



**American Legion McCulloch-Wagner Post 109  
15921 S. Houghton Road  
Corona AZ 85641**

**BY-LAWS**

**PREAMBLE**

For God and country we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America: To maintain law and order: To foster and perpetuate a one hundred percent Americanism: To preserve the memories and incidents of our associations in all Wars: To inculcate a sense of individual obligation to the Community, State and Nation: To combat the autocracy of both the classes and the masses: To make right the master of might: To promote peace and good will on earth: To safeguard and transmit to posterity the principals of justice, freedom and democracy: To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

**ARTICLE I  
NAME**

Section 1. The name of this Post shall be the McCulloch-Wagner Post 109, The American Legion, Department of Arizona.

**ARTICLE II  
ADOPTION OF CONSTITUTION**

Section 1.

The National and Department of Arizona Constitutions of the American Legion are adopted insofar as they are applicable to this Post organization, and a copy of said Constitutions shall be on file with the Post Adjutant. Section 2. The object and purpose of this Post shall be to promote the principals and policies as set forth in the foregoing preamble, and the National and Department Constitutions of the American Legion.

**ARTICLE III MEMBERSHIP**

Section 1.(iii) **ELIGIBILITY:** Any person qualified as provided in the National Constitution of the American Legion shall be eligible to apply for membership in this Post.

Section 2.(iv) **APPLICATIONS:** Applicants for membership must produce satisfactory proof of eligibility by producing a copy of their honorary service for review by a current or past legion Post Officer. If approved, it will be passed on to the General Membership for approval or rejection.

Section 3. **TRANSFERS:** Transferring applications shall be handled as prescribed in Article III, Section 2.

Section 4. **SUSPENSIONS:** Members of this Post shall be suspended as provided by the National Constitution and By-Laws.

Section 5.(iii) **EXPULSIONS:** Any member of this Post may be expelled for cause after charges are preferred, under oath, in writing, and a fair trial had upon same, by a two-thirds vote of the Executive Committee, as prescribed by the National Constitution.

Section 6. **REINSTATEMENT:** A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the General Membership present in Post meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 7.(vii)(viii) No person who has been expelled by a Post shall be admitted to membership, in this Post, without the consent of the expelling Post. If consent has been asked for and denied by such Post, . 2 he/she may then appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post and shall be ineligible for membership until such permission is granted. Section 8. In the event of a jury trial, seven (7) peers present at the trial that are not Post 109 House Committee or Executive Committee members will be selected at random by the Post 109 Sergeant-At-Arms to serve as jurors.

#### ARTICLE IV MEETINGS

Section 1.(vii) The meetings of this Post shall be regular or special.

Section 2.(i)(iii)(vii) Regular GM meetings of the Post shall be held at the Post home on the second (2nd) Tuesday of every month unless otherwise directed. Regular Executive Committee meetings of the Post shall be held at the Post home on the fourth (4th) Tuesday of every month unless otherwise directed.

Section 3. The Post Commander and/or the Executive Committee may call special meetings of the Post at anytime.

Section 4. (ii)(iii) Five (5) members in good standing, in addition to three (3) members of the Executive Committee shall constitute a quorum at any regular GM or special meeting. Section

5.(iii)(viii) All meetings of this Post shall be conducted under and pursuant to the current version of "Robert's Rule of Order". A copy of Robert's Rules of Order shall be purchased by the Post and be in possession of the designated Parliamentarian or adjutant at all Post meetings.

#### ARTICLE V SELECTION OF OFFICERS

Section 1.(vii) All elections of Officers and Executive Committeemen shall be by written ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective offices for which they are candidates.

Section 2.(vii) The officers of this Post shall be Elective and appointive. The Elective Officers shall be as follows; Commander, Senior Vice Commander, Junior Vice Commander, Finance Officer, Historian, Sergeant-at-Arms and three (3) members of the Executive Committee to be elected to one (1), two (2), and three (3) year terms. Remaining members will move up to fill the one (1) year position from the previous two (2) year Position and the previous three (3) year term will move up to the (2) year position. The appointive officers shall be as follows: Adjutant, Service Officer, Chaplain, Judge Advocate, and Lottery Agent as required. In addition, the Commander has the option to appoint a Liquor Agent. No Elective Officer shall be a paid employee of the Post.

