CONSTITUTION
AND
BY-LAWS

THE AMERICAN LEGION
DEPARTMENT OF MARYLAND

TOWSON POST NO.22

INCORPORATED

125 York Road
Towson, Maryland 21204

Revised and Adopted May 9, 2007

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CONSTITUTION
OF
THE AMERICAN LEGION
TOWSON POST NO. 22,
INCORPORATED
Department of Maryland

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 the great 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 goodwill on earth;

To safeguard and transmit to posterity the principles 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 organization shall be the TOWSON POST NO. 22, The American Legion, Inc., Department of Maryland.

ARTICLE II
OBJECTS

Section 1. The objects and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble and the National and Departmental Constitutions of The American Legion.

ARTICLE III
NATURE

Section 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination or election to or no incumbent of any remunerative elective public office shall hold any elective office or elective position in this Post of The American Legion provided that members of the post or appointed committees shall not be affected. Delegates and Alternates to any American Legion body shall not be deemed to hold office in this Post within the meaning of this section.

Section 3. The Post Executive Committee shall render a decision as to any member in question under Section 2 of this Article. The Post Executive Committee's decision shall be final.

Section 4. Rank does not exist in The American Legion. No member shall be addressed by his or her military or naval title in any convention or any meeting of this Post.

ARTICLE IV
ELIGIBILITY AND MEMBERSHIP

Section 1. Any person shall be eligible for membership in this Post who meets the requirements for membership prescribed in the National Constitution of The American Legion, as chartered and approved by the Congress of the United States, and as thereby amended from time to time.

Section 2. There shall be no form or class of membership except as active one and dues shall be paid annually or for life. Social or Honorary memberships are specifically prohibited.

Section 3. No person may be a member, at any time, of more than one Post.

Section 4. No person who has been expelled from The American Legion shall be admitted to membership in this Post, without the consent of the authority which expelled him or her, except that where such consent has been sought and denied, or sought and not granted within a reasonable time thereafter, he or she may then appeal to the Department Executive Committee for permission to be admitted to membership in this Post. He or she shall be ineligible for membership until such permission is granted.

Section 5. (a) Application for new or transfer membership must be in writing and accompanied by a discharge, separation notice or copy of discharge or separation notice.

(b) The membership applications and transfers shall be screened by a Membership Screening Committee. This committee shall be appointed by the Commander, and shall consist of at least two (2) members. The Membership Chairman shall serve as Chairman on this Screening Committee.

(c) Each application and/or transfer shall be screened by a minimum of two (2) committee members. It shall be their responsibility to check the applicant's discharge (DD214) to verify eligibility for membership. The Screening Committee shall have thirty (30) days to conduct the screening and report to the Membership Chairman.

Section 6. (a) Any member of this Post may be disciplined for cause by a two-thirds vote of the Executive Committee after a hearing before the Executive Committee upon charges which shall be in writing and shall be sworn to by the accuser or accusers. Charges shall be based upon disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of The

American Legion. The charges shall be filed, in triplicate, with the Commander or Adjutant, and a copy of the charges shall be served upon the accused either by an Officer of this Post who shall certify as to delivery of said charges into the presence of the accused or by Registered or Certified Mail directed to the address of the accused shown on the current year's membership record of the Post. The copy of the charges so served shall contain a notice to the accused of the date, time and place of hearing of such charges, such date to be not sooner than fifteen (15) days after service has been obtained. A copy of all papers served upon the accused, and the certification of the Officer who made the service, or the return receipt, shall be preserved in the Post records for reference in the event of Appeal. The accused shall have the right to challenge for cause any member of the Executive Committee. Both sides shall have the opportunity to present witnesses who shall be sworn. The accused shall be entitled to obtain representation at the hearing and to cross-examine all witnesses against him or her. The finding of the Post Executive Committee in writing shall be furnished the accused. Reasonable postponement should be accorded to permit the hearing to be held at such time as will best insure the production of all real evidence bearing on the charges; provided however that the accused may insist upon the hearing with thirty (30) days of the service of charges upon him or her. To expel, suspend or otherwise discipline a member of this Post two-thirds of the members of the Executive Committee who heard the case must vote in the affirmative. Any member who has been disciplined shall have the right of Appeal to the Department Executive Committee. Such appeal shall be taken in writing within thirty (30) days after the action appealed from is taken. Pending the determination of such Appeal, such member shall stand disciplined as set forth in the decision appealed from.

