

Post 128 By-Laws

ARTICLE I

OBJECTS

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

ARTICLE II

MANAGEMENT

SECTION 1. The government and management of this Post and Club is entrusted to a committee to be known as "The Executive Committee" which shall consist of three (3) members in addition to the Officers, Department Executive Committee person, all Department Officers and Past Commanders of the post. These three (3) members shall be appointed by the Commander at the first regular Executive Committee meeting of the Post Officers after the installation. These appointments shall be subject to the approval of the Post Officers.

SECTION 2. All elections of the Post Officers shall be made by secret ballot and/or voting machine and the candidate receiving the highest number of votes shall be declared elected to the respective office for which they were candidates.

SECTION 3. Any vacancies existing in the Executive Committee, or in any other office of the Post, for any cause other than the expiration of their terms shall be filled by a majority vote of the remaining members of the Committee, and a person so appointed shall hold office for the unexpired term of the member of officer whom they succeed. A vacancy shall exist when a member or officer is absent from their post for a period of three consecutive executive meetings, regular meetings, or combination of executive or regular meetings unless properly excused and it shall be mandatory that this vacancy be filled at the next regular meeting of the Executive Committee. This does not apply to Past Post Commanders.

SECTION 4. Nominations and Elections:

Nominations: Nominations for all Officers will be opened and closed at the regular meeting in April. No name shall be placed in nomination without the consent of the nominee. Elections: Election of all Officers will be held at the regular meeting in May.

SECTION 5. Election Committee:

An Election Committee shall be appointed by the Post Executive Committee to consist of a Chairman and at least five (5) members. Committee will be charged with the supervision and orderly conduction of business on election day. Committee will have sufficient number of ballots. Permanent duties of the Election Committee will be 1) Have an up to date membership roster present to check the right of a member to vote, 2) Have a ballot box in place and guarded to receive ballots after members have voted. 3) Allow no one to enter the Hall while elections are in progress. 4) To count the ballots and/or count from the voting machine and post the results. 5) Voted ballots, results and a signed report of the Election Committee must be sealed in a packet and turned over to the Post Adjutant for safe keeping. The sealed packet can only be opened for verifying the vote by order of the Post Executive Committee. The packet is to be destroyed by fire after installation.

ARTICLE III

THE 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 their installation of the new Officers. Thereafter the Post Executive Committee shall meet at the call of the commander at least once a month and as often as the Commander may deem necessary. The Commander shall call a meeting of the Post Executive Committee upon joint written request of three (3) or more members of the Post Executive Committee. Seven (7) members of the Executive Committee shall constitute a quorum thereof.

SECTION 2. The Post Executive Committee shall hire such employees as may be necessary. All expenditures shall require approval of the Post Executive Committee and all Post bills shall be paid by the Post Finance Officer. The Post Executive Committee shall require adequate bond for all persons having custody of any funds of the Post or Club and generally have charge of and responsibility for the management of the affairs of the Post or Club.

SECTION 3. The Post Executive Committee shall appoint or hire a Club Steward. The duties of the Club Steward will be outlined in the Standing Rules of the Club. After approval such Standing Rules that apply to the Steward shall become part of the By-Laws (Article III-Section 3).

SECTION 4. All bills for service will be paid by check and all bills will be receipted when paid. All checks disbursing the funds of the Club shall be signed by the Commander and the Finance Officer. An elected or appointed member of the Post, approved by the Executive Committee may be authorized to validate checks in the absence of the Commander or the Finance Officer. An audit of accounts shall be made every three (3) months by the Legal Committee or by a professional auditor.

ARTICLE IV

DUTIES OF OFFICERS

SECTION 1. Duties of the 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 shall be the Executive Officer of the Post. He shall approve all orders emanating from National or Department Headquarters. He shall make an annual report covering the business of the Post for the year and make recommendations for the ensuing year which shall be read at the annual meeting. He shall perform such other duties as directed by the Post,

SECTION 2. Duties of the First Vice Commander: The First Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander. He shall perform such other duties as directed by the Post Commander. He shall be Chairman of the Membership Committee.

SECTION 3. Duties of the Second Vice Commander: The Second Vice Commander shall assume and discharge the duties of the office of the First Vice Commander in the absence or disability of, or when called upon by the Commander or the First Vice Commander in the absence or disability of, or when called upon by either the Commander or in his absence or disability of the First Vice Commander, he shall assume and discharge the office of the Commander. He shall be the Veterans Administration Veterans Service (VAVS) Representative for Perry Point.

SECTION 4. Duties of the Third Vice Commander: The Third Vice Commander shall assume and discharge the duties of the Second Vice Commander in the absence or disability of, or when called upon by the Commander or the First Vice Commander, in the absence or disability of, or when called upon by either the Commander or in his absence or disability, the First Vice Commander or in his absence or disability the Second Vice Commander, he shall assume the duties of the office of Commander. He shall be the chairman of the Publicity Committee.

SECTION 5. Duties of the Adjutant: The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings. He/she shall keep such records as the National and Departmental organizations may require, render reports of membership annually or when called upon at a meeting, and under the direction of the Commander he/she shall handle all correspondence of the Post. He/she shall originate the proper membership card and records when authorized by the Membership Committee, and shall make proper disposition of the cards and records.

SECTION 6. Duties of the Finance Officer: The Finance Officer of the Post shall have charge of all Post finances and see that they are safely deposited in some local bank or banks authorized by the Post Executive Committee 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 be the chairman of the Finance Committee. All checks disbursing the funds of the Post shall be signed by the Commander and the Finance Officer.

