

**J. THOMPSON WYATT POST 2, INC.
THE AMERICAN LEGION
DEPARTMENT OF VIRGINIA**

**820 WINFIELD ROAD
PETERSBURG, VA 23803
(804) 732-1425**



BY-LAWS



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BY-LAWS
J. THOMPSON WYATT POST 2, INCORPORATED
THE AMERICAN LEGION
DEPARTMENT OF VIRGINIA

ARTICLE I – NAME

SECTION I. The Post existing under these By-Laws is to be known as J. Thompson Wyatt Post 2, Incorporated, The American Legion, Department of Virginia, henceforth referred to as Post 2 in this document.

SECTION II. The objectives of this Post are as set forth in the Constitution.

ARTICLE II – MANAGEMENT

SECTION I. The government and management of this Post are entrusted to an Executive Committee of at least 19 members, to be known as the “Executive Committee.”

SECTION II. The Executive Committee shall consist of currently elected officers and ten (10) additional members, as outlined in Article V, Section II of the Constitution. Elections will take place annually, on the day of the regular General Membership meeting in May, and the newly elected Executive Committee will take office at the next regular meeting following the election. All elections of officers and executive committeemen 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 III. All vacancies existing in the Executive Committee, or in any office of the Post for any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Executive Committee, and the person so appointed shall hold office for the unexpired term of the member of the committee or office who succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

ARTICLE III – POST EXECUTIVE COMMITTEE

SECTION I. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Commander within 14 days after the installation of the new officers. Thereafter, the Executive Committee shall meet at least once each month, or as often as the Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the joint written request of three (3) or more members of the Executive Committee. Ten (10) members of the Executive Committee shall constitute a quorum thereof.

SECTION II. The Executive Committee shall hire such employees as may be necessary; shall approve all expenditures brought before them; shall act in an advisory capacity for the motions concerning donations from the General Membership; shall require adequate bonds for all persons having custody of Post funds; shall hear the reports of the Post committee chairs, and generally, shall have charge of and be responsible for the management of the affairs of this Post.

SECTION III. Any member of the Executive Committee may be removed from office by the majority vote of the remaining Executive Committee members, for three or more consecutive absences from committee meetings, inefficiency, misconduct, or failure to comply with the responsibilities of the office, after the member has been notified in writing, of pending removal. In the case of a serious illness, the Commander may grant a leave of absence. If a leave of absence is granted, the Executive Committee may appoint a substitute, from the members of the Post, to act during such absence.

SECTION VI. Any officer, chairman, or other member of Post 2 who has charge of money, financial records (i.e., checkbook or financial statements); documents (i.e., original Constitution and By-Laws, minutes, standing rules, job descriptions, important correspondence, etc.); computer equipment and data (i.e., financial files stored on a computer or passwords for access to programs and data) that is pertinent to the operations of the Post, or computer programs and manuals; or equipment for maintaining buildings and grounds, must turn over all above named items to the newly elected officers. Failure to turn over these items within thirty (30) days may result in disciplinary action being taken by the Executive Committee, in compliance with Department guidelines, to range from citation for conduct unbecoming an officer/member; removal from the Executive Committee, to legal action, as deemed appropriate.

ARTICLE IV – CORPORATION BOARD

SECTION I. J. Thompson Wyatt Post 2, Incorporated, is incorporated under the laws and regulations of the Commonwealth of Virginia. The General Membership will elect the members of the Corporation Board, annually, at the July General Membership meeting. Prospective members shall be present or provide a written statement of their acceptance to serve. The Corporation Board shall not exceed ten (10) members. Five (5) members of the Corporation Board shall constitute a quorum.

The newly elected members of the Corporation Board will elect a President, Vice-President, Secretary, Treasurer and Registered Agent at a meeting immediately following the close of the General Membership meeting in July. The offices of the Secretary and Treasurer may be combined. The Registered Agent must be the President or the Vice-President.

SECTION II. The Corporation Board will meet quarterly, beginning in July. It is their responsible to oversee activities pertaining to the owned property of Post 2, both real and fixed. A yearly inventory of all fixed assets will be conducted in October, and a copy of the inventory will be filed with the Post Adjutant. They are also responsible for expending approved monies for the betterment of the Post, to maintain a checking and savings account, to make all necessary reports to the State Corporation Commission, and to make a report to the General Membership.