(b) Upon a finding of "guilty" a member may be reprimanded or denied the use of facilities open to other Post members for a period not to exceed six (6) months, or suspended for a time not to exceed one (1) year, or expelled from The American Legion. Notice of the suspension or expulsion of any member shall immediately be sent to the Department Adjutant.

(c) 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 members present at a regularly scheduled Post meeting, provided however, that he or she shall first make payment of any arrears in his or her dues at the time of expulsion or suspension and also other regular dues which have been payable in the interval between his or her expulsion or suspension and his or her reinstatement.

(d) A member whose dues for the current year have not been paid by January 1st shall be classified as delinquent. If his or her dues are paid on or before February 1st, he or she shall be automatically reinstated. If he or she is still delinquent after February 1st, he or she shall be suspended from all privileges. If he or she is still under such suspension of June 30th of such year, his or her membership in this Post shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by a vote of the Executive Committee and payment of current dues for the year in which the reinstatement occurs. Provided however, that the Executive Committee may waive the provisions hereof, upon payment of dues for the year in which the reinstatement occurs with reference to former members who have been prevented from the payment of dues by reason of active military service.

(e) Nothing contained herein shall prohibit the Post from taking any reasonable and lawful action in order to maintain order and decorum regarding the use of the Post facilities and thereby to deny the use thereof for a period not to exceed ninety (90) days.

Section 7. There shall be an initiation of new members at least once each year.

ARTICLE V
POST OFFICERS

Section 1. (a) The administrative affairs of this Post of The American Legion shall, except as may be otherwise be provided by the By-Laws, be under the supervision of an Executive Committee which shall consist of six (6) members

in addition to the Officers of the Post. Two (2) members will be elected each year for a term of three (3) years.

(b) All Department Commanders, who are members in good standing of this Post, shall be an ex-officio member of the Executive Committee for life.

(c) This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of this Post shall be a Commander, First Vice-Commander, Second Vice-Commander, Judge Advocate, Adjutant, Finance Officer, Assistant Finance Officer, Historian, Sergeant-At-Arms, Chaplain, Service Officer, and such other officers as may be deemed necessary.

Section 3. (a) The Post Officers (with the exception of the Adjutant, Assistant Finance Officer, Judge Advocate and the Service Officer), and two (2) Executive Committeemen to serve in place of the Committeemen whose term of office shall be expired, shall be elected at the regular meeting in June and shall be installed at a subsequent regular meeting to be determined by the Post Executive Committee, such meeting to be held no later than eighteen (18) days subsequent to the adjournment of the Annual Convention of The American Legion, Department of Maryland.

(b) They shall hold office until their successors are duly installed.

Section 4. The newly elected Commander of the Post shall appoint an Adjutant, Assistant Finance Officer, Judge Advocate and Service Officer and all other committees and chairmen needed to fulfill the activities during his or her year in office.

Section 5. Every member of this Post, in good standing, shall be eligible to hold office in this Post.

Section 6. The duties of Officers of this Post and Executive Committee shall be those usually pertaining to such office or committeemen and as further provided in the Post By-Laws.

Section 7. No elected officer of the post, except the Finance Officer may hold a salaried position in the Post during his term of office.

ARTICLE VI
FINANCE

Section 1. The revenue of this Post shall be derived from annual membership dues and from such other sources as may be approved by the Post Executive Committee, or by the Post.

Section 2. The annual dues of this Post shall be as determined by the membership at the January meeting.

Section 3. The Post shall pay to the Department Headquarters the National and Department annual membership dues for every member of the Post. District and County assessment shall be paid when levied.

Section 4. (a) All contemplated expenditures, with the exception of regular budgeted items (Post Expenses and Budget Accounts) already approved, in excess of One Hundred Dollars ($100.00) must be approved by the majority vote of the Post members present at a regular or special meeting of this Post.

(b) Every such case of an amount in excess of One Hundred Dollars ($100.00) shall first be referred to the Post Executive Committee for consideration and recommendation before being submitted to the Post membership for final action.

(c) The expenditure of an amount not exceeding One Hundred Dollars ($100.00), even if not a regular budgeted item, may be authorized by the majority of a quorum of the Post Executive Committee when it is impractical to refer the matter to the Post membership for approval, or by the Commander when it is impractical for him or her to meet with the Post Executive Committee.

(d) In the event an emergency situation occurs between Post or Post Executive Committee meetings a special meeting of the Post Executive Committee should be called to take immediate action on the problem. At the

very next Post meeting this problem must be brought to the attention of the Post membership.

