

**AMERICAN LEGION
POST _____
CONSTITUTION AND BY LAWS**

CONSTITUTION

PREAMBLE

FOR GOD AND COUNTRY WE ASSOCIATE OURSELVES 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 inoculate a sense of individual obligation to the Community, State, and Nation; to combat the autocracy of both classes and masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to prosperity the prosperity 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 organization shall be _____, Post _____, The American Legion, Department of Oregon.

ARTICLE II (objectives)

SECTION 1. The objectives and purposes of this post shall be to promote the principles and policies as set forth in the forgoing 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 be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

SECTION 3. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of this post.

ARTICLE IV (Membership)

SECTION 1. Eligibility to membership in this post shall be as prescribed in the National Constitution of The American Legion.

SECTION 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the National Constitution of the American Legion.

SECTION 3. All applications for membership shall be acted upon at the next post meeting following the making of such application, and shall at such meeting, be accepted, rejected, or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

SECTION 4. Members may be suspended or expelled from the American Legion only upon proper showing of cause, and upon proceedings as provided for in the Officer's Guide, "Practice and Procedure in the Expulsion or Suspension of a Member of the American Legion." Any appeal shall be taken to the Department Executive Committee, and the case shall be tried anew. The decision of the Department Executive Committee in such cases shall be final.

SECTION 5. A member who has been expelled or suspended from this post for any cause may be reinstated to membership by a majority vote of the membership present in post meeting, and the payment of the current dues for the year in which the reinstatement occurs.

SECTION 6. No person who has been expelled by a post shall be admitted to membership in this post, without the consent of the expelling post, except that where such consent has been asked for and denied by such post, he may then appeal to the Department Executive Committee of the Department of the expelling post, and shall be ineligible for membership until such permission is granted.

ARTICLE V (Officers)

SECTION 1. The administrative affairs of this post of The American Legion shall, except as may be otherwise provided by the by-laws, be under the supervision of an Executive Committee which shall consist of _____ members in addition to the officers of the post. The term of office of members of the Executive Committee shall be for one year. 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, a Vice Commander, an Adjutant, a Finance Officer, a post Historian, a post Chaplain, a post Service Officer, and a Sergeant-at Arms, and such officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

SECTION 3. The post shall elect its officers for the ensuing year not less than forty-five (45) days prior to the Department Convention of that year, and such officers shall be installed within the forty-five (45) days prior to the Department Convention of that year, or not later than the first meeting of September or September 20th of such year, whichever is the earliest date. All installations of officers of Posts shall be subject to approval of the District Commander of that District.

SECTION 4: The personal liability of each member of the Executive Committee and each uncompensated officer of the Post or it's members, for monetary or other damages, for conduct as a executive committee person, or officer, or member shall be eliminated to the full extent permitted by law.

SECTION 5: All officers and executive committee members shall hold office until their successor are installed or as otherwise provided. Any officer or executive committee person may be removed for inefficiency by the Executive Committee, a 2/3 vote of said committee present after reasonable notice, being necessary to effect such removal.

SECTION 6: Every member of this post in good standing shall be eligible to hold office in this post.

SECTION 7: The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided by the By-Laws.

ARTICLE VI. (Finance)

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

SECTION 2. The amount of such membership or initiation fees and the amount of such annual post dues shall be fixed and determined by this post.

SECTION 3. The post shall pay to Department Headquarters the National and Departmental annual membership dues for every member of the post.

ARTICLE VII. (Charter Members)

SECTION 1. Members who joined this post prior to _____ (or members who joined this post prior to the issuance of charter) shall be known as charter members.

ARTICLE VIII. (American Legion Auxiliary)

SECTION 1. This post recognizes an auxiliary organization to be known as the Auxiliary Unit of _____ Post ____, The American Legion.

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

ARTICLE IX (Amendments)

SECTION 1. This constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Oregon, The American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any 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 at any regular post meeting by a vote of two-thirds of the members of said post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding meeting of said post, and providing, further, that written notice shall have been given to all members at least 15 days in advance of the date when such amendment is to be voted on, notifying said members that such meeting a proposal to amend the Constitution is to be voted upon.

Approved By _____ Post Commander

_____ Vice Commander

_____ Adjutant

On This Day _____

_____, POST _____
**THE AMERICAN LEGION
BY-LAWS**

ARTICLE I

SECTION 1. The post existing under these By-Laws is to be known as _____, Post _____, The American Legion.

SECTION 2. The objectives of this post are set forth in the Constitution.

ARTICLE II (Management)

SECTION 1. The government and management of the post is entrusted to an Executive Committee of _____ members, to be known as the "Executive Committee".

SECTION 2. The Executive Committee shall consist of _____ members in addition to the officers of the post, the Post commander, First Vice Commander, an Adjutant, and Finance Officer. Together with the officers of this post shall be elected annually at the regular May meeting. All elections of officers and executive committee members shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office for which they are candidates.

SECTION 3. All vacancies existing in the Executive Committee, or any office of the post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person appointed shall hold office for the remaining unexpired term of the member of the committee or officers whom he succeeds. A vacancy shall exist when a member or officer is absent from his/her post for a continuous period considered detrimental to the interest of the post by the Executive Committee.

ARTICLE III. (Post Executive Committee)

SECTION 1. The post Executive Committee shall meet for organization and such other business as may come before it at the call of the post commander within ten (10) days after the installation of the new officers. Thereafter the post Executive Committee shall meet at the call of the commander at least Quarterly 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 three or more members of said post Executive Committee. _____ members of the committee shall constitute a quorum thereof.

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

ARTICLE IV. (Duties of officers)

SECTION 1. *Duties of post 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 and affairs of the post, and such officer shall be the chief executive officer of the post. He shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the department adjutant. He shall perform such other duties as directed by the post.

