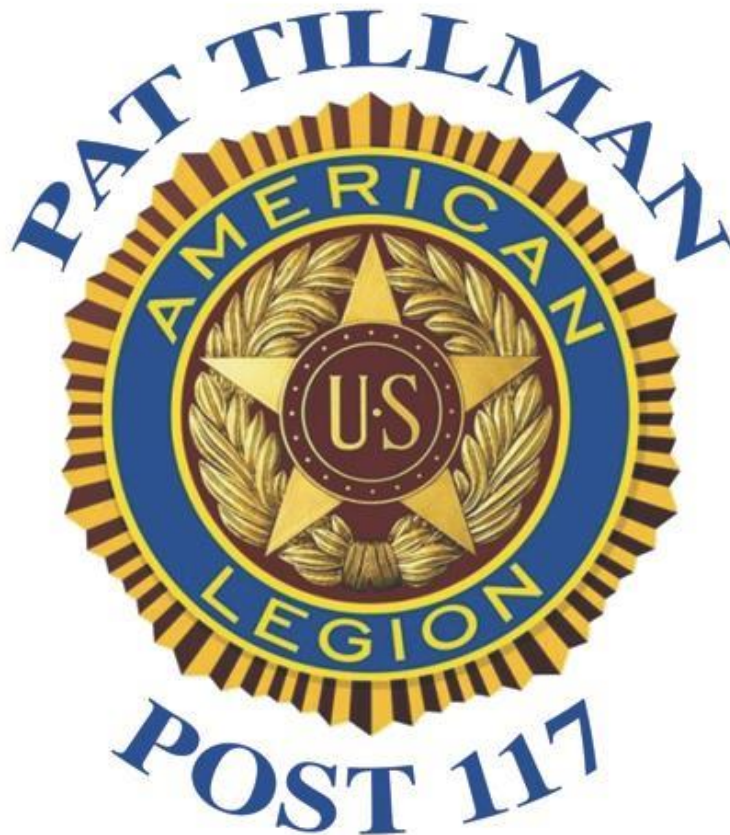


The American Legion Department of Arizona Pat Tillman Post 117

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By-Laws

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www.pattillmanpost117.org

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Pat Tillman Post 117 Department of Arizona The American Legion

By-Laws

ARTICLE I – MEMBERSHIP

- Section 1.** Application for membership is to be made electronically or in writing on forms provided by the Department of Arizona, with all information prescribed by The American Legion and accompanied by the remittance of applicable dues.
- Section 2.** Verification of eligibility, vetting, is to be performed by the Membership Committee and subject to limitations contained in the National and Department Constitutions.
- Section 3.** All applications for membership is to be acted upon at the next Post general meeting following the filing of such application and is to at such meeting be accepted, rejected or referred for further investigation and consideration. A majority vote for or against said application will cause the same to be recorded by Adjutant as accepted or rejected. Any rejected application will result in the reimbursement of any monies paid to said applicant.

ARTICLE II – DUES

- Section 1.** Membership in The American Legion is annual with the membership year being January 1 to December 31. The membership dues of this Post is to be recommended by the Executive Board and approved by general membership at a regular Post meeting.
- Section 2.** Dues will be payable by 31 December for the current year. Dues are payable in advance starting July 1.
- Section 3.** Any member not having current year membership dues paid on/by 31 December of the current year will be considered delinquent. If dues have not been paid by February 1, the member is suspended.

A. AND will be automatically suspended from all membership

- privileges.
- B.** Failure to pay current year dues by 30 June of the next year will cause forfeiture of membership in The American Legion, Department of Arizona.
 - C.** Any delinquent or suspended member may be reinstated to active membership in good standing by a majority vote of this Post upon payment of all dues in arrears, plus payment of the current year dues.
 - D.** Any member whose membership has been forfeited for non-payment of dues for one (1) year may be reinstated by a two-thirds (2/3) majority vote of this Post upon payment of one (1) year dues in arrears in addition to the current year membership dues.
 - E.** Provided, however, that the Post and National Organization may waive the provisions hereof, upon payment of the dues for the year in which reinstatement occurs, with reference to former members who have been prevented the payment of dues by reason of active military service.