Section 5. There shall be a sum not in excess of Twenty Thousand Dollars ($20,000.00) in the Post Treasury which shall be subject to the operation of Section 4 above. Any monies or property now or hereafter coming into the possession of the Post and its officers which would result in the Post Treasury being in excess of Twenty Thousand Dollars ($20,000.00) shall be transferred immediately to the Post Savings Account.

Section 6. The Chairman of every committee shall submit to the Post Commander a budget detailing by category the expected expenditures and income for the operation of his or her committee during said Post Commander's administration. Said budget shall be reviewed by the Budget and Finance Committee, approved by the Post Executive Committee. Any non-budgeted funds requested during the administration shall be referred to the Budget & Finance Committee for its recommendation and approved by the Post Executive Committee, if authorized by the Post membership.

Section 7. Each Post Officer or Chairman, prior to committing any budgeted funds or the expenditures of budgeted funds shall consult with the Post Commander and the Post Finance Officer, to determine if the financial status of the post Administration will support requested expenditures of budgeted funds. Upon approval of both the Post Commander and Post Finance Officer, the requested and committed amount shall be classified as assigned funds. If refused said Officer or Chairman may appeal his or her request to the Budget and Finance Committee within seven (7) days. The Post Finance Officer shall also classify as assigned funds any monies received by the post which are designated for a specific purpose. Said assigned funds shall not be used for any other purpose and shall be reported as assigned funds, with an explanation, on each voucher at all regular Post meetings. All assigned funds shall be reported to the Post Executive Committee at the next Post Executive Committee meeting after such funds are assigned.

Section 8. In the event that a non-budgeted item arises and the Post could save a substantial amount by making an immediate purchase of the offer, the Officer or Chairman shall have the authority to use his or her own discretion to take advantage of this savings. At the very next Post Executive Committee and Post regular membership meeting this matter, for record purpose, must be brought to their attention.

Section 9. The fiscal year of this Post shall be starting August 1st and ending July 31st of the ensuing year.

Section 10. An annual audit of all Post receipts and expenditures shall be made by an outside accounting firm.

ARTICLE VII
CHARTER MEMBERS

Section 1. Members who affiliated with this Post prior to July 15, 1931, shall be known as charter members. (July 15, 1931 is the date the Post charter was signed at national Headquarters.)

ARTICLE VIII
AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as TOWSON UNIT NO. 22, The American Legion Auxiliary.

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

ARTICLE IX
SONS OF THE AMERICAN LEGION

Section 1. The Post recognizes the organization of the Sons of The American Legion, TOWSON SQUADRON NO. 22, Department of Maryland.

Section 2. Membership in the Sons of The American Legion shall be prescribed by the National Constitution of the Sons of The Legion.

ARTICLE X
POST ASSETS

Section 1. The Post assets shall consist of all funds belonging to the Post.

Section 2. Permanent funds shall include all monies of the Post in excess of Twenty Thousand Dollars ($20,000.00) in the Checking Account; securities of every kind and nature; personal and/or mixed property of every kind and character and wherever situated; and all funds or property which may be received from estates, trust funds, wills, and in any other manner.

Section 3. The Post assets shall be administered by the Executive Committee upon advisement of the Post membership.

Section 4. (a) Pursuant to the provisions of Section 2-603, 2-607 and 2-609 of the Corporations and Associations Article of the Annotated Code of Maryland, Towson Post No. 22, The American Legion, Inc. adopts the Articles of Amendment and Articles of Restatement of its Articles of Incorporation. The provisions set forth in these articles are all the provisions of the Charter currently in effect with the additional amendments adopted herein. No stock entitled to be voted on the matter was outstanding or subscribed for at the time of the approval of Restatement of Charter and Amendments to Charter by the Board of Directors. This was approved by a majority vote of all members entitled to vote on the matter on the 27th day of April 1983.

(b) The membership of the Corporation shall be the same and identical to the membership of Towson Post No. 22 of The American Legion. Membership in said Towson Post No. 22, shall automatically constitute membership in this Corporation, and membership in this Corporation shall be contingent upon such member remaining a member in good standing in said Towson Post No. 22.

(c) Withdrawal, suspension, or expulsion from said Towson Post No. 22 shall automatically constitute a withdrawal, suspension or expulsion from membership in this Corporation, in which even said withdrawn, suspended, or expelled member shall possess no further rights in and to this

Corporation or the property and assets thereof, and shall hold no further office therein.