SECTION 2. *Duties of vice commander(s):* The vice commanders, in numerical order, shall assume and discharge the duties of the office of commander in the absence or disability or when called upon by the post commander.

SECTION 3. *Duties of post adjutant:* The adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the post.

SECTION 4. *Duties of the finance officer:* The finance officer of the post shall have charge of all finances and see that they are safely deposited in a 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 may deem expedient or necessary for raising funds with which to carry on the activities of the post. He shall sign all checks disbursing the moneys of the post. He shall furnish such surety bonds in such sum as shall be fixed by the post Executive Committee.

SECTION 5. *Duties of post historian:* The post historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may properly pertain to the office as may be determined by the post or the Executive Committee.

SECTION 6. *Post Chaplain:* The post chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc. ,adhere to such ceremonial ritual as are recommended by the national or department Headquarters from time to time.

SECTION 7. *Duties of sergeant-at-arms:* The sergeant-at-arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the post Executive Committee.

ARTICLE V. (Delegates)

SECTION 1. Delegates and alternates to a department convention shall be elected by ballot by the post at a regular meeting of the post to be held at least forty five (45) days prior to the date of such convention.

ARTICLE VI. (Appointments)

SECTION 1. The post commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, Ceremonials, Children and Youth, Economic, Finance, Foreign Relations, Graves Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Son of The American Legion and ALVS. Such standing committees shall consist of such members, and the chairperson thereof, as shall be designated by the post commander.

SECTION 2. *Americanism Committee:* The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of the patriotic occasions; encouragement of patriotic and civic 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 3. *Ceremonials Committee:* The principal duty of the Ceremonials Committee is to insure that all new members are properly initiated. The committee must also concern itself with proper presentation of other rituals outlined in the Manual of Ceremonies. i.e. Burial detail and the wearing of Legion regalia.

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 purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's 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. *Economic Committee:* The post Economic Committee is primarily concerned with local employment programs. Veterans preference, government employment and reemployment rights.

SECTION 6. *Finance Committee:* The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing, and accounting of all post funds.

SECTION 7. *Foreign Relations.* This committee has become active as America has recognized its responsibility as a world leader. Maintaining and securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

SECTION 8. *Graves Registration and Memorial Committee.* The duties of this committee involve recording of grave sites and complete information on veterans burial in cemeteries assigned to the post. Special assistance can be given the service office in providing flags, headstones, or proper interment in national cemeteries.

SECTION 9. *House and Entertainment Committee.* This committee quarters, promotion of club advantages and arrangement for social activities.

SECTION 10. *Legislative Committee.* The Legislative Committee needs to have a knowledge of what is going on in congress; what we favor or oppose, and should be ready to initiate action in support of our position when requested by the national or department organization.

SECTION 11. *Membership Committee.* The Membership Committee shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatements, and eligibility of members.

SECTION 12. *Public Relations Committee.* The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, department and national Legion news service and by local publicity of post programs and activities.

SECTION 13. *Veterans Affairs and Rehabilitation Committee.* The Veterans Affairs and Rehabilitation committee shall supervise all matters pertaining to service to comrades in the persecution of all just claims against the United States or state government, employment, relief, etc.

SECTION 14. *Security Committee.* The security Committee shall work with and coordinate Legion efforts with the local Civil Defense Council on Matters pertaining to national, civilian, and home defenses. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the nation and the security of the American home.

SECTION 15. *Sons of the American Legion Committee.* This committee shall have supervision over the operations of the post's squadron of the Sons of The American Legion.

SECTION 16. *Visiting or VAVS Committee.* This committee is charged with the visiting and comforting of members and their families when sick or bereaved and with visiting ex-service personnel in hospitals.

Article VII - Resolutions

SECTION 1. All resolutions of state or national scope presented to this post by a member or reported to this post 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 VIII – Meetings

SECTION 1. The regular meeting of the post shall be held at the American Legion Hall on the _____ of each month, at which may be transacted such business as may properly be brought up for action; such meeting may be converted into entertainment meetings, as may be deemed advisable by the officers of the post.

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 _____ members, the committee shall call a special meeting of the post.

SECTION 4. _____ members shall constitute a quorum.

Article IX- Post Finance

(Example only)

SECTION 1. The monies received from the Post hamburger stand shall be used for the running and upkeep of the Legion Hall and for activities of the Post.

SECTION 2. The monies from the donation of American Legion ____ Post, shall be kept in the bank with the first \$900.00 of the interest shall be used for delegates to Convention (No more than \$300.00 for each delegate). The rest going to projects and American Legion activities.

Article X- Notices

SECTION 1. Every member shall furnish the post adjutant with an address for mailing purposes.

SECTION 2. The post adjutant shall cause notice of the annual election to be given at least two (2) weeks prior thereto.

Article XI – Rules of Order

SECTION 1. All proceedings of this post shall be conducted under and pursuant to Roberts' Rules of Order, except as herein otherwise provided.

Article XII- Amendments

SECTION 1. These By-Laws may be amended at any regular meeting of the Post by a majority vote, provided that the proposed amendment has been read at the preceding meeting; and provided further, that written notice shall have been given to all members at least 10 days in advance of the date when such amendment to be voted upon, notifying members that at such meeting a proposal to amend the by-laws is to be voted upon.

SECTION 2. These By-Laws are adopted subject to the provisions of the National By-Laws of The American Legion and the Department of Oregon By-Laws. Any amendment to said National or Department By-Laws which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying of these By-Laws to the extent of such conflict.

Approved By _____ Post Commander

_____ First Vice Commander

_____ Adjutant

On This Day _____