SECTION III. The primary purpose of the incorporation is to protect the members and officers of the Post, acting within the scope of their authority, from individual liability for actions taken or claims against the Post and/or the Corporation. Equally important, the Corporation Board is entrusted with the overall solvency of the Post and shall be responsible for the following:

- a. Ensure the fiscal integrity of the Post.
- b. Establish binding procedures and responsibility to safeguard against undue haste in the expenditure of Post funds.
- c. To the extent feasible, set aside revenues for emergencies not budgeted for.
- d. In coordination with the Finance Officer, ensure sound financial practices enabling the Post to meet obligations as they come due.
- e. Act as the agent of the Post for transactions involving real, fixed and personal property of the Post (tangible and intangible).
- f. At least biennially (every two years), develop and/or review, in coordination with the Executive Committee, a five-year facilities plan that addresses the ownership and maintenance of Post's real, fixed and personal property. The plan will be presented to the General Membership and submitted for approval in the same cycle as the Post's annual budget.

SECTION IV. It shall be the duty of the “Registered Agent” of the Corporation Board to notify the State Corporation Commission of the newly elected Officers, immediately following the election in July. Notification will also be made whenever a vacancy occurs and is subsequently filled. Furthermore, it shall be the duty of the Officers to see that all corporate taxes and/or all license fees are paid to the Commonwealth of Virginia, and that adequate insurance is maintained on all Post properties.

SECTION V. The Corporation Board is responsible to the Membership, through motions made by the Membership during a regular General Membership meetings or properly announced Special Membership meeting, when a proper quorum is present.

The Corporation Board does not report to, nor take direction from the Executive Committee. The Corporation Board will comply with motions of the Membership in the timeframe set forth by the motions.

SECTION VI. The President or designee will report recent transactions of the Corporation Board to the General Membership at each monthly meeting. The status and any actions that have been, or will be taken by the Corporation Board for the maintenance of Post, real, fixed, or personal property, will be reported to the General Membership at the conclusion of the inventory to be taken in October of each year.

The Corporation Board, in coordination with the Post Finance Officer, shall not expend more than five thousand dollars (\$5,000.00) for any one purpose, except for emergency or for scheduled repairs, routine maintenance, equipment replacement, Post personal property replacement, facility upkeep, to comply with health codes, safety or zoning requirements, to

purchase adequate insurance on Post property, and/or to pay taxes or fees, without the prior approval of the General Membership.

SECTION VII. Acquisition, sales, encumbrances, or proposals to acquire real property may be voted on by the members and referred to the Corporation Board for approval at any regular Post meeting by a two-thirds vote of members in good standing, attending such regular meeting, providing a proper quorum exists. The Corporation Board shall consider the following conditions before approval:

- 1) Sufficient funds are available.
- 2) It is authorized by the approved budget.
- 3) That the proposed action has been submitted in writing and read at the regular General Membership meeting.
- 4) Such proposals must provide adequate information for members to discuss and make informed decisions.
- 5) Provided that written notice of the proposed action, which may be conveyed by use of the Post Newsletter or direct mailing, has been mailed to all members of the Post at least ten (10) days in advance of the scheduled date of the vote, informing members of said vote.

SECTION VIII. In the event that the Post sells any of its real property, the proceeds from such sale shall be returned to the Corporation Board for deposit into appropriate accounts and/or invested in bonds/funds for future use.

The Corporation Board shall conservatively invest and reinvest the Trust Fund, at the maximum rate of return, consistent with the safety of the corpus of the Trust, and in accordance with the laws of the Commonwealth of Virginia.

ARTICLE V – ELECTIONS

SECTION I. Elections will be held on the day of the regularly scheduled General Membership meeting in May, from 10:00 a.m. until 7:00 p.m.

SECTION II. A Nominating Committee, not to exceed seven (7) members, shall be elected by the Executive Committee in February, in accordance with the “**Guidelines for the Nomination and Ballot Committees,**” (**Attachment 1**). The Post Commander may not serve as a member of the Nominating Committee. Members of the Nominating Committee may be nominated for office without resigning from the committee.

