Proclamations at the Federal, State, and Local levels precluding meetings of groups of more than 2 people at a time, the Annual Corporate Meeting of the Department in Convention Format will not occur and the Administrative Power of the Department shall continue to be in the Department Executive Committee as per Article VII, Section of this Constitution.

M. ART. VI, DEPARTMENT AND DISTRICT OFFICERS, SECTION (2)(a), 1ST CLAUSE – ELECTION BY CONVENTION: Current Section (2)(a), the 1st Clause of the first sentence, which currently reads “*All Department Officers shall be elected by the Department Convention...*” needs to be suspended as the Department Convention has been canceled by the DEC vote of 25 March 2020 and the 1st Sentence modified for the previously stated period to read as follows:

“All Department Officers, except the National Executive Committeeman and the Alternate National Executive Committeeman, shall be elected for a term of one year.”

N. ART. VI, DEPARTMENT AND DISTRICT OFFICERS, SECTION (3) Start of Terms for Officers serving one year terms: Current Section 3 should be suspended until the close of the calendar day on 30 June 2020 as the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 by vote on 25 March 2020 and so the starting date of the Officers Term cannot be ascertained and therefore the following substitution for the first sentence should be adopted for the same period of the suspension listed above:

“**ART. VI, DEPARTMENT AND DISTRICT OFFICERS, SECTION (3) Start of Terms for Officers serving one-year terms.** “All Department Officers whose terms are for one year shall serve from the date of the official email announcement to the DEC and Senior Leadership of the official results of the 2020-2021 election until the adjournment of the next Department Convention following their election or their appointment; or applying to all officers, until their successors are duly chosen. “

O. ART. V, DEPARTMENT CONVENTION, SECTION (2)(A) – REQUIREMENT THAT CANDIDATES FOR DEPT. OFFICES MUST BE PRESENT AT ELECTION: Current Section (2)(a) should be suspended until the close of the calendar day on 30 June 2020 as it does not apply to the 2020-2021 Election because the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 so that there is no one central location for Candidates for Department Office to be located. There is no substitute or modification needed for this rule for Membership Election Year 2020-2021.

P. ART. IX, FINANCE, SECTION (2) – DETERMINATION OF DUES: Current Section (2) should be suspended until the close of the calendar day on 30 June 2020 because the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 with its vote of 25 March 2020. **Department Dues will remain the same at \$32.00 per year for Membership Year 202-2021.**

Q. ART. V, DEPARTMENT CONVENTION, SECTION (8) – QUORUM: *Current Section (8) of Article V* states that for a Department Convention, **a quorum for a Department Convention exists when 10% of the Posts in the Department are present** as represented by duly elected Delegates or Alternates. This section DOES NOT need to be suspended as no modification made as a quorum can be determined even given the current Stay at Home restrictions, among other requirements, as is done by the Legal Systems and Corporations. When a piece of mail is sent by regular mail and it is not returned within the period of time for the vote or response by the US Postal Service, then the COURT makes the legal determination that at some time, the mail arrived at the correct destination and that the party had the chance to open the mail and decide to respond and chose not to do so. Same thing on E-Mail. So long as the e-mail does not bounce back to the sender, then it is presumed in LAW and in Corporate structures that the IP address and mailbox were properly notified.

When a Corporate Secretary/our Adjutant is deciding if a quorum is met, the Secretary/Adjutant counts a voting member **“as present”** for the **Quorum Count** when the Secretary/Adjutant sends the email to the voting member and the email does not “bounce back” to the Secretary/Adjutant, according to the commentators on RONR.

When the Secretary/Adjutant sends the email as a Ballot, the Secretary/Adjutant can still establish the Quorum Count as soon as the email is sent to all voting members and Secretary/Adjutant counts the number of emails that did not return or bounce back. **HOWEVER, THE NUMBER OF “GOOD EMAIL ADDRESSES”, demonstrated by the number of email ballots that did NOT BOUNCE BACK, does NOT have any impact on calculating whether or not a Vote passes by a required number or amount.**

If a Vote must pass by “two-thirds (2/3rds) of the ballots cast,” under a provision of the Constitution or Bylaws, then it is calculated ONLY upon the total number of Affirmative Votes for the Question/Motion/Resolution and Negative Votes against the Question/Motion/Resolution that are returned to the Secretary/Adjutant. The calculation is done in the same manner for Votes requiring a majority vote.

THE DEPARTMENT BYLAWS

¶ 5 THE FOLLOWING PROVISIONS OF THE BYLAWS OF THE AMERICAN LEGION DEPARTMENT OF OKLAHOMA, INC., (25 JULY 2019/30 JULY 2019) SHALL BE SUSPENDED FROM THE DATE THAT THIS MOTION TO SUSPEND THE RULES IS PASSED AND SHALL REMAIN SUSPENDED UNTIL THE END OF THE BUSINESS DAY 30 JUNE 2020 AND SHALL BE TEMPORARILY MODIFIED AND/OR REPLACED AS INDICATED FOR THE SAME PERIOD:

THE DEPARTMENT CONVENTION

A. ART. XIV, SECTION 1, COMMITTEES OF EACH DEPARTMENT CONVENTION: Current Section (1) should be suspended until the close of the business day on 30 June 2020 because the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 with its vote of 25 March 2020 and current government restrictions and orders do not allow any of these committees to meet.

THE RULES OF PROCEDURES AT THE DEPARTMENT CONVENTIONS

B. ART. XV, SECTIONS 1 THROUGH 2(J): All of Article XV and its Subsections are irrelevant and should be suspended until the close of the calendar day on 30 June 2020 because the DEC has already canceled the Annual Department Convention Set for 18-20 June 2020 with its vote of 25 March 2020, and current government restrictions and orders during the National Emergency and Statewide Disaster prohibit modification of those rules.