ARTICLE XI
AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Department Constitution of the Department of Maryland, The American Legion. Any amendment to said National or Departmental Constitution which is in conflict with the provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended only by a majority vote of the membership at a regularly scheduled meeting of the post. Notification of proposed amendment must be submitted to the membership sixty (60) days prior to the meeting at which the votes will be cast. The proposed amendment must be signed by the member or members making the proposal. Ballots will be counted by the Chairman of the Membership Committee and Adjutant. Ballots must show the member's current card number to constitute legal ballot.

Section 3. Absentee Voting – Members otherwise eligible to vote who are prevented from attending the night of the proposed changes to the By-Laws and/or Constitution by reason of obligations of their employment or military or reserve training or other bonafide requests subject to discretion of the Constitution and By-Laws Committee shall be entitled to cast an "Absentee Ballot" upon notifying the Post Commander or the Chairman of the Constitution and By-Laws Committee, in writing, not later than seven (7) days before the date of voting on the proposed change(s). Such notice shall specify the reason for the necessity of an "Absentee Ballot." Upon being satisfied of the propriety of request, the ballot cast shall be in the Committee's hand prior to the date of voting and shall be sealed in envelope until the time of the counting of all ballots.

BY-LAWS
OF
THE AMERICAN LEGION
Department of Maryland
TOWSON POST NO. 22, INCORPORATED

ARTICLE I
OBJECTS

Section 1. The objects of this Post are as set forth in the Constitution.

ARTICLE II
MANAGEMENT

Section 1. The management of this Post is entrusted to the Post Executive Committee, which shall be elected or appointed to serve as prescribed in Article V of the Post Constitution.

Section 2. The 18-member Executive Committee shall consist of six (6) members in addition to the officers of the Post and Immediate Past Commander. Two (2) executive committeemen and all elective officers of the Post shall be elected annually at the regular monthly meeting in June and shall take office at the regular meeting indicated in Section 3 (a), Article V of the Post Constitution.

Section 3. All employees of the Post shall be hired and maintained on the payroll in accordance with the wage and hour laws of the United States of America and the State of Maryland.

ARTICLE III
POST EXECUTIVE COMMITTEE

Section 1. At the call of the Post Commander, the Post Executive Committee shall meet for organizational consideration of the Post budget and such other business as may come before it within 30 days after the installation of the new officers. Thereafter, the Post Executive Committee shall meet at the call of the Commander at least once each month and as often as said Commander may deem necessary.

The Commander shall call a meeting of the Post Executive Committee upon the joint written request of 3 or more members of the Post Executive Committee. Ten (10) members of the Committee shall constitute a quorum.

Section 2. The Post Executive Committee shall exercise overall control of the operation and management of the Post. Such operation and management shall include, but not limited to, the approval of applicants for permanent positions with the Post; the authorizing and approval of all expenditures not otherwise covered within the By-Laws; obtaining the required bonding and surety company to adequately cover all personnel handling and having custody of Post funds.

Section 3. Minutes of all Post Executive Committee meetings and all approved committee reports shall be maintained with minutes of the meeting at which they were approved. An index of important facts, such as motions, rulings, etc., shall be maintained in the file of all Post minutes.

Section 4. Funds in excess of $20,000.00 shall be transferred by the Post Finance Officer to the Post Savings Account for the use and purpose expressed and set forth in Article X of the Constitution.

Section 5. The Post Executive Committee may act upon any business of the Post without approval of the Post membership, provided such authority is prescribed within the Constitution and By-Laws.

Section 6. Any member in good standing may attend an Executive Committee meeting but said member has no voice, unless given it by the Executive Committee, and no vote at the meeting.

Section 7. The Chairman of the Past Commander's Club of the Post shall have a voice at any Post Executive Committee Meeting but shall not have a vote unless he is a member of the Executive Committee.

ARTICLE IV
POST Elective POSITIONS

Section 1. All elective positions within the Post shall be filled by a method recommended by the election Committee and approved by the Post membership as hereinafter provided in these By-Laws. No member shall hold more than one elective position except as provided for within the Constitution and By-Laws.

Section 2. (a) The Officers and Executive Committeemen to be elected by the Post membership shall be nominated and elected in the following order and sequence, and for the term of office noted: Commander (1) year, First Vice-Commander (1) year, Second Vice-Commander (1) year, Finance Officer (1) year, Historian (1) year, Chaplain (1) year, Sergeant-At-Arms (1) year, and two (2) Executive Committeemen (3) years.

(b) Department Executive Committeeman shall be nominated prior to the nomination and election of the Post Officers by a method recommended by the Election Committee and approved by the Post membership.