The Nominating Committee Chairman will report to the assembled membership in April, only those nominees approved by a majority of the Nominating Committee. Nominations from the floor are always in order after the Nominating Committee has reported its nominees. All

nominees from the floor must either be present to accept a nomination, or provide a written letter stating he/she is willing to accept the nomination. All nominees presented by the Nominating Committee and those nominated from the floor will be placed on the ballot.

SECTION III. A Balloting Committee of at least three (3) but not more than five (5) members in good standing, shall be appointed by the Commander at the General Membership meeting in April. The committee is responsible for counting the ballots received at the close of elections, in accordance with the “**Guidelines for the Nomination and Ballot Committees.**”

After the ballots have been counted, the Balloting Committee Chairman will prepare a ballot report which is to be signed by the Chairman and two (2) additional committee members, and will be turned over to the Commander. The candidate(s) receiving the highest number of votes shall be declared elected to the respective office. The newly elected Officers/Executive Committee members will be announced by the Commander immediately following the counting of the ballots.

The “**Guidelines for the Nomination and Ballot Committees**” will be reviewed annually, and any amendments will be approved by the General Membership.

ARTICLE VI – DUTIES OF OFFICERS

SECTION I. 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 such officer shall be the chief executive officer of the Post. The Commander 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. A copy of this report shall immediately be forward to the Department Adjutant. The Commander shall perform such other duties as directed by the members of the Post.

SECTION II. Duties of the 1st Vice Commander: The 1st Vice Commander shall perform the duties of the office of Commander in the absence of the Commander. In case of a vacancy in the office of the Commander, the 1st Vice Commander shall assume the duties of the Commander for the remainder of the Legion year. The Executive Committee will fill the vacant position of the 1st Vice Commander.

The 1st Vice Commander shall assume the duties of the Chairman of the Membership Committee, and is responsible for advising the Adjutant of all new members, and requesting a “Certificate of Initiation” be typed when needed.

SECTION III. Duties of the 2nd Vice Commander: The 2nd Vice Commander shall perform the duties of Commander in the absence of the Commander and the 1st Vice Commander. The 2nd Vice Commander will assume the duties of the Chairman of the Entertainment Committee.

SECTION IV. Duties of the 3rd Vice Commander: The 3rd Vice Commander shall perform the duties of Commander in the absence of the Commander and the 1st and 2nd Vice Commander. The 3rd Vice Commander shall assume the duties of the Chairman of the Americanism

Committee, shall assist the 2nd Vice Commander and shall perform such other duties as directed by the Executive Committee. Additionally, he/she must ensure that the Post has a sufficient quantity of American Flags (initiation size), American Legion lapel pins, Flag Etiquette booklets and Certificates of Initiation on hand for the Initiation Ceremony for new members. All of these items are available through National Emblem Sales.

SECTION V. Duties of the Post Adjutant: The Adjutant shall perform all duties prescribed in the Adjutant's Manual and such other duties as directed by the Post Commander. The Adjutant shall have charge of and keep a full and correct account of all proceedings of all meetings, keep such records as the Department and National Organizations may require, render reports of membership when called upon at Post meetings, and, under the direction of the Commander, shall handle all correspondence for the Post, including providing written minutes of all General Membership, Executive Committee and Special Meetings to the membership attendee's.

SECTION VI. Duties of the Post Finance Officer: The Finance Officer shall have charge of all finances and see that they are safely deposited in the approved bank, and shall report once a month to the Executive Committee, the condition of the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on activities of the Post. The Finance Officer and at least one designated member shall sign all checks disbursing monies of the Post, and shall furnish such surety bonds in such sum as fixed by the Executive Committee. The Finance Officer or designee should be present at the General Membership meetings to answer any financial issues that may arise. The Finance Officer shall assume the duties of the Chairman of the Finance Committee.

SECTION VII. Duties of the Post Historian: The Post Historian shall be charged with keeping individual records and incidents of the Post and Post members, and shall perform such other duties as may properly pertain the office as determined by the Post or the Executive Committee.

SECTION VIII. Duties of the Post Judge Advocate: The Judge Advocate shall be the mediator of the Constitution and By-Laws of the Post, and may at any time be called upon by the Commander and other officers and members of the Post to rule on the legality of their actions in so far as they affect the good of The American Legion. The Judge Advocate shall advise the Commander and Executive Committee on all legal matters and shall perform such other duties as are usually incident to the office. The Judge Advocate shall be a member of the Constitution and By-Laws Review Committee. The Judge Advocate is responsible for ensuring Robert's Rules of Order are followed in all Legion meetings.