ARTICLE III – MANAGEMENT

- Section 1.** The governance and management over the affairs of this Post will be entrusted to the Executive Board as established in Article VI, Section 1, 2, 3 and 4 of the Post Constitution. The Executive Board is representative of the membership having the charge of and the responsibility for the management of the affairs of this Post outside of the general membership meeting.
- Section 2.** All actions of the Executive Board are subject to ratification by the general membership when such actions are not specifically authorized to the Executive Board by these By-Laws.
- Section 3.** All officers of the Executive Board are entitled to one (1) vote. The Chair of the Executive Board is eligible to cast one (1) vote only in the event of a tie as the tie breaker.

ARTICLE IV – ELECTED OFFICERS AND THEIR DUTIES

The elected officers of this Post will be the:

- Commander
- First Vice Commander
- Second Vice Commander
- Finance Officer
- Sergeant at Arms
- Historian
- Three (3) Executive Committeepersons

Section 1. Post Commander

- A. Preside at Post and Executive Board meetings.
- B. Have general supervision over the business affairs of this Post.
- C. Represent, or delegate representation, of the Post at civic and/or community functions.
- D. Render an annual report, the consolidated post report, covering business in the Post during his tenure and make recommendations for future Post operations.
- E. May also perform such other duties as may be directed by the Executive Board.
- F. Chair of the Executive Board.

Section 2. First Vice Commander

- A. Assume and discharge all of the duties of the Commander in absence of, or disability of, or when called upon by the Post Commander.
- B. Have responsibility for recruiting and retaining membership.
- C. Perform other such duties as may be assigned by the Post Commander or Executive Board.
- D. Chair of the Membership Committee.

Section 3. Second Vice Commander

- A. Assume and discharge all of the duties of the Commander in absence of, or disability of, both the Post Commander and First Vice Commander, or when called upon by the Post Commander.
- B. Have responsibility for moral and welfare of the membership including social events, activities, operations and programs that support the mission of The American Legion.
- C. Act in coordination with the Post Club Manager in scheduling of all onsite special functions sponsored by the Post.
- D. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 4. Finance Officer

- A. Have charge of all Post finances.
- B. Develop procedures for reporting, accounting, and safeguarding all Post assets, records and legal documents.
- C. Render all required reports of a financial nature as may be necessary to comply with local, state, and federal law or any other law as pertains to Post or Club operations.

- D. Authorized to pay all recurring monthly expenses related to Post or Club operations without further approval.
- E. Meet monthly with all necessary parties to review orders, receivables, invoices and other payables for accuracy and completeness.
- F. Perform other such duties as may be assigned by the Post Commander or Executive Board.
- G. Chair of the Finance Committee.

Section 5. Sergeant-at-Arms

- A. Preserve order at all regular or special Post meetings.
- B. Ensure proper presentation of the colors at meetings and such other functions as required.
- C. Verify all members at Post meetings are in good standing and maintain records as such.
- D. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 6. Historian

- A. Have charge of all historical records of the Post.
- B. Keep an annual record of Post activities and involvement.
- C. Submit a Post History Book to Department Convention and any other year end submissions as directed by the Post Commander.
- D. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 7. Executive Committeepersons

- A. The Executive Committee, comprised of three (3) Executive Committeepersons, is generally responsible for management of the administrative affairs of the Post.
- B. Coordinate with the Finance Officer regarding any financial matters.
- C. Approve all contracts for goods or services as may be required for administrative operations.
- D. Approve and authorize expenditures for Post operation under one thousand dollars (\$1000.00) as needed.
- E. Submit plans and recommendations for capital investments or improvements of one thousand dollars (\$1000.00) or more at regular Post meetings for membership's approval.
- F. Require bonding of all persons handling or having custody of Post funds.
- G. Have final authority for hiring or discharging of Post, Club or Kitchen personnel, paid or volunteer.

