

**AERIE 4308 CABALLO BY-LAWS**  
**Revised May 2019**

CABALLO AERIE #4308, FRATERNAL ORDER OF EAGLES, INSTITUTED BY  
AUTHORITY OF THE GRAND AERIE OF THE FRATERNAL ORDER OF EAGLES.

THIS AERIE WAS INSTITUTED ON 29 JUNE 1992.

THIS AERIE WAS INCORPORATED UNDER THE LAWS OF THE STATE OF NEW  
MEXICO ON 10 SEPTEMBER 1992

**MEETINGS**

Section 1.1: The meetings of this Aerie shall be held on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month, at  
the hour of 7:00 PM. The place of meeting shall be the Aerie Building on  
Highway 187, Caballo, NM 87931.

Section 1.2: Special meetings shall be held in conformity with Section 72.2 Statutes for local  
Aeries, or amended thereof.

**NOMINATIONS AND ELECTIONS**

Section 2.1: The annual nomination, election and installation of officers shall be as provided for  
in Section 91.1 to 91.5 inclusive, Statutes F.O.E. or laws amendatory thereof.  
Vacancies shall be filled as provided in Section 92.1, Statutes F.O.E. or laws  
amendatory thereof.

Section 2.2: The office of Worthy Conductor shall be filled each year by appointment of  
Worthy President.

Section 2.3: The office of Outside Guard shall be abolished.

Section 2.4: The election of Officers shall be by printed ballot. The polls shall open at 3:00 PM  
and the polls shall close at 7:00 PM.

Section 2.5: Tellers shall be appointed by the Worthy President, (presiding officer)

Section 2.6: The term of office of the Secretary of this Aerie shall be for one (1) year.

Section 2.7: The term of office for the Treasurer of this Aerie shall be for one (1) year.

Section 2.8: There shall be five (5) elected Trustees. Each year two shall be elected for a one-  
year term and one shall be elected for the three-year term. The sitting three (3) year  
will move to a two (2) year and the sitting two (2) will move to a one (1) year.

Section 2.8 (a): In addition to the 5 elected Trustees, the Aerie Junior Past Worthy President,  
while serving as such, shall not serve as a member of the Board of Trustees of this  
Aerie.

Section 2.8 (b): In addition to the 5 elected Trustees, the Secretary of this Aerie, while serving as such, shall not serve as a member of the Board of Trustees of this Aerie.

### **AERIE MEMBERSHIP**

Section 3.1: The fee for membership by initiation shall be \$30.00.

3.1(a): The fee for re-enrollment shall be \$10.00

Section 3.2: The minimum age that members will be accepted into this Aerie will be twenty-one (21) years of age on the date of initiation.

Section 3.3: In order to read an application for membership on the Aerie Floor, one of the proposers must be present and must give a brief resume on the applicant. In the event neither proposer can be present when the application is read on the floor, one of the proposers must submit a written resume to be read with application.

Section 3.4: Non-Beneficial Life Membership cards may not be granted to members of this Aerie.

Section 3.5: The method used by this Aerie to accept all candidates for membership shall be elected by majority vote of those members present and voted by secret ballot.

### **FUNDS**

Section 4.1: The following funds are hereby established for this Aerie:

(A) The Benefit Fund – Shall consist of:

- (a) All payroll tax amounts which shall include the Aerie contributions and deductions from employees' paychecks.
- (b) The Grand and State per-capita portion of dues received.

(B) The General Fund –

- (a) Shall consist of all moneys received which are not required to be placed in the Benefit Fund or the Social Fund.
- (b) If any member sponsors a function to raise money for their charity, such moneys shall be deposited in the General Fund and earmarked as such.

(C) The Social Fund – Shall consist of all moneys received from social functions, entertainments, buffets, picnics, and other activities.

Section 4.2: By resolution, the Aerie shall designate some banking institution in which each said Funds, shall be separately deposited. Such funds shall be made only in the name of the Aerie.

Section 4.3: A discretionary fund of cash monies will be available to the Trustees and Club Manager in an amount not to exceed \$5000.00. Expenditures from this fund will be reported and receipts given for each occurrence. Funds from donation dinners and donations will be added to this fund with the excess over \$5000.00 to be deposited in the Social Fund.