SECTION IX. Duties of the Post Chaplain: The 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.

SECTION X. Duties of the Post Sergeants-at Arms: The Sergeants-at Arms shall preserve order at meetings and shall perform such other duties as may be assigned by the Executive Committee. Additionally, the Sergeant-at-Arms is responsible for preparation of the Legion hall for Legion meetings and new membership initiation, and shall ensure the following items are on hand in sufficient quantity for initiation of new members: American Flags (initiation size), American Legion lapel pins, Flag Etiquette booklets and the Certificates of Initiation.

SECTION XI. Duties of the Post Service Officer: The Service Officer shall keep the Post advised concerning compensation and pension rights, and provide assistance to veterans of all wars, their spouses, and dependents, as may be requested of him/her and which lie within his/her power to perform. He/she shall represent the Post in all matters pertaining to assistance to veterans, their spouses, dependents or survivors. He/she shall be authorized to correspond in the name of the Post with Departments of Federal, State, City and County Governments and any and all other persons when such correspondence shall be necessary.

ARTICLE VII – DELEGATES

SECTION I. Ten (10) delegates and alternates to attend the Department Convention shall be elected at the General Membership meeting at least twenty (20) days prior to the date the convention. If more than 10 members are nominated for the delegates and/or alternates, they will be elected by ballot.

SECTION II. The Post will pay the registration fee for the delegates and alternates who attend the Department.

SECTION III. To be eligible for travel expenses as an alternate, a travel voucher must be presented to the Finance Officer at the first General Membership meeting following their return, and approved by the Executive Committee.

SECTION IV. In order to be reimbursed, the delegates are required to turn in lodging and mileage receipts to the Finance Officer at the first General Membership meeting following their return, otherwise they must reimburse all monies received from the Post. Paid delegates will submit a verbal and written report of their activities within 30 days of their return.

ARTICLE VIII – APPOINTMENTS

SECTION I. The Post Commander, immediately upon taking office each year, will appoint a Constitution and By-Laws Review Committee, a House Committee Chairman, Sons of The American Legion Advisor, American Legion Riders Advisor, and an Auditing Committee.

The Commander may appoint the following Standing Committees: Buildings and Grounds, Finance, Legal, Public Relations, VA&R, VAVS, Americanism, Athletic, Graves Registration, Game Night, Ceremonial and Patriotic Observance, Child Welfare, Employment. Each Committee Chair shall be responsible for submitting a written and verbal report to the Executive Committee on a monthly basis.

SECTION II. The House Committee, including the Chairman, shall consist of not more than seven (7) Legionnaires in good standing. The House Committee Chairman shall appoint the remaining six (6) members, ensuring that no more than two (2) current Post Officers will serve on the committee. A representative of Auxiliary Unit 2, S.A.L. Squadron 2, and A.L.R. Chapter 2 may attend House Committee meetings to provide input on their respective organizations, however, they will have no vote.

ARTICLE IX – DUTIES OF STANDING COMMITTEES

SECTION I. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including procuring new members, reinstatement, transfers, and eligibility of applicants. The 1st Vice Commander shall be chairperson of this committee.

SECTION II. The Entertainment Committee shall have charge of all matters pertaining to Legion entertainment and activities in the hall. All activities shall be coordinated with the Social Quarters Manager to ensure there is no conflict of dates with other activities. The 2nd Vice Commander shall be Chairperson of the Entertainment Committee.

SECTION III. The Buildings and Grounds Committee shall have charge of all matters pertaining to the care and maintenance of the buildings and grounds of the Post, including the picnic area. In the absence of a Buildings and Grounds Committee, the House Committee shall assume these duties and responsibilities.

SECTION IV. 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. The Finance Officer shall be chairperson of this committee.

SECTION V. The Legal Committee shall be charged with the legal supervision of Post affairs. The Judge Advocate shall be chairperson of this committee.

SECTION VI. The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department and National news service, and by local publicity of Post programs and activities.