Section 3.(v)(vii)(viii) All elective officers shall be sworn into office at the first regular meeting before the annual Department Convention, shall take over the duties of the elected office at the closing of the Annual Department Convention and shall hold the office for one (1) year, or until their successors shall have been duly elected and qualified. All appointive officers shall take over the duties of that office on the day after the date appointed by the in-coming Commander after his/her taking the office of Commander, and shall hold office for one (1) year or until their successors have been duly appointed and qualified.

Section 4.(iii)(viii) Nominations for elective officers shall be made at the regular GM Post meeting in March and closed following any additional nominations during the regular GM Post meeting in April. The results of these nominations shall be posted on the bulletin board and announced on the Post 109 website, along with instructions for requesting an absentee ballot IAW Section 5.

Section 5.(iii)(iv)(viii) Post elections will be held at least 31 days prior to the commencement of the Department Annual Convention IAW Department Constitution and By-Laws Article XII Section 7. The polls at the Post home will be open for voting on the selected voting day from 12:00 noon until 6:30 PM on the date selected in May. Two (2) Post members will be stationed

at the Post home during these voting hours 3 to check membership cards to verify that voters are current Post 109 members. Ballots will be issued one (1) per member at the polls. All members who signify to the adjutant their inability to be present at the election of officers shall be given an absentee ballot which shall be canvassed at the same time and place as the other ballots, provided that said ballots have been received prior to the closing of the polls. Members absent the local area due to snowbird status, business, deployment, or TDY, may e-mail the adjutant at the post e-mail account to ask for their ballot and cast their ballot to vote. Requests for ballots and ballots cast by e-mail will be printed and kept with all ballots detailing said election. Section 6. All appointed officers of this Post appointed by the Post Commander shall be subject to confirmation by a majority of the Executive Committee, and may be removed by the affirmative vote of a majority of the members of the Executive Committee. Section 7.(iv) A vacancy shall exist when an elected or appointive officer is absent from his/her post for three (3) consecutive regular Post meetings, unless such officer has just cause for being absent of such meetings with approval of the Executive Committee and shown in their meeting minutes. Section 7a.. At the death, resignation or recall of the Post Commander, the office shall be offered to the Senior Vice Commander. If accepted, the Senior Vice Commander office shall be offered to the Junior Vice Commander. If accepted, the procedures in Article V, section 7b will be followed to fill the Junior Vice Commander vacancy . If either position is not accepted, an election to fill the office of Commander shall follow procedures prescribed for the annual election of officers. All other elected and appointed offices remain status quo.. Section 7b.(iv) The Commander shall have the power to appoint a candidate for any vacant elective officer position for the remainder of the current term. The appointment must be approved by the Executive Committee and General Membership.. Section 8.(v) All Outgoing Officers shall make available all of their respective records to their incoming counterparts within twenty (20) days of the General Election. Section 8a. (v) All outgoing Officers shall relinquish all duties, records, and command of that Office to the newly elected Officers upon the closing of the Annual Department Convention.

## ARTICLE VI

### DUTIES OF OFFICERS

Section 1.(iii)(vii)(viii) 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 affairs of the Post, and such officer shall be the CHIEF EXECUTIVE OFFICER of the Post. He/She shall approve all orders directing the disbursement of General Funds and shall make an annual report covering the business of the Post for the year, and recommendations for the ensuing year, and forward a copy immediately to the Department Adjutant. He/She shall perform such other duties as required. All appointed managers or committees are responsible to report to the Commander/Executive Committee.

Section 2. SENIOR VICE COMMANDER: It shall be the duty of the Senior Vice Commander to assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander, and shall perform the duties of membership chairman, render reports of membership annually or when called upon at a meeting;

Section 3.(iv)(v)(viii) JUNIOR VICE COMMANDER: It shall be the duty of the Post Junior Vice Commander to assume and discharge the duties of the Senior Vice Commander, or the Post Commander, as the case may be as provided in Article 6, Sections 1 and 2. He/she will be responsible for all Post activities and outside functions and must obtain approval from the Executive Committee for dates and times of events planned.

Section 4.(iii)(viii) POST ADJUTANT: The adjutant shall have charge of and keep a full and correct record of all meetings, keep such records as the Department and National organizations may require, shall have general charge of books and accounts of the Post, save those in the custody of the Post Finance Officer, and under the direction of the Commander, handle all correspondence of the Post. Post Adjutant shall also act as Secretary for the

Executive Committee. The Post Adjutant or designated manager shall also be in charge of all employed personnel, whether on payroll or self-employed contractors, with the responsibility of designating duties, hours of work, and all other pertinent matters.