Section 3. Any vacancies which may occur for any reason other than the expiration of term of office, with the exception of Post Commander, shall be filled by a recommendation from the Post Commander and approved by a majority vote of the Post Executive Committee. Anyone appointed in this manner shall only complete the term of the person being replaced.

Section 4. A vacancy shall exist when a member or officer is absent from his or her position for a period considered detrimental to the interest of the Post by the Executive Committee, or when a member officer or member has been absent for two (2) consecutive meetings of the Executive Committee without a reasonable excuse. In either case, the Commander shall direct the Adjutant to communicate with the officer or member and ascertain from him or her, in writing, the reason for the absence. The reply, together with the Commander's recommendation, will be submitted to the Post for action. A failure to reply in fifteen (15) days to a request for explanation of the absence will be sufficient

cause for removal of the officer or member from office or membership on the Executive Committee.

Section 5. In case of death, resignation or removal of the Post Commander, the office shall be filled by the First Vice Commander, who will serve the remainder of the term.

ARTICLE V
DUTIES OF THE OFFICERS

Section 1. (a) COMMANDER - To preside at all regular and special meetings of the Post and the Post Executive Committee, to have general supervision over the business and the affairs of the Post and such officer shall be the Chief Executive Officer of the Post.

(b) To enforce strict observance of the Constitution and By-Laws.

(c) To appoint members of Standing Committees, to create Special Committees, and to appoint various members as he or she deems advisable.

(d) To perform all other duties which custom and parliamentary usage may require and to appoint all officers not otherwise provided for.

(e) This officer is responsible for the success or failure of the year's program. He or she should be the sort who starts things and carries them through to completion.

(f) Be thoroughly familiar with the policies and traditions of the Post and with the Department and National instructions.

(g) Official contact with the Post's Auxiliary is through the commander and he or she should direct the Unit along effective lines. Close contact with the Unit offers inspiration and encouragement.

(h) Perform such other duties as directed by the Post membership or Post Executive Committee as are incident to this office and be ex-officio member of all Post Committees with the exception of the Life Membership Committee.

Section 2. (a) FIRST VICE-COMMANDER - Shall assume and discharge the duties of the office of Post Commander in the absence or disability of the Post Commander, or whenever called upon to do so.

(b) Shall have as his or her primary mission the increasing and stabilizing the membership of the Post, serve as Chairman of the Membership Committee and perform such other duties as are incident to the office.

Section 3. (a) SECOND VICE-COMMANDER - Shall perform the duties of the Commander in the event both the Commander and First Vice-Commander are absent or when called upon to do so.

(b) The primary duty shall be to act as General Social Chairman and to appoint an Assistant Chairman with the approval of Post Commander, as needed in order to carry out the social functions in the proper manner. Perform such other duties as are incident to the office.

Section 4. (a) FINANCE OFFICER - Shall perform the duties of the Commander in the event of his or her absence and the absence of the First and Second Vice-Commanders.

(b) Shall have charge of all finances for the Post, and see that they are safely deposited in some local bank or banks.

(c) Shall report monthly to the Post Executive Committee as to the financial condition of the Post.

(d) Furnish a corporate surety bond for the office in an amount fixed by the Post Executive Committee and the cost thereof to be paid by the Post.

(e) All checks disbursing funds of the Post shall be signed by the Finance Officer and the Commander; however, in the absence of either the Finance Officer or the Commander, said checks may be signed by the First Vice-Commander or Adjutant.

(f) The books of the Post shall be audited annually by a committee of three (3) appointed by the Commander.

(g) He or she shall be chairman of the Budget Committee.

Section 5. HISTORIAN - Shall compile a complete record of the activities of the Post during his or her term of office and send reports to the Department Adjutant as prescribed by the Department. Shall be charged with maintaining a history of all honors and achievements accorded to the Post or any of the Post's individual members during his or her term of office. A record of all Post activities shall be preserved for future information. Perform such other duties as are incident to the office.

Section 6. CHAPLAIN - Shall be charged with the spiritual welfare of the Post Comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc. Adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time and shall perform such other duties as are incident to the office.

Section 7. SERGEANT-AT-ARMS-Shall preserve order at all meetings of the Post and Post Executive Committee. Shall conduct members whose applications have been approved to the commander for official welcome. Shall have charge of the Post Colors at all meetings and ceremonies conducted by the Post and perform such other duties as may be required.

Section 8. (a) ADJUTANT - (Appointed) - Shall record all proceedings of the Post and the Post Executive Committee and submit these minutes for approval at the next regular Post meeting.

(b) Count a rising vote when requested by the Commander.

(c) Check and assist with the work of other Officers and Committees.