SECTION VII. The Veterans Affairs and Rehabilitation (VA&R) Committee shall assist the Post Service Officer in providing assistance to needy veterans and their dependents. The Service Officer shall be the chairperson of this committee.

SECTION VIII. The Veterans Administration Voluntary Services (VAVS) Committee is charged with the visiting and comforting of members and their families when sick or bereaved, and with visiting veterans in nearby hospitals. The Chaplain shall be a member of this committee.

SECTION IX. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propoganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

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

SECTION XI. The Graves Registration Committee shall have charge of all matters pertaining to the registration of Post members buried in local cemeteries.

SECTION XII. The Game Night Committee shall have charge of all games played in the Post Home. The House Committee Chairman shall be a member of this committee.

SECTION XIII. The Ceremonials and Patriotic Observance Committee shall be charged with all matters pertaining to the preparation for all ceremonies conducted by the Post and shall provide the programs on Patriotic days. The 3rd Vice Commander shall be chairperson of this committee.

SECTION XIV. The Child Welfare Committee shall be charged with all matters pertaining to the care and protection of the children of needy veterans and the improvement of conditions for all children.

SECTION XV. The Employment Committee shall be charged with all matters pertaining to the rendering of assistance to veterans seeking employment.

SECTION XVI. The Auditing Committee shall be charged with all matters pertaining to the auditing of Post Financial Records. An Internal Audit of the Post and Social Quarters financial records shall be examined by the Post Auditing Committee. In the absence of a Post Auditing Committee, a committee of five competent persons shall be appointed, none of whom shall be the Commander, Adjutant, Finance Officer, or other such person charged with the handling of Post or Social Quarters funds. Examination shall be made within ninety days following the installation of new officers, and shall cover the immediate preceding fiscal year. An outside audit will be conducted every three (3) years or when deemed necessary due to finance discrepancies. No annual internal audit is necessary if an outside audit was conducted for that year.

SECTION XVII. The Sons of The American Legion (S.A.L.) Squadron 2 Advisor shall oversee the operations of Squadron 2. The Squadron's Finance Officer shall be the custodian of the funds. In accordance with the Squadron Handbook, he shall be charged with receiving, depositing and disbursing the funds of the Squadron. He shall make a report on the condition of the Squadron treasury when called for by the Post Commander or the Executive Committee at least once a year. Withdrawal of funds shall only be made by draft or check, and signed by both the Squadron Finance Officer and the Squadron Advisor.

SECTION XVIII. The American Legion Riders (A.L.R.) Chapter 2 Advisor shall serve in an advisory capacity at all meetings of the Chapter. The Advisor will be provided with an up to date membership roster, monthly finance report, and the current Chapter By-Laws.

SECTION XIX. The House Committee shall oversee the operations of the Social Quarters. Operations includes administration and enforcement of rules applicable to conduct of members and guests while on the premises of the Post. Any actions of the House Committee can be appealed to the Executive Committee upon request.

The House Committee shall be responsible for all equipment used within the Social Quarters. In the absence of a Buildings and Grounds Committee, the House Committee shall oversee the physical facilities of the Post, including the picnic area.

SECTION XX. The Constitution and By-Laws Review Committee shall review the Constitution and By-Laws annually, as well as the Standing Rules and other related documents. The Judge Advocate should be a member of this committee.

SECTION XXI. The Scholarship Committee shall have charge of all matters pertaining to the awarding of financial assistance to deserving high school graduates seeking to further their education. Students recommended for receiving financial assistance are subject to the Scholarship Committee's criteria and approval by the General Membership. Checks will be made payable to the students educational institution of choice.

ARTICLE X – RESOLUTIONS

SECTION I. 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 a copy will be forwarded to 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 I. The monthly General Membership meetings of this Post shall be held at the Post, on the date established by the Executive Committee. All transactions and other business will be properly brought up for action. The Officers of the Post may convert the meeting to an entertainment meeting when deemed appropriate. No Legionnaire will be permitted in the Social Quarters during General Membership meetings, District Conferences or Conventions, or other specified programs such as Post Everlasting, Four Chaplains Sunday and Memorial Services for Post members.

SECTION II. 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 III. Upon the written request of ten (10) members **stating explicit reasons**, may request the Executive Committee call a special meeting of the Post.

SECTION IV. Fifteen (15) members in good standing, as of the date of the meeting, shall constitute a quorum.