Section 5. (iii)(iv)(v)(vii) FINANCE OFFICER: It shall be the duty of the Post Finance Officer to 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 he/she may seem expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall make certain that all checks carry two (2) authorized signatures and submit the annual budget two (2) weeks prior to the annual election. A full written report will be read at a regular Post meeting before said election. He/she shall also act as Chairperson of the Post Finance Committee.

Section 6. POST HISTORIAN: The Post Historian shall keep during his/her term of office in the Post, a record of all events, which may have a historical value.

Section 7. CHAPLAIN: The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and adhere to such ceremonial rituals as are recommended by the Department or National Headquarters.

Section 8. (iv) SERGEANT-AT-ARMS: The Sergeant-at-Arms shall preserve the order at all meetings and shall perform such other duties as may be from time to time assigned to him/her by the Post Executive Committee or Commander, and shall take care of all equipment and Post Property and present a complete physical inventory of Post Property at the regular meeting (2) weeks prior to the annual election.

Section 9. SERVICE OFFICER: The Service Officer shall perform such duties in connection with the rehabilitation of Veterans as directed by the Post Commander and the Department of Arizona Constitution and By-Laws.

Section 10. (iii) JUDGE ADVOCATE: The Judge Advocate shall be the legal advisor of the Post Officials and Committees on all legal affairs pertaining to Legion Activities. He/she will be the guardian of Constitutional form of Post Government.

Section 11. (vii) LIQUOR AGENT: The Liquor Agent shall keep current on State Liquor Laws and regulations. The Liquor Agent is the responsible signature on Liquor License.

Section 12. All officers of the Post are responsible to enforce all of the rules as documented in the Post 109 House Rules.

## ARTICLE VII COMMITTEES

Section 1. As deemed necessary by the Executive Committee, the regular and standing committees of this Post shall be as prescribed in the Department and National Constitution and By-Laws, and as prescribed in the Post 109 By Laws.

Section 2. (iii)(vii)(viii) EXECUTIVE COMMITTEE: The Executive Committee shall be composed of all Post elective officers, plus the immediate Past Commander or a Past Commander in good standing in succession of the immediate Past Commander if the immediate Past Commander is unable to serve as Past Commander, and three (3) other members to be elected from the floor for one (1) year terms. The Post Adjutant, if appointed by the Commander, may serve on the Executive Committee. The Post Commander shall serve as the Chairman of the Executive Committee. The Post Adjutant shall serve as the Chairman's Secretary. All members on the Executive Committee are eligible to vote. Section 2a. The Post Executive Committee shall perform the administrative functions of the Post and shall hire and discharge such employees as may be necessary; shall authorize and approve expenditure of funds, shall require adequate bonds from all persons having custody of Post 109 funds as prescribed in Article VIII, Section 1.; shall hear reports of the Post Committee Chairman; shall vote on all appointments of the Post Commander; have charge and responsibility for the management of the affairs of this Post. Section 2b. 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 new officers. Thereafter, the Post Executive Committee shall meet at the call of the Commander at least once every month, and as the Commander deems necessary. The Commander shall call a meeting of the Post Executive Committee upon the written request of three (3) or more members of the Executive Committee. A majority of the members of the Committee shall constitute a quorum thereof. Section 2c.(vii) The minutes of the Executive Committee shall include a complete accurate record of all business transacted at each meeting. The minutes of each meeting shall be signed by the Chairman and Secretary of the Committee and shall be posted on the Post 109 website and available to read at the next regular meeting of the Post. The Post Commander or Executive Committee may appoint such other committees as he/she/they shall deem advisable, or as the Post may direct. Any standing committee who fails to function for more than three (3) months or as directed by the Commander shall be replaced by the Commander, and a new Chairman appointed with the approval of the Executive Committee.