- H. Ensure that a proper code of conduct is instituted and adhered to by all personnel, members and guests in the Club area.
- I. Perform other such duties as may be assigned by the Post Commander or Executive Board.
- J. Sits on the House Committee with one of the Executive Committeepersons as the Chair.

ARTICLE V – APPOINTMENTS AND ORGANIZATION

Section 1. The incoming Commander is to, within fourteen (14) days following the annual election, call a meeting of the incoming Executive Board for the purpose of making appointments and organizing for the next year.

- A. The appointed officers will be:
 - Adjutant
 - Judge Advocate
 - Chaplain
 - Service Officer
- B. The standing committees and chairs will be:
 - Finance Committee - Finance Officer
 - Membership Committee - First Vice Commander
 - House Committee – Executive Committee Member
 - Gaming Committee – Executive Committee Member
 - Maintenance Committee – Post Member
- C. If needed in future, other recommended committees:
 - Americanism Committee
 - Audit Committee
 - Boys State Committee
 - Child and Youth Committee
 - Graves Registration and Memorials Committee
 - Legislative Committee
 - National Security Committee
 - Public Relations Committee
 - Veteran Affairs and Rehabilitation Committee
- D. With the exception of the standing committees, all other committees, listed above or otherwise, may from time to time be formed or dissolved as deemed necessary by the Post Commander or Executive Board.
- E. All officers and committee chairs are responsible for updating and maintaining any information specifically involving their position including standard operation procedures for any duties, events, or tasks, for the purpose of continuity and historical preservation, to be passed on for the following year.
- F. All appointments are to be made with the approval of two-

- thirds (2/3) affirmative vote of the incoming Executive Board and appointments posted within 30 days.
- G. All persons elected or appointed as officers of this Post are to be installed as soon as reasonably possible after their election by a Department officer or an authorized representative. Any officers of a hosted program or unit will be invited to be installed.
 - H. All officers are required to have an authorized Legion Uniform Cap and within 60 days of election have completed any mandatory training as prescribed by the National Organization or Department of Arizona.

ARTICLE VI – APPOINTED OFFICERS AND THEIR DUTIES

Section 1. Adjutant

- A. Have charge of all Post administrative duties.
- B. Have charge of and will keep full and correct record of all proceedings of the Post and Executive Board meetings.
- C. Keep and render to the Post reports of membership, annually or when called upon to do so by the Post.
- D. Keep such records as the Post, District, Department or National organizations may require and using The American Legion's "Post Adjutant's Manual" as a guide.
- E. Handle all Post correspondence under the supervision of the Post Commander.
- F. Obtain from the all committee chairs copies of their reports and any other reports or information that the Post Commander or Executive Board may require and maintain all such reports in Post files.
- G. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 2. Chaplain

- A. Have charge of the spiritual welfare of the Post.
- B. Conduct divine nonsectarian service at Post meetings, dedications, funerals, and public functions adhering to rituals recommended by the District, Department and National organizations of The American Legion.
- C. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 3. Service Officer

- A. Have charge of all Post veteran affairs and rehabilitation duties.
- B. Responsible for bringing to the attention of Post members the

- rights and benefits granted them by law.
- C. Reasonably assist all veterans in obtaining such benefits or services to which they may be entitled, and as they require.
 - D. Perform other such duties as may be assigned by the Post Commander or Executive Board.

Section 4. Judge Advocate

- A. Provide guidance to the Post concerning matters of a legal nature in Post operations.
- B. Procure professional legal counsel when required to do so by the Executive Board.
- C. Act as Parliamentarian at Post meetings.
- D. Perform other such duties as may be assigned by the Post Commander or Executive Board.