ARTICLE XII - NOTICES

SECTION I. Every member shall furnish the Adjutant with a current address or e-mail address, for mailing purposes. Failure to do so may cause notices and newsletters from being delivered.

SECTION II. The Adjutant shall provide notice of the annual election to be given at least thirty (30) days prior to the date of the elections.

SECTION III. Telephonic voting by the General Membership, the Executive Committee or the Corporation Board may be used in emergency situations only. The exigent circumstances must be clearly articulated. All members of said Committee/Board must be contacted, and a written record of response must be maintained by the appropriate Committee/Board. Telephonic voting is not permitted to constitute a quorum at any meeting of this Post.

ARTICLE XIII – RULES OF ORDER

SECTION I. All proceedings of this Post shall be conducted under and pursuant to Roberts Rule of Order, except as herein otherwise provided.

ARTICLE XIV – LIMITATIONS OF LIABILITIES

SECTION I. The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations, or organization.

ARTICLE XV – ELIGIBILITY FOR MEMBERSHIP

SECTION I. Eligibility for membership in this Post shall be as prescribed by the National Constitution of The American Legion.

SECTION II. The recruiting member is to ensure that the application for membership shall be made on the appropriate application form, filled out completely and signed. Verification of eligibility will be by DD form 214, current military ID, or other authorized document of proof of eligibility. All questionable proof of eligibility should be presented to the Executive Committee. Proof of eligibility is the responsibility of the recruiter and he/she must sign the application. Recruiters shall ensure all applicants know in advance that they may attend an initiation ceremony.

SECTION III. All applicants will be considered on an individual basis each on his/her own merits, the first consideration being dates of eligibility, and that while such factors as desirability and compatibility will continue to not be considered, the race and creed of the applicant is not and never will be a factor in such consideration. Upon review and acceptance of the application by the Executive Committee, the applicants may present themselves, preferably at the next regularly scheduled General Membership meeting for initiation.

SECTION IV. There shall be no form or class of membership except an active membership and dues shall be paid annually or for life. Members who joined this Post prior to November 11, 1919 (or members who joined this Post prior to issuance of the charter) shall be known as

Charter Members. There shall be no 'associate' memberships, nor any memberships by any other designation for anyone who does not meet the eligibility requirements of The American Legion.

SECTION V. No person may be a member at any time of more than one Post. Should it become apparent that such "dual membership" exists, the offending Legionnaire shall be notified immediately and required to select the Post in which he wishes to remain.

ARTICLE XVI – INITIATION CEREMONY

SECTION I. The initiation of candidates for membership in The American Legion is an important function of each Post. New members need to be shown, officially and formally, that they're indeed a part of the organization. All candidates for membership in this Post may attend the Initiation Ceremony. During this waiting period, their Post dues receipt will afford them the same privileges' as any other Post member, including use of the Social Quarters.

ARTICLE XVII – DUES, DELINQUENCY, RESIGNATION AND TRANSFER

SECTION I. Dues. The annual dues for membership in this Post shall be as established by the Executive Committee.

SECTION II. Delinquency. A member whose dues have not been paid by January 1st of each calendar year the member becomes delinquent, and all Social Quarters privileges shall be suspended. If dues have not been paid by February 1st, the member is suspended, but nevertheless a member with no privilege except that of reinstatement by vote of the Post and payment of dues; and dues not being paid, such membership continues for a period of five months, to June 30th, at which time the member is dropped from the roll by constitutional mandate and membership forfeited. A member so suspended or whose membership has been forfeited may be reinstated to active membership in good standing by a vote of the Post membership, and payment of current dues for the year in which reinstatement occurs.

SECTION III. Resignation. A member may resign from the Post at any time while dues are paid and can thereafter join another Post as a new member, in which event the continuity of Legion membership is broken, and upon resignation the Post is not required to rebate any part or portion of the member's dues.

SECTION IV. Transfer.

1. The only method of transferring from one Post to another so the continuity of membership in the Legion is not broken is by formal transfer, which is available only to members in good standing.
2. A member of a Post may not move the membership to another Post and retain continuous membership without the formality of a transfer. Being a member of more than one Post at one time is a violation of the National Constitution.