Section 3. 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 civil phases of instruction in schools' Americanism 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 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 purpose. To act as intermediary of the Legion 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. FINANCE COMMITTEE: Shall be charged with the administration of financial policy, preparation of budget recommendations and supervision of receiving, disbursing, and accounting of all Post funds. Shall consist of three (3) members, one of which shall be the Post Finance Officer. Section 5a.(iii) It shall be the duty of the Finance Committee to make and submit to the Executive Committee estimates of the different amounts required to meet the expenses of the Post for the ensuing fiscal year, and the amounts raised by annual membership dues and any other fixed sources of revenue, and shall contain a statement of the contemplated expenditures for the ensuing year. Shall also show the amount proposed to be expended for each separate fund and the total amount of expense, and shall submit a completed statement to the Executive Committee. Upon its approval thereof, it shall become the budget of the Post for the ensuing fiscal year and shall be entered into the minutes of the Executive Committee. Section 5b.(iv) The fiscal year of this Post shall be July 1 to June 30 of each year. Section 5c.(iii)(vi) The Finance Committee shall cause to be completed, two (2) weeks prior to the annual election of officers, a complete internal audit of all Post property, activities and controlled operations including all Post finances by a committee of three (3) qualified Post members appointed by the Commander and approved by the Executive Committee and a report given to the Executive Committee. In addition, an external audit of all Post property, activities, and controlled operations including all Post finances by an external, certified CPA will be accomplished every five (5) years and a report given to the Executive Committee. 6 Section 5d. (iv) The Executive Committee is hereby authorized to rent or lease any or all the real property of the Post for one year (1) or longer, and said rent or lease shall be subject to the approval of the General Membership at the next scheduled Post membership meeting as per Article IV, Section 2.

Section 6.(iv) BINGO COMMITTEE: Shall be charged with the operation and administration of all Bingo games at the Post. The administration and conducting of Bingo games shall be in accordance with Arizona Statutes and Post Constitution and By-Laws. The Bingo Proceeds Coordinator shall supervise financial responsibility for funds generated by the Bingo games.

Section 6a.(iii)(iv) The Bingo Manager shall be a member of Post 109 in good standing and shall be appointed by the Post Commander and approved by the Executive Committee. The Bingo Proceeds Coordinator and Bingo Supervisors shall be appointed by the Bingo Manager and approved by the Post Commander. Section 6b.(iv) The Proceeds Coordinator shall maintain a separate checking account for Bingo games and this account shall have sufficient funds to cover normal Bingo expenses and payment of Bingo prizes. The Bingo Manager will provide a monthly finance report to the Executive Committee. Any expenditure of funds outside of Bingo operational costs that exceed \$500.00 shall be submitted to the Executive Committee for approval.

Section 7. (iii)(vii)(viii) HOUSE COMMITTEE: The House committee shall prescribe the rules for the use of the Post 109 Property used by the Post and may modify or revoke same. It shall set rules and fix penalties for the violation of the rules subject to the approval of the Executive Committee. The House Committee shall meet monthly with the Bar and Kitchen Manager. The House Committee Chairman or his representative shall report to the Commander/Executive Committee Section 7a. No member may hold an elective office and an appointive salaried office in this Post at the same time. Any employee or anyone working a concession at the Post who wishes to become a candidate for a Post office shall first resign his/her position of employment upon his/her nomination or such earlier time he/she expresses intent to become a candidate. No salaried employee of the Post shall be a voting member of any Post Committee, which sets policy or determines salaries of Post employees. Salaried employees shall, upon call, attend House Committee meetings and lend input and suggestions, which will contribute to the successful operation of the Post 109 activities. Section 7b.(iv)(vii) The House Committee shall be required to establish House Rules which conform to all County, State and Federal Laws and those of the Department of the American Legion that will insure a clean and profitable House Operation. The House Committee shall; consist of no less than three (3) or more than (5) members appointed by the Post Commander, with approval of the Executive Committee. One member of the House Committee must also be a member of the Executive Committee. Section 7c.(vii)(viii) BAR MANAGER: The Bar Manager shall be a member of Post 109, Legion, Auxiliary or SAL in good standing and shall be employed in accordance with Federal, State, and local labor laws and adhere to employee contract. The Bar Manager shall report, in person, to the House Committee or Executive Committee monthly. This report shall contain information on bar activities, and stock inventory. In addition, all liquor price changes and lounge improvements must be justified by the Bar Manager and presented to the Executive Committee for approval. Section 7d (viii) KITCHEN MANAGER: The Kitchen Manager shall be a member of Post 109, Legion, Auxiliary or SAL in good standing and shall be employed in accordance with Federal, State and local labor laws and adhere to employee contract. The Kitchen Manager shall report, in person, to the House Committee monthly. This report shall contain information on kitchen activities and stock inventory. In addition, all price changes and kitchen improvements must be justified by the Kitchen Manager and presented to the Executive Committee for approval. Section 7e.(vii) During all hours of operation of Post 109, all Bartenders on duty and non-alcohol consuming members in attendance shall be responsible for the conduct of all persons and the enforcement of the Laws and Rules established by the State of Arizona, Department of the American Legion and the McCulloch-Wagner Post 109 House Rules established and posted by the Post House Committee. Section 8. VISITING COMMITTEE: This Committee is charged with the visiting and comforting of members and their families when sick or bereaved and with visiting ex-servicemen in nearby hospitals.