Balance of this fund will be reported properly on the Aerie financial report

## **DUES**

Section 5.1: Dues of non-beneficial members shall be \$30.00 per year, payable in advance.

Section 5.1(A): All dues for non-beneficial members shall be due on May 31<sup>st</sup> of each year. All non-beneficial new members shall be properly pro-rated to be due on May 31<sup>st</sup> of each year.

Section 5.2: Dues for non-beneficial members will be \$30.00 and shall be divided annually among the various funds as follows:

- (a) Benefit Fund – Current Grand plus State per-capita tax
- (b) General Fund – Remaining balance

Section 5.2(A): Dues of Dual members will be \$15.00 and shall be divided among the various funds as follows:

- (a) Benefit Fund – Current Grand plus State per-capita tax
- (b) General Fund – Remaining balance

Section 5.2 (B): Dues for Re-Enrollment members will be \$30.00 and shall be divided among the various funds as follows:

- (a) Benefit Fund – Current Grand plus State per-capita tax
- (b) General Fund – Remaining balance

Section 5.3: Any qualified member may not make application for a "Golden Eagle" Membership.

## **DUTIES OF OFFICERS**

Section 6.1: If any officer absents himself from three (3) consecutive meetings of the Aerie, or duly called or stated officer's meetings or Trustee's meetings, without being excused by a vote of the Aerie in regular session, the office of such officer so absenting himself shall be declared vacant by the presiding officer.

Section 6.2: House rules governing the premises and the conduct of members thereon, shall be adopted by this Aerie, and such house rules shall at all times be posted in a conspicuous place in the Aerie premises. House rules shall be adopted and amended in the same manner as the by-laws of the Aerie.

Section 6.4: The secretary of the Aerie shall not serve as the Secretary of the Board of Trustees of this Aerie, and shall not receive such compensation for such services.

Section 6.5: It shall be the responsibility of the Aerie Trustees to administer any duly approved and licensed gaming operations at the Aerie

Section 6.5(a): With Aerie approval, and under the supervision of the Aerie Trustees, a Gaming Committee shall be formed of appointees and / or volunteer Aerie members to oversee the selection of recipients of the Charity and Educational (C&E) Funds generated from the gaming proceeds. Awards will be based on the criteria of the New Mexico Gaming Control Board Standards for Non-Profit Gaming and the committee by-laws. Committee recommendations will be presented for approval at the regular Aerie meeting.

Section 6.5(b): Gaming Committee and Trustees are responsible for assuring all C&E guidelines and Gaming Control Act 60.2E NMEA regulations are followed.

### **DISABILITY BENEFITS**

7.1 (B) This Aerie does not pay benefits for any sickness or disability.

### **FUNERAL**

Section 8.2: On the death of a member, the Aerie shall provide a suitable floral or other form of tribute, cost not to exceed the sum of \$50.00, to be paid from the General Fund.

### **SALARIES**

Section 9.1: For the faithful performance of his secretarial duties, the Secretary shall receive per capita compensation, payable monthly, and based upon the number of members who are in good standing and who are not more than three (3) months in arrears, as follows: twenty-five (.25) cents per month per member.

Section 9.2: This Aerie does not pay salaries to the Aerie Officers. Only to the Secretary as stated in Section 9.1.

Section 9.8: The salary of Aerie employees shall be fixed by the Board of Trustees and not to exceed the maximum amount shown: \$20.00 per hour of employment. Aerie employees shall consist of Manager, Assistant Manager, bartenders, security, game room attendant, janitor, waitress, tellers, gaming and Aerie Bookkeeper.

Section 9.9: Whenever the Aerie, by properly adopted resolution, sends its accredited representative to the Grand Aerie Convention, the State Convention, they may be allowed as their expenses not to exceed and availability of funds, \$50.00 per day while going to, returning from and while in attendance at the sessions. Any registration fee is included in this compensation. An accredited representative must have attended a minimum of 50% of regular aerie meetings during the current year. A verbal or written report to the Aerie shall be required from the attendees before receiving their expense reimbursement.

