

BY-LAWS

Maurice L. Britt Post 0123

Hot Springs Village, Arkansas

Article 1

Section 1. The Post existing under these By-Laws is to be known as Maurice L. Britt Post 0123, The American Legion, Department of Arkansas.

Section 2. The objectives of this Post are set forth in the Post Constitution

Article II

Management

Section 1. The government and management of Maurice L. Britt Post 0123 is entrusted to an Executive Committee of eleven (11) members, to be known as the "Post Executive Committee"

Section 2. The Post Executive Committee shall consist of up to three (3) members in addition to the officers of the Post and together with the officers of this Post, shall be elected annually in May and take office at the next meeting following that of the election. All elections shall be by ballot, voice, or virtual if so warranted by any circumstances prohibiting meeting in person, and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates

Section 3. All vacancies existing in the Post 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 committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer who was succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period of time considered detrimental to the interest of the Post by the Executive Committee.

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 call of the Post commander within ten (10) days

after the installation of the new officers. Thereafter the Executive Committee shall meet at least ten (10) times a year in whatever method is determined feasible by the Executive Committee. The Post commander may call a special meeting of the Executive Committee upon the joint written request of three or more of said Executive Committee members. Five (5) members of the committee shall constitute a quorum thereof.

Section 2. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from persons having the custody of post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of , and be responsible for, the management of the affairs of the Post.

Section 3. All committees shall consist of such number as the Post Executive Committee may from time to time determine. Appointments to such committees shall be made by the Executive Committee upon nomination of the Post commander. The Executive Committee is empowered to assign duties and responsibilities to all standing committees for the purpose of efficient supervision and coordination of activities.

Article IV

Duties of Officers

Section 1. Post Commander. The Post commander shall be the executive head of Maurice L. Britt Post 0123 with full power to enforce the provisions of the Post Constitution and By-Laws, and the will of the members. The Commander shall be the chair of the General Meetings and the Post Executive Committee and shall perform such other duties as are usually incident to the office.

Section 2. Post Vice Commanders. The Post vice commanders shall act as representatives of the Post commander on all matters referred to them, and shall on the Post Commander's request, preside over the meetings of the general meetings or Post Executive Committee, and such duties as are usually incident to the office.

Section 3. Post Adjutant. The Post adjutant shall be charged with the administration of the policies and mandates of Maurice L. Britt Post 0123, the Post Executive Committee and of the Post Commander. The adjutant shall keep such records as the department and National Organizations may require; render reports of membership annually or when called upon at a meeting; under direction of the commander, handle all correspondence of the Post; and shall record and maintain proceedings of its Post regular meetings, Executive Committee meetings, and committee proceedings. A record of the names and addresses of Maurice L. Britt Post 0123 members entitled to vote shall be maintained and retained by the adjutant. The adjutant shall perform such duties as are usually incident to the office.

Section 4. Post Finance Officer. The Post finance officer shall be the custodian of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Post Executive Committee the condition of the finances of the Post with such recommendations as may deem expedient or necessary for raising funds. The finance officer shall sign all checks disbursing the monies of the Post and shall furnish surety bonds in such sum as shall be fixed by the Executive Committee. The Post finance officer shall chair the Finance Committee, if one exists, and shall perform such duties as are usually incident to the office.

Section 5. Post Judge Advocate. The Post judge advocate shall advise the Post officers and the Post Executive Committee on all legal matters, including the construction and interpretation of the Post Constitution and By-Laws, and shall perform such duties as are usually incident to the office.

Section 6. Post Chaplain. The Post chaplain shall perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as recommended by the National or Department headquarters or Post Executive Committee from time to time. The chaplain should be in close touch with the commander and other Post officers, and should attend all meetings of the Executive Committee and shall perform other duties as the Executive Committee prescribes.

Section 7. Post Historian. The Post historian shall collect from year to year all records and data of value for the Maurice L. Britt Post 0123 and shall compile, during their term of office, a complete history of the year's activities and shall perform other duties as the Post Executive Committee prescribes.

Section 8. Sgt-at-Arms. The Sgt-at-arms arranges the meeting place and assists the Post commander and adjutant in preliminary arrangements for meetings. He or she is the expert on flag etiquette and should know proper flag etiquette. The Sgt-at-arms shall preserve order at meetings; shall make certain new members are welcomed, introduced and made feel they are important to the Post. The Sgt-at-arms encourages members to attend meetings and advises the commander on who should be acknowledged and shall perform other duties as the Post Executive Committee prescribes.