ARTICLE VII – COMMITTEES

Section 1. The purpose of the committees is to conduct organized activities of the Post and provide recommendations to the Executive Board.

Section 2. No committee has the authority to expend or obligate funds or to execute Post or Club policy without prior Executive Board approval, with the exception of Article IV, Section 7, D and E.

Section 3. The Post Commander may appoint or remove, approve or disapprove, an American Legion Auxiliary or Son of The American Legion member to a committee. These appointees may be members of a committee, but never the Chair.

ARTICLE VIII – STANDING COMMITTEES

Section 1. Finance Committee

- A. Consists of the Finance Officer as Chair and at least two (2) members.
- B. Responsible for administering Post financial policy including, but not limited to, establishing policy and on receipt disbursement and accounting of all revenue producing Post activities.
- C. Prepares an annual Post budget and recommendations to be presented not later than June 30th annually.
- D. Prepares and submit to the Post a monthly financial report.
- E. Meets at the call of the Finance Officer.

Section 2. Membership Committee

- A. Consists of a First Vice Commander as Chair and at least two (2) members.
- B. Charged with all matters pertaining to membership of the Post.
- C. Investigates applicants, reinstatements, and member eligibility.
- D. Presents applicants for acceptance at regular Post meetings.
- E. Welcomes, initiates, and orientates new members.
- F. Furnishes each new member with a copy of the Post Constitution, By-Laws, Standing Rules, House Rules, and any other appropriate materials for new members.
- G. Renders monthly reports to the Post.
- H. Meets at the call of the First Vice Commander.

Section 3. House Committee

- A. Consists of an Executive Committeeperson as Chair and at least two (2) Executive Committeepersons.
- B. May have an appointed Unit 117 member and Squadron 117 member.
- C. Supervises the operations of the Post's physical facilities.
- D. Ensures the maintaining, updating, and creating of policies and procedures regarding facility operations as needed using as a guide The American Legion's "2023 Officer's Guide and Manual of Ceremonies".
- E. Has limited authority over the Club area of the Post.
- F. Liaisons with the Club Manager.
- G. Meets at the call of the Chair.

Section 4. Gaming Committee

- A. Has a Chair.
- B. Oversees all gaming activities at the Post.
- C. Coordinates with the Finance Officer all tracking and handling of monies as well as any ongoing legal compliance as required.
- D. Organizes, train, and supervise manpower for any games as the Post may have including Bingo, Pull Tabs, Queen of Hearts, etc.
- E. Meets at the call of the Chair.

Section 5. Building Maintenance Committee

- A. Has A Chair
- B. Plans, Coordinates, and performs the activities necessary for the maintaining the Post Facility.
- C. Approve and authorize expenditures for Post Maintenance under one thousand dollars (\$1000.00) as needed.
- D. Meets at the call of the Chair.

Section 6. Relocation Fund Committee

- A. Consists of at least 6 members
- B. Has a Chair, that is a member of the Post and is appointed for a one year term starting two months after the start of the fiscal year.
- C. Has no fewer members than 6 and no more than 10 members
- D. Has at least one appointed Unit 117 member and one Squadron 117 member.
- E. Plans, coordinates, and performs the activities necessary for creating revenue sources to fund the relocation account of the American Legion Pat Tillman Post 117 by 2028.
- F. Approve and authorize expenditures for creating revenue sources as needed.
- G. Makes recommendations to the Executive Board for investing funds to achieve higher rates of returns.
- H. Renders a Monthly Reports to the Post Executive Board
- I. Performs duties as specified in the Relocation Fund Committee's Charter
- J. Meets the first Tuesday of each month.

ARTICLE IX– OTHER COMMITTEES

Section 1. Americanism Committee

- A. Has a Chair.
- B. Makes arrangements for the proper observances of patriotic occasions and flag etiquette.
- C. Seeks to inspire patriotic and good citizenship through civic instruction in schools, Americanization of immigrants, community service, and youth activities.
- D. Fosters American ideals through participation in public forums and activities for community and civic betterment.
- E. Meets at the call of the Chair.