(d) Have on hand at all times a reference list of the members, committees, and chairmen; a copy of the Post Constitution and By-Laws; a copy of the Manual of Ceremonies; a copy of the Post Handbook, and all correspondence sorted for reading.

(e) Receive and answer all official mail under the direction of the Commander.

(f) Send or give due notices to all meetings.

(g) Shall also be responsible for all Post records, legal instruments or papers and maintain an accurate and complete inventory of the Post property and the whereabouts of same.

(h) Perform such other duties as may be required by the Post Commander.

Section 9. (a) SERVICE OFFICER - (Appointed) - Shall have charge and handle the service work of the Post. Carry out the mandates of the National and Department Headquarters of The American Legion as prescribed in the Service Manual.

(b) Work closely with all officers, act as an advisor regarding possible government benefits, prepare evidence for filing claims with Veterans Administration and, in the case of orphans receiving compensation, supervise action of the guardians and all other duties as may be required.

Section 10. JUDGE ADVOCATE - (Appointed) - Advise the Post Officers and Post Committees on all legal matters relating to the Post, including rules of order, interpretation and construction of the Post Constitution and By-Laws. Act as Judge at all trials and perform such other duties as are incident to this office.

Section 11. ASSISTANT FINANCE OFFICER - (Appointed) - Shall render any aid to the Finance Officer that the Finance Officer may require in the keeping of the Post finances.

ARTICLE VI
DELEGATES

Section 1. Delegates and Alternates to a Department Convention shall be elected by ballot by the Post membership at a regular meeting of the Post to be held at least thirty (30) days prior to the date of such convention, except as indicated in Section 2 of this Article.

Section 2. The Commander and Commander elect shall automatically be delegates to the Department Convention.

Section 3. (a) The outgoing Commander shall be the Chairman of the delegation and the newly elected Commander shall be Co-Chairman of the delegation.

(b) If the Chairman cannot be present at the Department Convention, the Co-Chairman will assume the duties of the Chairman.

Section 4. In the event a delegate cannot attend the Convention, he or she shall notify the Chairman of the delegation of this fact, and shall forfeit thereby all rights to any reimbursements as provided in Section 5 of this Article.

Section 5. The Post Commander, the newly elected Commander, and each duly elected delegate actually attending the Convention shall be reimbursed by the Post in an amount determined by the members prior to the election of the delegates. An alternate serving in place of a delegate shall be entitled to the reimbursement authorized for each delegate.

Section 6. The per diem shall be the period from midnight to midnight. The prorating of the daily per diem allowance between an alternate and a delegate shall be at the discretion of the Chairman of the delegation.

Section 7. The new Commander of the Post delegation shall, within seventy-two (72) hours subsequent to the close of the Convention, transmit to the Post Adjutant a certified statement showing the length of time each delegate and alternate was actually in attendance at the Convention and the amount of reimbursement based on the authorized daily rate each is entitled to receive. The Post Adjutant shall forward this statement to the Post Executive Committee for action.

Section 8. Upon return from the Department Convention the new Commander shall render a report in full of the proceedings at the Department Convention. Such report is to be made to the Post members no later than thirty (30) days after the adjournment of the Department Convention.

ARTICLE VII
APPOINTMENTS

Section 1. The Post Commander, within thirty (30) days after taking office, shall appoint the following officers:

(a) Adjutant
(b) Service Officer
(c) Judge Advocate
(d) Assistant Finance Officer

Section 2. In addition to Section 1 above, the Commander shall appoint Chairmen, whose appointments are not otherwise specified within these By-Laws, together with sufficient committee members to carry out the Post programs during his or her administration:

(a) Americanism
(b) Rental
(c) Children & Youth
(d) Community Service
(e) Election
(f) Budget and Finance
(g) Membership
(h) Rehabilitation
(i) Graves Registration and Decoration
(j) Entertainment and Program
(k) Sons of The American Legion
(l) Home

Section 3. (a) AMERICANISM COMMITTEE- Shall be charged with the inspiration of patriotism and good citizenship and shall consist of the following sub-committees, each headed by a Chairman:

1. Boys State and Scholarship
2. Oratorical Flag Education and Patriotic Observance
3. Flag Education and Patriotic Observance
4. Boy Scouts

5. Any other sub-committee the post Commander considers necessary for the advancement of Americanism within the Post and Community.

(b) RENTAL COMMITTEE - Shall report to and be responsible to the Executive Committee.