SECTION 7. Duties of the Post Historian: The Post Historian shall be Charged with the individual records and incidents of the Post and Post members, and shall with the individual records and incidents of the Post and Post member and shall perform such other duties as may properly pertain to the office as may be determined by the Post or by the Post Executive

Committee.

SECTION 8. Duties of the Service Officer: The duties of the Service officer shall be to have charge of the Service Committee and the service work of the Post.

SECTION 9. Duties of the 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., and adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time. He shall be the Chairman of the Visiting Committee.

SECTION 10. Duties of the Sergeant-at-Arms: The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may from time to time be assigned to him by the Post Executive Committee.

SECTION 11. Duties of the Judge Advocate: The Judge Advocate shall advise the Post Officers and the Post Executive committee- on all legal matters, including the construction and interpretation of the Post Constitution and By-Laws and shall be Chairman of the Legal Committee.

ARTICLE VI

APPOINTMENTS

SECTION 1. The Post Commander, immediately upon taking office each year, shall appoint the following committees: Membership, Finance, Legal, Publicity, Service, Visiting, House, Americanism, Athletic and such other committees as may be authorized by the Post. Such standing committees shall consist of such members and the Chairman thereof as shall be designated by the Post By-Laws or by the Post Commander.

SECTION 2. Membership Committee: The Membership Committee shall have charge of all matters pertaining to membership of the Post including the procuring of new members, reinstatements and eligibility of members, as set forth in the Constitution. It shall be the responsibility of the Membership Committee to screen any person applying for membership regardless of race, creed, color or national origin, who must be sponsored by a member in good standing.

SECTION 3. Finance Committee: The Finance Committee shall be charged with the administration of the financial policy, preparation of the budget recommendations, and supervision of receiving, disbursing and accounting of all the Post funds.

SECTION 4. Legal Committee: The Legal Committee shall be charged with the legal supervision of the Post affairs and audit of the Post financial accounts at least once a year.

SECTION 5. Publicity Committee: The Publicity Committee charged with the promotion of the public support of the programs by establishment of proper contact with the Legion Monthly, Department and National news service and publicity of the Post programs and activities.

SECTION 6. Service Committee: The Service Committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States Government, employment, relief, etc. and community welfare matters.

SECTION 7. Visiting Committee: The Visiting Committee is charged with the visiting and comforting of members and their families when sick or bereaved and with visiting ex-service men and women in nearby hospitals.

SECTION 8. The House Committee: The House committee shall be charged with all matters pertaining to the care of the Post Quarters, promotion of Club advantages, and arrangements for social activities, and discipline of Club members.

SECTION 9. Americanism Committee: The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observation of patriotic occasions, encouragements of patriotic and civil phases of instruction in school, Americanization of aliens, combating anti-American propaganda by education of the general

public in American ideals through public forms, etc., and activities for the community and civil betterment.

SECTION 10. Athletic committee: The Athletic committee shall be charged with the promotion of physical development and clean sports by organization of Post athletic teams, recreation, etc., and by cooperation and support in general recreational and athletic programs of the community.

ARTICLE VII

RESOLUTIONS

SECTION 1. All resolutions of State and National scope presented to this Post by any member or reported to this Post by a committee shall merely embody the opinion of this Post on the subject and a copy of the 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 this Post shall be held at the Post Home or any place selected by the Post Commander or by the Post Executive Committee, monthly and no less than ten (10) meetings per year to transact any business as may be properly brought up for action. Such meetings may be converted into entertainment meetings as may be deemed advisable by the Post Executive Committee.

SECTION 2. The Post Commander or a majority of the Post Executive committee have the power to call a special meeting of this Post at any time, notifying all members of same.

SECTION 3. Upon the written request of ten (10) or more members, the Executive Committee shall call a special meeting of the Post, notifying all members of same.

SECTION 4. Eight (8) members shall constitute a quorum.

ARTICLE IX

NOTICES

SECTION 1. Every member shall furnish the Post Adjutant with his or her mailing address.

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

ARTICLE X

RULES OF ORDER

SECTION 1. All proceedings of this Post shall be conducted under the pursuant to Robert's Rules of Order except as herein otherwise provided.

ARTICLE XI

LIMITATION OF LIABILITIES

SECTION 1. This Post shall incur or cause to be incurred, no liability nor obligations whatever which shall subject any other Post, Sub-Division, group of men, members of the American Legion, or other individuals, corporation or organization.

ARTICLE XII

AMENDMENTS

SECTION 1. These By-Laws may be amended at any regular Post meeting, by a two thirds majority vote of the membership in attending such meeting, and provided that the proposed amendments shall have been read at the last preceding meeting of the Post, and provided further that written notices shall have been given to all members at least five (5) days in advance of the date such amendments are to be voted on, such notices shall consist of the articles and sections to be changed, and provided that no amendment to be adopted shall be inconsistent with the Constitution of the Post.

ADDENDUM TO STANDING RULES

1. After being appointed or hired the Club Steward shall hold that office indefinitely or until removed for cause or by resignation. He shall have general supervision over the Club and its employees. He shall pay all bills incurred by the Club, and see that all funds are deposited in some local bank or banks as approved by the Post Executive Committee. He shall keep records of all his activities for a review by the Legal Committee or auditor.
2. Causes for removal; (a) disloyalty, (b) dishonesty, (c) neglect of duties, (d) conduct unbecoming a member of the Post or Club.
3. Any action taken by the Post Executive Committee on any of the above causes shall be final.
4. Any active member of the American Legion who has 50 years of continuous service, of which, the last 15 continuous years of service has been a member of this Post, their yearly dues will be paid by this Post.