Section 10.1: The Worthy President, Secretary, Treasurer and each Trustee and/or the employees of the Aerie who handle money of the Aerie, shall be bonded by a "Named Position" Bond, to be purchased by the Aerie, in the amount according to the following schedule:

Classification Number	Annual Gross Receipts All Funds	Amount of Bond
(1)	Under \$10,000.00	\$ 1,500.00
(2)	Under \$20,000.00	\$ 3,500.00
(3)	Under \$40,000.00	\$ 6,500.00
(4)	Under \$60,000.00	\$10,000.00
(5)	\$60,000.00 and up	\$ 13,000.00

Section 10.2: No Officer or employee shall be permitted to assume or discharge the duties of his office or employment until Bonded.

### **MILITARY SERVICE RECEIPT**

Section 11.1: Upon a vote of the Aerie in regular meeting, there may be issued to any member in good standing, who is in the Military Service, a Military Service Receipt. When such Receipt has been issued such member, during his term of Military Service and for Thirty (30) days thereafter, shall not be obligated to pay dues to the Aerie but shall be carried on the rolls of the Aerie as a member in good standing.

Section 11.2: This Aerie is Non- Benefit Members only.

### **MISCELLANEOUS**

Section 12.1: In appreciation of services rendered by the retiring Worthy President, the Aerie may, by resolution adopted by the Aerie, present some suitable gratuity to the retiring Worthy President, at a cost not to exceed the sum of \$350.00, to be paid from the General Fund.

Section 12.2: The Aerie trustees may, in an emergency situation, expend funds (if available) to cover cost of such emergency. The Trustees will report this action to be dealt with at the next regular Aerie meeting.

Section 12.3: Bills presented to Aerie Finance Committee that are outside regular Aerie expenses and exceed \$500.00 shall be presented at a regular Aerie meeting and held over for a vote of Aerie until the next regular meeting.

Section 12.4: Where the Constitution and Statutes of the Fraternal Order of Eagles, and the Rules and Regulations of the Fraternity, and these by-laws do not cover or control, then "Robert's Rules of Order (Revised) shall govern the actions and deliberations of this Aerie.

BY-LAWS COMMITTEE

Chairman \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

Proposed at regular meeting held \_\_\_\_\_ day of \_\_\_\_\_ 2018

Second reading at regular meeting held \_\_\_\_\_ day of \_\_\_\_\_ 2018

Adopted at regular meeting held \_\_\_\_\_ day of \_\_\_\_\_ 2018

Attest: \_\_\_\_\_  
SECRETARY WORTHY PRESIDENT

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Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018

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GRAND SECRETARY, FRATENAL ORDER OF EAGLES



**PROPOSED CHANGES TO THE 4308 BYLAWS**  
**April 2019**

Section 2.3: The office of Outside Guard shall be abolished.

Section 4.1: Funds There will be a new fund (Social Fund) added and the fund definitions and contents are described.

Section 4.3: A discretionary fund of cash monies will be available to the Trustees and Club Manager in an amount not to exceed \$5000.00. Expenditures from this fund will be reported and receipts given for each occurrence. Funds from donation dinners and donations will be added to this fund with the excess over \$5000.00 to be deposited in the Social Fund.

Balance of this fund will be reported properly on the Aerie financial report.

The current Section 4.3 concerning the Pat Jones Cancer Memorial Cancer Fund will be deleted.

**PROPOSED CHANGES TO THE 4308 BYLAWS**  
**October 2018**

1. Add the following to Section 6 of the by laws concerning gaming proceeds to insure compliance with State gaming laws.

**Section 6.5(a): With Aerie approval, and under the supervision of the Aerie Trustees, a Gaming Committee shall be formed of appointees and / or volunteer Aerie members to oversee the selection of recipients of the Charity and Educational (C&E) Funds generated from the gaming proceeds. Awards will be based on the criteria of the New Mexico Gaming Control Board Standards for Non-Profit Gaming and the committee by-laws. Committee recommendations will be presented for approval at the regular Aerie meeting.**

**Section 6.5(b): Gaming Committee and Trustees are responsible for assuring all C&E guidelines and Gaming Control Act 60.2E NMEA regulations are followed.**

2. Add the following to Section 12 of the bylaws. These changes were requested by several members in order to simplify Aerie operations and insure financial prudence.