Section 2. Audit

- A. Consists of the Judge Advocate as Chair and at least two (2) members.
- B. Conducts an audit of the financial records and accounts pertaining to all Post activities within a thirty (30) period immediately preceding the annual elections.
- C. Presents the results of the audit to the Executive Board prior to elections.
- D. Performs other such audits at such time as the

- Executive Board may require or direct.
E. Meets at the call of the Judge Advocate.

Section 3. Boys State Committee

- A. Has a Chair.
- B. Liaisons with District and Department as needed on any Arizona Boys State program matters, issues, or actives.
- C. Oversees and facilitate the delegate selection process to represent the Post at the Arizona Boys State program.
- D. Meets at the call of the Chair.

Section 4. Children and Youth Committee

- A. Has a Chair.
- B. Facilitates children of veterans in need of care, protection, aid, and proper and timely services needed.
- C. Facilitates providing services for children and youth through local social services, educational and welfare agencies to assist local children in need.
- D. Coordinates with others and outside groups to assist the needs of the youth in the local community.
- E. Meets at the call of the Chair.

Section 5. Graves Registration and Memorials Committee

- A. Has a Chair.
- B. Records, mark, and decorate graves of deceased veterans.
- C. Facilitate American Legion military funeral honors when requested.
- D. Organizes, train, promote, and supervise uniformed groups as the Post may have including Burial Detail, Color Guard and Honor Guard.
- E. May render service and comfort to bereaved families.
- F. Meets at the call of the Chair.

Section 6. Legislative Committee

- A. Has a Chair.
- B. Ensures all actives are in compliance with Article II, Section 2 of The American Legion's Constitution.
- C. Liaisons with District and Department as needed on any legislative matters, issues, or actives.
- D. Promotes The American Legion's official legislative mandates and disseminates legislative updates.
- E. Organizes and promote proactive grassroots lobbying activities.
- F. Liaisons with elected officials and their staffs.

- G. Meets at the call of the Chair.

Section 7. National Security Committee

- A. Has a Chair.
- B. Organizes and promote Post blood drives.
- C. Fosters national defense ideals by promoting community emergency preparedness, public safety, and local and national civilian defense projects.
- D. Meets at the call of the Chair.

Section 8. Public Relations

- A. Has a Chair.
- B. Liaisons with District and Department as needed on any public relations matters, issues, or actives.
- C. Elevates awareness of The American Legion values in our advocacy for veteran issues, national security, Americanism and youth in our community.
- D. Promotes the Post's activities in relation to the Legion's four pillars showcasing our service to our community, state, and nation.
- E. Ensures that newsworthy items concerning the Post are made public.
- F. Oversees any submissions to The American Legion Magazine, newsletters, flyers, publications for circulation, and social media accounts.
- G. Liaisons with seasonal visitors.
- H. Meets at the call of the Chair.

Section 9. Veteran Affairs and Rehabilitation Committee

- A. Has a Chair.
- B. Liaisons with District and Department as needed on any VA&R matters, issues, or actives.
- C. Assists returning veterans in their transition to civilian life including employment, on-the-job training, and educating veterans on their rights and benefits.
- D. Assists veterans in pursuing claims, understanding their rights and obtaining benefits.
- E. Assists veterans in meeting overcoming problems such as employment, veterans' preference, housing, civil service appeals, and employment of handicapped and older workers.
- F. Visits veterans who are sick, disabled or residing in assisted living facilities, and provide comfort to members' families in illness and bereavement.
- G. Meets at the call of the Chair.

ARTICLE X – NOMINATIONS

Section 1. Nominees for elective office will be nominated at the regular Post meeting one month prior to the Annual Meeting. Final nominations, for any additions or withdraws, will take place directly preceding elections.