3. The right to transfer does not carry the right to be accepted by any Post.
4. On transfer there shall be no transfer of funds derived from dues, etc.
5. All requests for transfer to Post 2 must be voted upon by the General Membership.




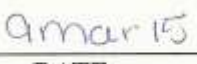
ARTICLE XVIII – AMENDMENTS

SECTION I. At the first General Membership meeting following the installation of Officers, the Commander shall appoint a committee to review these By-Laws. Proposed amendments will be presented to the General Membership for approval as prescribed in Section II below.

SECTION II. The By-Laws may be amended at any General Membership meeting of the Post by a vote of two-thirds (2/3) of the members attending such meeting, provided that a quorum is present, and further provided that the proposed amendment(s) have been submitted in writing, and have been read at the preceding General Membership meeting, and that written notice be provided to all members at least thirty (30) days prior to the meeting, that a proposal to amend the By-Laws will be voted upon.

These By-Laws were amended on 9 March 2015, at the General Membership meeting held on that date. The signed and dated original By-Laws and all amendments are to be maintained at the Post, and copies made available for all eligible members.

Attested:

 _____ ALAN R. ABBEY, COMMANDER	 _____ DATE
 _____ KIMBERLY GROBARCIK, ADJUTANT	 _____ DATE

Attachment 1: "Guidelines for the Election and Ballot Committees"

Guidelines for the Election and Ballot Committees

1. **Committee Organization:** The Election Committee, consisting of five members, shall be appointed by the Commander at least 2 months prior to elections, and will be under the direct supervision of the Post Executive Committee.

2. **Duties:** The Election Committee is responsible for the printing, distribution, and collection of ballots for the annual election of Post Officers.
 - a. **Preparing Ballots:** They will prepare a ballot containing the names of all nominees, to include those with only one candidate for office.

 - b. **Issuing Ballots:**
 - (1) The Membership Chairman will provide an up-to-date membership roster to the Election Committee.

 - (2) To ensure that only eligible members vote, and to prevent the possibility of a member voting more than once, the Election Committee will:
 - (a) Check all membership cards for the current year.

 - (b) Mark the roster beside the name of each member who receives a Ballot.

 - (c). Ensure that receipts **ARE NOT ACCEPTED** as an entitlement to vote.
 - (3) A count of the number of ballots issued will be kept, however, the ballots will not be numbered.

 - (4) Conduct:
 - (a) Election Committee members will not try to influence the way votes are cast.

 - (b) Election Committee members will not consume alcoholic beverages before or during the conduct of the election, nor will they smoke in the immediate area of voting.

3. **Voting:**
 - a. At least two (2) Election Committee members will be present during the entire period of the elections.

 - b. A ballot box will be used, and will be kept in the presence of at least two Election Committee members at all times.

Guidelines for the Election and Ballot Committees

- c. Each candidate on the ballot may request an observer to be at the hall during the casting of ballots by the membership. The observers are not allowed to interfere with the Election Committee in any manner. They are there as observers only.

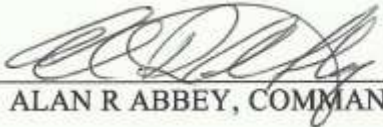



4. Counting and Reporting:

- a. At the conclusion of the election, the Election Committee Chairman will turn the ballot box over to the Commander at the General Membership meeting following the elections.
- b. At Election Committee Chairman will prepare an Election Report, which is to be signed by the Chairman and two additional committee members. The Chairman will turn the report over to the Post Commander.
- c. The Post Commander will read the results of the election at the regular General Membership Meeting following the elections. This report will become an official record, attached to the minutes of that meeting
- d. The candidate receiving the majority of votes cast shall be declared elected.

5. Challenging the Vote:

- a. After the election results have been presented to the membership, the ballots will be held by the Adjutant for 45 days, in the event there is a challenge of the election by a candidate.
- b. The challenger must be allowed to witness, but not participate in, the recount of the ballots, which will be completed by the members of the Ballot Committee. The challenger may, however, voice irregularities suspected to the Executive Committee for possible resolution.

These Guidelines were approved by the General Membership at the meeting held on 9 March 2015.

 ALAN R ABBEY, COMMANDER	 DATE
 KIMBERLY GROBARCIK, ADJUTANT	 DATE

Attachment 1