

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

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



CONSTITUTION



Amended 9 March 2015

CONSTITUTION

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

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 good will 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 I. The name of this organization shall be J. Thompson Wyatt Post 2, Incorporated, The American Legion, Department of Virginia.

ARTICLE II – OBJECTIVES

SECTION II. The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Department Constitutions of the American Legion.

ARTICLE III – NATURE

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

SECTION II. This organization shall be absolutely non-political and shall not be used for the dissemination of partisan principles or the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination or election to, or incumbent of any remunerative public office, shall hold any elective office or any appointive remunerative office in this Post of The American Legion, provided that members of the Post standing committees shall not be affected.

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

ARTICLE IV – 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 American Legion member is to ensure that the application for membership shall be made on the appropriate application form and filled out completely and sign... 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.

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 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 Membership Committee, the applicants should present themselves at a regularly scheduled General Membership meeting for initiation.

SECTION IV. Any member of this Post may be expelled for cause by a two-thirds (2/3) vote of the Executive Committee after charges are preferred under oath, in writing, and a fair trial had upon the same.

SECTION V. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds (2/3) vote of membership present In the Post meeting, and the payment of current dues for the year in which reinstatement occurs.

SECTION VI. No person who has been expelled by a Post shall be admitted 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, may appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in another Post, and shall be ineligible until such permission is granted.

SECTION VII. The annual membership dues if this Post shall be regulated by the Executive Committee, which shall include the Department and National per capita.

ARTICLE V – OFFICERS

POST EXECUTIVE COMMITTEE

SECTION I. The administrative affairs of this Post of The American Legion shall, except as otherwise provided by the By-Laws, be under the supervision of the Executive Committee which shall consist of the currently elected Officers as outlined in Section II of this article and five (5) additional Post members. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

SECTION II. The Officers of this Post shall be a Commander; three (3) Vice Commanders; an Adjutant, appointed by the Commander; a Finance Officer; a Post Historian; a Post Chaplain; a Post Service Officer; four (4) Sergeants-At-Arms, and such other Officers as may be deemed necessary by this organization, who shall be nominated by a nominating committee or nominated from the floor, at the meeting preceding the annual election, as provided by the By-Laws.

SECTION III. All Officers shall be elected annually. Five (5) Executive Committee persons shall be elected for a two (2) year term, and five (5) Executive Committee persons shall be carried over from the preceding year. All Officers and Committee persons shall hold office until their successors are duly installed, as otherwise provided. Any Officer or Executive Committee person may be removed from office for inefficiency by the Executive Committee, after the Officer/Executive Committee person has been notified in writing of pending removal. A two-thirds (2/3) vote of said Committee being necessary to effect such removal.

SECTION IV. Every member of this Post in good standing shall be eligible to hold office in this Post.

SECTION V. The duties of the Officers and Executive Committee shall be those as pertaining to Officers or Committee or as further outlined in Article III and IV of the By-Laws.

ARTICLE VI – 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. **Five (5) members of the Corporation Board shall constitute a quorum thereof.**

ARTICLE VII – FINANCE

SECTION I. 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 II. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed as determined by the Executive Committee.

SECTION III. The Post shall pay to Department Headquarters, the National and Department annual membership dues for every member of the Post.

SECTION IV. The Post shall pay to the Fourth District the annual per capita dues for every member of the Post.

ARTICLE VIII – CHARTER MEMBERS

SECTION I. 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.

ARTICLE IX – AMERICAN LEGION AUXILIARY

SECTION I. This Post recognizes an Auxiliary organization to be known as the Auxiliary Unit of J. Thompson Wyatt Post 2, Incorporated, The American Legion.

SECTION II. Membership in the Auxiliary shall be as prescribed by the National Constitution of The American Legion Auxiliary.

ARTICLE X – SONS OF THE AMERICAN LEGION (S.A.L.)

SECTION 1. This Post recognizes Sons of The American Legion Squadron, attached to J. Thompson Wyatt Post 2, Incorporated, The American Legion.

SECTION II. This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of Virginia and under the sponsorship and jurisdiction of J. Thompson Wyatt Post 2, Incorporated. Membership in the Sons of The American Legion (SAL) shall be as prescribed by the National Organization.

ARTICLE XI – AMENDMENTS

SECTION I. 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 Virginia, The American Legion. Any amendment to said National or Department Constitution which is in conflict with any provisions hereof, should be

regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.



SECTION II. The Post Commander shall annually appoint a Committee to review this Constitution at the first General Membership meeting following the installation of new Officers. Changes, amendments, deletions and/or corrections proposed will be presented to the General Membership for approval as prescribed in Section III below.

SECTION III. This Constitution 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.

This Constitution was amended on 9 March 2015, at the General Membership meeting held on that date.

The signed and dated original Constitution and all amendments are to be maintained by the Post, and copies made available for all eligible members.

Attested:

 Signed: ALAN R. ABBEY, COMMANDER	 DATE
 Signed: KIMBERLY GROBARCIK, ADJUTANT	 DATE