- A. Nominees must consent to nomination in person or in writing prior to their names being considered for an elected officer position.
- B. Any nominee who seeks the office of Commander must have at least (1) year of previous experience on the Executive Board. A year may be less than twelve (12) months, but not less than nine (9) months prior to Department Convention.
- C. No member may hold more than one (1) elected position concurrently.

ARTICLE XI - ELECTIONS

Section 1. Annual Post Elections

- A. Elections will be held annually at a general membership meeting, referred to as the Annual Meeting, at least 30 days prior to the Department Convention and those elected will take office and assume their duties immediately following the close of Department Convention.
- B. Elections will be held by voice, by show of hands, or by standing as needed. The Adjutant will tally and record the votes.
- C. Elected Positions – the nominee receiving the majority vote, over fifty (50) percent, for each position will be declared the winner. If there are more than two nominees and no majority vote reached, the nominee with the least number of votes drops out and the others will have a run-off until one nominee receives the majority vote.
- D. Executive Committeepersons – the top three (3) nominees receiving the most votes will be declared the winners.
- E. In the event that it is unfeasible to hold the Annual Meeting in person, the Commander reserves the right to conduct elections by email, proxy, or online voting provided Articles X, IX, and XIII are followed.

Section 2. Voting Eligibility

- A. All members of this Post in good standing are eligible to vote upon verification of the member's current membership card. A log will be kept with each member's card number and the member attesting to such.

B. Membership receipts will not be honored.

Section 3. Term of Office

All terms of office will be in accordance with Article VI Section 3 of the Post Constitution.

Section 4. Proof of Eligibility

In accordance with Department and National directives, all officers just provide their DD-214, or other proof of eligibility, to be verified by the Post Adjutant after elections and appointments. Failure to provide proof of eligibility in a reasonable time upon request will result in the officer being removed from office and the creation of a permanent vacancy. Eligibility will be in accordance with Article V Section 1 of the Post Constitution.

ARTICLE XII -VACANCIES

Section 1. A permanent vacancy will exist when an office is not filled through elections or appointment, an officer fails to provide proof of eligibility after election or appointment, an officer resigns from his/her office, an officer is absent from three (3) consecutive meetings without prior approval of the Post Commander, or when an officer is removed for cause.

Section 2. Any vacancy existing in the Executive Board, for any reason other than the expiration of the term, will be filled by appointment by the Post Commander and a majority vote by the Executive Board.

Section 3. Any person so appointed will hold office for the remainder of the term of the officer whom they succeed.

Section 4. If the office of Commander or First Vice Commander becomes vacant, the next junior officer will advance to the highest office, in which case the office of Second Vice Commander will become vacant and Article XII, Section 1, 2, and 3 will apply.

ARTICLE XIII -MEETINGS

Section 1. Regular Post Meetings

Regular Post meetings are to be decided by the membership as to time of day, day of the week, provided however that there

is intent to meet monthly with at least a minimum of nine (9) meetings per year held. The Annual Meeting will be held in May. Quorum will be met when 60% of the Executive Board is present.

- A. There will be no drugs consumed at any regular Post meeting, special meeting, or Executive Board meeting of this Post.
- B. The Commander reserves the right to cancel or change the meeting time and date as deemed necessary for efficient operation of the Post providing it be done so at least seven (7) days prior to said meeting.
- C. In the event that it is unfeasible to hold a Post meeting in person, the Commander reserves the right to conduct the meeting by video or audio conferencing.

Section 2. Executive Board Meetings

Executive Board meetings will be held at the call of the Commander and as often as necessary, but not less than nine (9) meetings per year, in preparation of the monthly Post meeting.

- A. Quorum will be met when 60% of the Executive Board is present.
- B. A special meeting of the Executive Board may be called by the Post Commander or upon the joint written request of three or more members of the Executive Board to the Commander and Adjutant. The Adjutant will notify all officers of any special meetings and the purpose for such meeting.