#### ARTICLE VIII

#### BONDING AND SURETY

Section 1. All Officers of Post 109 handling McCulloch-Wagner Post 109 monies shall be properly bonded with a good and solvent Bonding and Surety Company to cover double the

average amount of monies handled in a single year, and approved by the Post Executive Committee. The Post Executive Committee shall immediately report any violation of said bond to said Bonding and Surety Company.

#### ARTICLE IX

##### CHARTER MEMBERS

Section 1.(vii) Members who joined this Post prior to March 13, 1980 (or members who joined this Post prior to the issuance of a charter) shall be known as charter members. Section 2.(v)(vii) HONORARY LIFE MEMBERSHIP: An Honorary Life Membership shall be authorized for the Post Commander provided the following conditions are met: a. The Commander completes at least one (1) term in Office as Post 109 Commander b. After two (2) years from the completion of that term as Post Commander, that Commander will be considered for an Honorary Life Membership provided: he/she continues a member in good standing of Post 109.

#### ARTICLE X

##### FINANCE

Section 1.(iv) The revenues of this Post shall be derived from membership fees or annual membership dues and from such other sources as may be presented by the Post Executive Committee and approved by the General Membership. Section 2. (vii) The amount of such membership fees and the amount of such annual Post dues shall be determined by the Post Executive Committee and approved by the General Membership. Section 3. (viii) The Post shall pay to Department Headquarters the National and Department annual membership dues for every member of the Post, and pay the District their designated dues levy. Section 4. (iv) (vii) No expenditures may be made other than those items budgeted for, with the following exceptions; \$500.00 by the Post Commander or his appointed designee for one-time non-recurring expenditures. The Executive Committee may approve, one time nonrecurring expenditures of up to \$1,500.00. Any amount over the above must be approved by the General membership. The only exception is the Executive Committee has discretionary spending for maintenance replacement of current equipment to maintain critical operations and health and safety standards.

#### ARTICLE XI

##### DELEGATES

Section 1. (iv)(vii) Delegates and alternates to a Department Convention shall be selected by the Post Commander. The Post Commander shall also appoint the Post District No. 2 Delegate. 8

#### ARTICLE XII

##### 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 XIII

##### REMOVAL FROM OFFICE

Section 1.(iv) MISCONDUCT: Any Officer who conducts him/herself in such a manner as to bring the American Legion into disrepute, or is absent three (3) consecutive meetings of the Post without just cause acceptable to a majority of the Executive Committee, shall have his/her office declared vacant. This vacancy shall be provided for in Section V, Section 7b. Section 2. RECALL: Every officer of this Post holding office either by election or appointment is subject to recall from such office by the members of the Post. Such number of members as shall equal twenty (20) percent of the membership of the Post, may by petition, which shall be known as a Recall Petition demand his recall. Every recall petition must contain a general statement in not more than two hundred (200) words of the grounds of such a demand, and

must be filed with the Executive Committee or any member thereof. Each signed must add to his signature the date of his signing said the Adjutant should verify petition and such signature as a paid up member. Upon the filing of the petition, the Executive Committee shall immediately give notice in writing to the Officer against whom it is filed, and shall set forth the grounds thereof, and shall notify such officer of his resignation, it shall be accepted and the vacancy shall be filled as provided in Article V, Section 7b of these bylaws. If he shall not resign within five (5) days after notice has been given that a recall petition is filed, said petition should be read, together with the signatures appearing thereon, at the next regular meeting of the Post. A special election shall be held at the next following regular Post meeting to determine whether such officer should be recalled. Immediately prior to the voting, the recall petition shall again be read together with the signatures appearing thereon and the officer shall have the opportunity of presenting a statement in justification of his course in office. A majority vote of those present and voting shall be necessary to recall such officer. If said officer is recalled, the vacancy shall be filled as prescribed in Article V, Section 7b of these By-Laws.