(c) CHILDREN AND YOUTH COMMITTEE - Shall be responsible for rendering aid and service to the children in the area of our jurisdiction and give such service as we would wish rendered to our own children were they in circumstances similar to those children in need of aid. It shall coordinate the children and youth activities of the post and Auxiliary unit. Make contacts with the State, County and Community sources of aid so that such aid can be quickly obtained when the need arises. Its members shall be familiar with the children and youth program and activities of the Department and National Legion organization. Activities shall be closely coordinated with the Post Service Officer and adopt as a principle of guidance in the discharge of its duties, that "no child is to be in want of the necessities of life."

(d) COMMUNITY SERVICE COMMITTEE - Will support and encourage Post participation and its members participation with other civic-minded organizations within the community. It will seek to participate whether or not the activity is initiated by the Post.

(e) ELECTION COMMITTEE - Shall formulate and recommend to the Post membership, for approval, rules and regulations governing the nominations and elections; Post Officers; Delegates and Alternate Delegates; also the method of election shall be determined prior to opening of nominations. The Post Adjutant shall validate all nominees for eligibility. The committee shall consist of six (6) Post members plus the appointed Chairman. No candidate for elective office or committee shall be a member of this committee.

(f) BUDGET AND FINANCE COMMITTEE - Shall be charged with the administration of the financial policy of the Post and the preparation of the Post budget.

(g) MEMBERSHIP COMMITTEE - Shall be charged with the duty to obtain, retain and increase the membership of the Post with specific responsibility for renewals and enrollment of new members. There shall be within the Membership Committee a sub-committee of at least two (2) Post members called a Screening committee, whose duties are to screen any questionable applications for membership and to recommend to the Post membership their opinion. The First Vice-Commander shall chair this Screening Committee.

(h) REHABILITATION COMMITTEE - Shall consist of the Post Chaplain, Post Service Officer and sufficient members to carry out their duties as described by the Post.

(i) GRAVES REGISTRATION AND DECORATION COMMITTEE - Shall be charged with the registration, care and marking of graves of service men and women of all wars; and with the decoration of such graves on Memorial Day and other appropriate occasions.

(j) ENTERTAINMENT AND PROGRAM COMMITTEE - Shall be charged with providing entertainment or educational features to supplement the business portion of the Post meetings; and such special occasions as may be directed by the Post. The Second Vice-Commander shall chair this committee.

(k) THE SONS OF THE AMERICAN LEGION COMMITTEE - Shall act as a supervisory committee for the Sons of The American Legion Squadron in connection with its organization, activities, recreational and educational programs.

(l) HOME COMMITTEE - To consist of no more than five (5) and to be the investigative arm of the Post and the Post Executive Committee on all matters pertaining to Post business. To investigate all complaints and report directly to the Post Executive Committee for appropriate action. To maintain a list of all Post properties, numbering same and the whereabouts. The original to be turned over to the Post Adjutant and the duplicate maintained for updating.

Section 4. All Committees and Chairmen appointed by the Post Commander shall function according to the rules and mandates as authorized by the Post.

ARTICLE VIII
PERMANENT ROTATING COMMITTEES

Section 1. (a) LIFE MEMBERSHIP COMMITTEE-Shall be permanently maintained and consist of 6 members - 2 life members, 2 Post Commanders and 2 Post members with at least 5 years continuous membership who shall be appointed for terms of 3 years each; provided, however, that the initial appointments made upon the adoption of these By-Laws shall be such that 2 appointments expire at the end of 1 year, 2 at the end of 2 years and 2 and the end of 3 years.

(b) All appointments shall be made by the incumbent Post Commander and he or she shall fill by appointment any vacancies appearing in the committee for any reason and the person so appointed shall serve the remaining term of the person replaced.

(c) The committee shall elect its own chairman.

(d) The committee shall screen all candidates for Life Membership within the Post and all candidates shall meet the following qualifications:

1. A minimum of ten (10) consecutive years in this Post.

2. Must have held at least two (2) separate and distinct elective offices, and/or served a full term as Service Officer, Adjutant, Membership Chairman, Judge Advocate, or chaired or served on a major Post Committee for a full year.

3. Has made an outstanding contribution(s) to the Principles of The American Legion or this Post.

4. The Chairman shall state the qualifications of each candidate prior to the ballot.

(e) All voting will be by secret ballot. Only the Chairman will know the outcome of the ballot and shall not be announced until the Life Membership(s) is awarded.

(f) The award(s) will be made at the Post Birthday, Past Commanders and Past President's night.

(g) Post finances will determine how many awards will be made (if any).