Section 3. Notice of Meetings

Notice of time, date and other pertinent information of all Post meetings will be given to the membership by the Adjutant.

ARTICLE XIV – FINANCE

- Section 1.** The Finance Officer shall be the custodian of the finances of this Post in accordance with Article IV, Section 4.

ARTICLE XV -NOTICES

- Section 1.** Every member is to furnish the Post Adjutant his or her correct address.

ARTICLE XVI – RULES OF ORDER

- Section 1.** All proceedings of this Post are to be conducted in a professional manner using as a guide The American Legion’s “2023 Officer’s Guide and Manual of Ceremonies” and “Robert’s Rules of Order”.

ARTICLE XVII – LIMITATION OF LIABILITES

- Section 1.** This Post will incur, not cause to be incurred, no liability or obligation whatsoever which will subject to liability any other Post, subdivision, or group of persons, members of The American Legion or other individuals, corporations or organizations.

Section 2. No officer, committee chair, member or personnel of this Post will in any way expend funds or obligate funds of this Post without the prior approval of the Post Commander or Executive Board. Exception to this rule is the normal recurring monthly and annual expenses and normal costs of supplies for the Post.

ARTICLE XVIII - PROHIBITIONS

Section 1. The following prohibitions will be strictly enforced by this Post:

- A. No officer may be contracted or employed in any way at this Post.
- B. No officer may hold a contract with this Post.
- C. No immediate family member of an officer may be an employee or contractor in any way at this Post; except for incidental odd jobs, with prior approval of the Executive Board. For such approved exceptions, such compensation will not exceed \$500.00 and may not be reoccurring in any way.

ARTICLE XIX – POST MEMBER RIGHTS

Section 1. This Post follows a method of practice and procedure, in approval with the National Executive Committee, of the discipline of Post members resulting in suspension or expulsion. Reference The American Legion’s “2023 Officer’s Guide and Manual of Ceremonies” for more information.

ARTICLE XX – DEPARTMENT CONVENTION DELEGATES

Section 1. The Post Commander, or his appointed representative, will be the official delegate of this Post to the annual Department of Arizona Convention and Conference.

Section 2. Additional delegates and alternates to the Department Convention and Conference will be:

- First Vice Commander
- Second Vice Commander
- Finance Officer
- Adjutant
- Judge Advocate
- Service Officer

Section 3. Any balance of the delegation needed will be chosen from the

membership at large by the Commander.

ARTICLE XXI -RESOLUTIONS

Section 1. All resolutions of State or National scope presented to this Post by a committee will merely embody the opinion of this Post on the subject and copy of same will 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 XXII -AMENDMENTS

Section 1. These By-Laws are adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Arizona. Any provisions hereof that are in conflict with The American Legion By-Laws or the Department By-Laws will be regarded as automatically repealed and modified to the extent that such conflict has been resolved.

Section 2. These By-Laws may be amended at any regular Post meeting by an affirmative vote of two-thirds (2/3) of the membership present; providing that the proposed amendment(s) will have been submitted in writing and presented at the preceding general membership meeting and providing further that written notice of such amendment(s) to be voted upon will be given to all members (by reasonable attempts) at least seven (7) days in advance of the date when the amendment(s) will be voted upon.

ARTICLE XXIII – ENACTING CLAUSE

Section 1. These By-Laws to the Constitution of The American Legion Pat Tillman Post 117, The American Legion, Department of Arizona approved and adopted by a two-thirds vote of Post members present at a regular meeting held this 16th day of January 2024 supersedes any and all previously enacted similar documents.

<Original signed>

_____	_____	_____
Mark Burton	Sheila Wachter	Steve Lackey
Commander	Adjutant	Judge Advocate
Pat Tillman Post 117	Pat Tillman Post 117	Pat Tillman Post 117
Department of Arizona	Department of Arizona	Department of Arizona
The American Legion	The American Legion	The American Legion