Section 9. Post Service Officer. The Post service officer is responsible for bringing to the attention of all veterans, and their dependents, the rights and benefits granted to them by law. He//she shall chair the Veterans Affairs & Rehabilitation Committee if one exists and work closely with the Americanism, Children and Youth Committee and shall perform other duties as the Post Executive Committee prescribes.

Article V

Delegates

Section 1. Delegates and alternates to the Department Convention will be elected by majority vote by the Post at a general meeting to be held at least 20 days prior to the date of such convention

Article VI

Appointments

Section 1. The Post commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, Children & Youth; Finance, Legislative, Membership, Public Relations, and Veterans Affairs & Rehabilitation. Such standing committees shall consist of such members, and the chair thereof, as shall be assigned by the Post commander.

Section 2. Americanism, Children & Youth Committee. This two-fold committee shall be charged with the inspiration, patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools, and activities for community and civic betterment. This committee shall also actively encourage and assist student participation in the annual Oratorical Constitution Contest and shall be responsible for post school scholarships.

Section 3. Finance Committee. The Finance Committee shall be charged with administration of the financial policy, preparation of the annual budget recommendations and supervision of receiving, disbursing and accounting of all Post funds.

Section 4. Legislative Committee. The Legislative Committee needs to have knowledge of what is going on in Congress, what we favor or oppose, and should be ready to initiate action in support or our position when requested by the National or Department organizations

Section 5. Membership Committee. The Membership Committee Shall have charge of all matters pertaining to the membership of new members and eligibility of members

Section 6. Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with the Department and national Legion news service and by local publicity of Post programs and activities.

Article VII

Resolutions

Section 1. All resolutions of state or national scope presented to the Post by a member or reported to this Post by a committee shall merely embody the opinion of the Post on

the subject and copy of same shall be forwarded to the department headquarters for approval before any publicity is given or action other than mere passage by the Post taken.

Article VIII

Meetings

Section 1. The regular meeting of the Post shall be held in Hot Springs Village at a location selected by the Post Executive Committee and/or virtual as necessary, at which may be transacted such business as may be properly brought up for action; such meetings may be converted into entertainment meetings, as may be advisable by the officers of the Post.

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

Section 3. Upon the special request of a minimum of ten percent (10%) of the Post's current membership, the Post Executive Committee shall call a special meeting of the Post.

Section 4. Five percent (05%) of the Post's current membership, in attendance at a regular meeting, shall constitute a quorum. In the event a quorum is not achieved, any business brought before the post shall require a vote of two-thirds (2/3) of the members present for passage.

Section 5. In the event of a change of meeting location, members of the Post shall be notified of the new location at least thirty (30) days prior to the first meeting in the new location.

Article IX

Notices

Section 1. Every member shall furnish the Post with an address for mailing AND a valid email address if applicable.

Section 2. The Post adjutant shall cause notice if the annual election to be given at least two weeks prior thereof.

Article X

Rules of Order

Section 1. Except as otherwise specifically provided herein, Roberts Rules of Order, current addition, shall govern all proceedings of this Post

Article XI

Limitations of Liability

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

Article XII

Discipline of Post Members

Section 1. Maurice L. Britt Post 0123 may suspend or expel a Post member from the American Legion only after providing the member with due process and a proper showing of cause. Charges may be based on disloyalty, neglect of duty, dishonesty, and/or conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member shall lose their membership until given a fair trial by the Post and as the Department of Arkansas By-Laws or Department Executive Committee shall prescribe.

Section 2. Any member who has been suspended or expelled has the right to appeal to Arkansas Department Executive Committee, or to the Department Convention, according to the provisions in the By-Laws of the Department of Arkansas.

Section 3. A member, whose dues for the current year have not been paid by January first, shall be classified as delinquent. If their dues are paid on or before February first, the member shall be automatically reinstated. If the member is still delinquent after February first, the member shall be suspended from all privileges. If the member is still under such suspension on June first of such year, their membership in The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Post and payment of current dues for the year to which the reinstatement occurs.

Article XIII

Amendments

Section 1. These By-Laws may be amended at any regular Maurice L. Britt Post 0123 meeting by a vote of two-thirds of the total authorized members attending such regular meeting; Provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post; and provided, further, that written notice shall have been given to all members at least fourteen (14) days in

advance of the date when such amendment is to be voted upon, notifying said members that at such a meeting a proposal to amend the By-Laws is to be voted upon.