Section 2. (a) AN EMPLOYEE AFFAIRS COMMITTEE - Shall be permanently maintained and shall consist of a chairman and four Post members (Lounge Committee Chairman, Home Committee Chairman, Budget Committee Chairman and Assistant Finance Officer.)

(b) The Chairman shall be recommended by the Post Commander elect.

(c) The committee shall be responsible to fill the following positions:

1. FINANCE OFFICER - This office is filled annually by election and therefore must be considered in a different context than the other positions. The member is responsible to the Executive Committee and is paid at a rate determined by the Executive Committee prior to each year's election.

2. THE MAINTENANCE PERSON - Shall report to and be responsible to the Chairman of the Home Committee. Shall be paid on a weekly basis at a rate to be set each year by the Budget Committee.

3. THE CUSTODIAN - Shall report to and be responsible to the Commander of the Post. Shall be paid on a weekly basis at a rate to be set each year by the Budget Committee.

4. THE BAR ATTENDANT - Shall report to and be responsible to the Chairman of the Lounge Committee. Shall be paid on a weekly basis at a rate to be set each year by the Budget Committee.

(d) All positions, except the Finance Officer, are to be filled by persons responsible in general to the entire Post membership and each have a specific person to report to and to be responsible to.

(e) All other conditions of employment shall be determined annually as follows:

1. Number of paid vacation days.
2. Number of paid sick days.
3. Number of paid holidays - shall be specifically designated by name and date.
4. Hours of work.

(f) When specific questions concerning whether or not an employee should report to work or remain at work due to inclement weather or any other unforeseen emergency, each employee will contact and seek instructions from that person to whom he or she reports to and is responsible to. No salary will be paid to the employee for days and/or hours not worked which have not been previously approved by his or her specific supervisor.

(g) All positions, except Finance Officer, are to be filled annually upon recommendation of this committee and final approval given at the Executive Committee meeting in September of each year.

(h) The Executive Committee upon recommendation of the Chairman regarding salary, contract, number of sick days allowed, number of paid holidays (name and date) and working hours, shall make the final approval.

Section 3. All Committees and Chairmen appointed by the Post Commander shall function according to the rules and mandates as authorized by the Post.

ARTICLE IX
RECIPIENT OF FUNDS

Section 1. Any Officer or Chairman who receives funds from the Post, after their function is over, shall submit a report to the Finance Officer as to how the funds were used and attaching all paid bills (if any) to their report.

ARTICLE X
RESOLUTIONS

Section 1. All resolutions of State and 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 XI
MEETINGS

Section 1. (a) The regular meetings of the Post shall be held at the Post Home on the second Wednesday of each month, and all business will be transacted as may properly be brought up for action. Such meetings may be converted into entertainment meetings when deemed advisable by the Officers of the Post. When the July meeting conflicts with the Department Convention the Commander may advance the July Post meeting to avoid such conflict.

(b) Delegate strength to the previous Department Convention shall constitute a quorum for a regular Post meeting.

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

Section 3. Upon the written request of five (5) members, the Executive Committee shall call a special meeting of the Post.

Section 4. The annual meeting of the Post shall be held on the second Wednesday of June in each and every year.

Section 5. At the discretion of the Post Commander, a meeting may be cancelled or postponed due to Act of God or other disaster.

ARTICLE XII
NOTICES

Section 1. Every member shall furnish the Post Adjutant his current mailing address.

Section 2. The Post Adjutant shall cause notice of the annual election to be given at least two (2) weeks prior thereto.

ARTICLE XIII
RULES OF ORDER

Section 1. All proceedings of this Post shall be conducted pursuant to Robert's Rules of Order, newly revised, except as herein otherwise provided.

ARTICLE XIV
LIMITATIONS OF LIABILITIES

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

ARTICLE XV
AMENDMENTS

Section 1. These By-Laws may be amended at any regular Post meeting by a vote of two-thirds of the members of said Post attending such regular meeting; provided, that the proposed amendment shall have been submitted in writing and read at the next proceeding regular meeting of the Post; and provided further that written notice shall have been given to all members at least five (5) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon; provided however, no amendment shall be adopted inconsistent with the foregoing provisions of this Constitution, except with the prior written approval of the Department Executive Committee.

Section 2. An "Absentee Ballot" should be allowed on any changes to these By-Laws as outlined under Article XI, Section 3 of the Post Constitution.

Prepared by the Constitution and By-Laws Committee:
Paul Moran, Chairman
Gerald Fischbach
Abid Khan
Dave Pardoe
Fred Ptaschek

Jim Lyons, Commander

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