#### ARTICLE XIV

##### ASSESSMENTS

Section 1. There shall be no special assessments levied upon the members of this Post.

#### ARTICLE XV

##### AMERICAN LEGION ANCILLIARY ORGANIZATIONS

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of McCulloch-Wagner Post 109, the American Legion.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

Section 3. (viii) This Post recognizes the Jr. Women's auxiliary. Membership shall be as prescribed in the National Constitution of the American Legion Auxiliary.

Section 4.(viii) This Post recognizes the Sons of the American Legion. Membership shall be prescribed by 9 the National Constitution of the Sons of the American Legion. The Squadron of the Sons of the American Legion shall have the authority to hold fund raising activities to help support themselves.

Section 5. This Post recognizes the American Legion Riders (ALR). Membership in the ALR will be based on membership in good standing in the Legion, Sons of the American Legion, or Auxiliary and restrictions may be prescribed by the Post ALR until such time as a National or Department Constitution of the American Legion Riders is established, and if so, will comply with National or Department directives when published. The ALR shall have the authority to hold fund raising activities to help support themselves.

Section 6. This Post recognizes the Post 109 Phantom Color Guard. Membership shall be prescribed in Color Guard Procedures Manual and kept on file in the Legion office. The Color Guard shall have authority to hold fund raising activities to help support themselves.

#### ARTICLE XVI

##### LIMITATIONS AND LIABILITIES

Section 1. This Post shall incur, or cause to incur, no liability nor obligations whatsoever which shall subject to liability any other Post, subdivision, group of men, members of the American Legion, or other individuals, corporations or organizations.

#### ARTICLE XVII

##### SUBSCRIPTIONS

Section 1. No tickets of any kind may be sold or distributed for sale at any meeting of this Post, nor may the membership be pledged to purchase or sell tickets to any entertainment or event whatsoever, provided however, that this section shall not apply to entertainment or events produced or promoted by the Post and its Auxiliary.

#### ARTICLE XVIII

##### ORDER OF BUSINESS



Section 1. The following shall be the regular order of business of the Post Meetings:

1. Call to Order (vi)
2. Roll Call of Officers to determine if quorum is present
3. Reading and approval of minutes of previous GM and Executive Committee meetings
4. Introduction of guests and prospective new members
5. Reports of Standing Committee's
6. Reports of Special Committees
7. Sick call and relief
8. Unfinished Business
9. New Business
10. Memorial to departed post member(s) (if appropriate)
11. Business for the Good of the American Legion
12. Adjournment

#### ARTICLE XIX

#### AMENDMENTS

Section 1. (viii) These By-Laws may be amended at any regular Post GM meeting by a vote of two thirds of the members of Post 109 attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the prior preceding regular meeting of the Post, and provided further, that changes be available for review by all members electronically by posting to the website and physically by posting on the bulletin board at least 10 days in advance of date.

#### ARTICLE XX

#### ADOPTION AND APPROVAL

Section 1. This Constitution and By-Laws shall be the only Constitution and By-Laws of this Post.

Section 2. The provisions of this Constitution and By-Laws shall be in force from the day on which the same is finally approved and adopted by this Post in the regular meeting assembled. Adopted and approved by McCulloch-Wagner Post 109 in regular meeting assembled at Vail, Arizona.

In TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of this Post to be affixed, this 9 March 2022.

ATTEST:

*Ventura Tounsel*

"Ace" Ventura Tounsel  
Commander

*Joy Lee*

Joy Lee  
Adjutant/Secretary

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## AMENDMENTS

- (i) Amended 7 January 1983
- (ii) amended 2 July 1983
- (iii) Amended 6 October 1992
- (iv) amended 7 April 1998
- (v) Amended 2 March 1999
- (vi) amended 4 May 1999
- (vii) Amended 2 March 2004
- (viii) amended 11 June 2007
- (ix) Amended 11 May 2011
- (x) Amended 8 November 2016
- (xi) Amended 13 April 2021
- (xii) Amended 9 March 2022

**For God and Country**