**Section 12.2: The Aerie trustees may, in an emergency situation, expend funds (if available) to cover cost of such emergency. The Trustees will report this action to be dealt with at the next regular Aerie meeting.**

**Section 12.3: Bills presented to Aerie Finance Committee that are outside regular Aerie expenses and exceed \$500.00 shall be presented at a regular Aerie meeting and held over for a vote of Aerie until the next regular meeting.**

**Changes January 2013**

The following additions to our bylaws have been purposed and will be read on the floor



at three consecutive Aerie meeting before a final vote to approve or disapprove is taken.

The following additions to Section 4 (Funds) of our bylaws have been purposed

***Section 4.3: The J R Burnette Scholarship is established in memory of JR Burnette. Funds are available to deserving High School graduates or College students who qualify for financial assistance in furthering their education. The J R Burnette Scholarship funds are to be deposited in and earmarked for payment from the General Fund. A committee shall be formed of volunteers and/ or appointees, with approval of the Aerie, to oversee the applications and selection of recipients based on criteria in the committee bylaws.***

***Section 4.3 (a)***

***Upon selection of the recipient(s), and approval by vote of the Aerie, a check will then be issued in the name of the applicant(s).***

***Section 4.3 (b)***

***Scholarships in the amount of \$500.00 each will be awarded based upon availability of funds.***

***Section 4.4:***

***The Pat Jones Memorial Cancer Fund is established to aid local residents that have been impacted by cancer. Monies in this fund shall be deposited in and earmarked for payment from the General Fund. A committee shall be formed with approval of the Aerie to oversee the distribution of this fund.***

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In addition Section 5 (Dues) shall be amended as follows; (***new text shown in bold italic***)

Section 5.1: Dues of non-beneficial members shall be ~~\$25.00~~ **\$30.00** per year, payable in advance.

Section 5.1(A): All dues for all non-beneficial members shall be due on June 1st of each year. All non-benefit new members shall be properly pro-rated to be due on June 1st of each year.

Section 5.2: Dues for non-beneficial members will be ~~\$25.00~~ **\$30.00**. Shall be divided annually among the various funds as follows:

- (A) Benefit Fund----\$10.00
- (B) General Fund---~~\$15.00~~ **\$20.00**

Section 5.2(A): Dues of Dual members will be \$15.00. Shall be divided among the various funds as follows:

- (A) Benefit Fund----\$2.00
- (B) General Fund---\$13.00

## **Changes October 2013**

The following additions to Section 6 “**DUTY OF OFFICERS**” of our bylaws have been

purposed and will be read on the floor at three consecutive Aerie meetings (starting on September 5, 2013) before a final vote to approve or disapprove is taken.

## **DUTIES OF OFFICERS**

***Section 6.5: It shall be the responsibility of the Aerie Trustees to administer any duly approved and licensed gaming operations at the Aerie***

## **Changes to the Aerie by-laws November 2016**

### **FUNDS**

Section 4.1: The following funds are hereby established for this Aerie:

- (A) The Benefit Fund
- (B) The General Fund

Section 4.1 (C) and 4.1(D) will be deleted

***(C) The Social Fund***

***(D) The Building Maintenance Fund***

Sections 4.3 thru 4.3 (b) will be deleted

***Section 4.3: The JR Burnette Scholarship is established in memory of JR Burnette. Funds are available to deserving high school graduates or college students who qualify for financial assistance in furthering their education. The JR Burnette Scholarship funds are to be deposited in and earmarked for payment from the General Fund. A committee shall be formed of volunteers and / or appointees, with approval of the Aerie, to oversee the applications and selection of recipients based on criteria in the committee by-laws.***

***Section 4.3 (a) Upon selection of the recipient(s), and approval by vote of the Aerie, a check will then be issued in the name of the applicants.***

***Section 4.3 (b): Scholarships in the amount of \$500 each will be awarded based upon availability of funds.***