**Frank B. Huddleston Post No. 81 Inc.**

**THE AMERICAN LEGION**

**Department of Florida**

CONSTITUTION AND BYLAWS

# 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 1.0 - The name of this organization shall be, “FRANK B. HUDDLESTON POST NO. 81 Inc. of The American Legion, Department of Florida”.

# ARTICLE II

## Objects

Section 1.0 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 Department Constitutions of The American Legion.

# ARTICLE III

## Nature

Section 1.0 This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2.0 This organization shall be absolutely nonpolitical and shall not be used for the dissemination of partisan information, or the promotion of the candidacy of any person seeking public office or preferment.

Section 3.0 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 1.0 Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion. Such membership is subject to eligibility verification at the Post level, by submission of a DD-214 or other recognized applicable military discharge form.

Section 2.0 Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 3.0 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.

3.1 If three (3) or more members cast their vote against acceptance of said application, then such application shall be recorded as “rejected”.

Section 4.0. Members may be reprimanded, suspended or expelled from The American Legion only upon proper showing or cause. Charges shall be based on disloyalty, dishonest and conduct unbecoming a member of the American Legion. Charges must be made under oath in writing, by the accusers and no member shall lose his/her membership office until given a fair trial. The rules and procedures controlling the bringing of charges and the trial, shall be as set forth in the document entitled ‘Rules Governing Trials’, as by Article X, paragraph 14 of the Constitution, American Legion Department of Florida.

Section 5.0 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 membership present in a Post meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 6.0 No person who has been expelled or suspended from any Post for any cause may be reinstated to membership in this Post without consent of the expelling Post, except that where such consent has been asked for and denied by such Post, he may appeal then to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post, and shall not be eligible for membership until such permission is granted.

Section 7.0 Honorary Life Membership may be awarded to a member who has contributed outstanding ability, effort and time in advancing the duties prescribed in the Post Commander’s Guide, and American Legion Programs sponsored by this Post.

7.1 The awarding of an Honorary Life Membership is subject to a recommendation of approval or rejection by a majority of the members of the Executive Committee at an Executive Committee meeting, and voted upon by a majority of the assembly at the next regular meeting.

7.2 The vote by the assembly shall be by secret ballot.

7.3 The membership shall be notified by the Adjutant of the action of the Executive Committee.

7.4 The Post shall follow the requirements of awarding Honorary Life Membership as outlined in this Constitution and follow procedures as described in the Post Adjutant’s Manual under the head HONORARY LIFE MEMBERSHIP.

# ARTICLE V

## Officers

Section 1.0 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 the elected and appointed officers of this Post and two (2) members who shall be elected by the Post to serve one (1) year.

1.1 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 2.0 The elected officers of this Post shall be a Commander, 1st Vice Commander, 2nd Vice Commander, Finance Officer, Sergeant-at-Arms, Historian and Chaplain. The appointed officers shall be 3rd Vice Commander, Adjutant, and Judge Advocate and assistants as deemed necessary by the Commander.

Section 3.0 All officers and executive committeemen shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided.

3.1 Post Officers may be reprimanded, suspended or expelled from The Executive Board of The American Legion only upon proper showing or cause. Charges shall be based on disloyalty, neglect of duty, dishonest and conduct unbecoming an Officer of the American Legion. Charges must be made under oath in writing, by the accusers and no member shall lose his/her office until given a fair trial. The rules and procedures controlling the bringing of charges and the trial, shall be as set forth by the Department Executive Committee in the document entitled ‘Rules Governing trials’, as by Article X, paragraph 14 of the Constitution, American Legion Department of Florida.

Section 4.0 Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 5.0 The duties of officers and executive committeemen shall be those usually appertaining to such officers or committeemen as further prescribed by the Bylaws.

# ARTICLE VI

## Finance

Section 1.0 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 2.0 The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by the Post.

Section 3.0 The Post shall pay to Department Headquarters the National and Department annual membership dues for every member of this Post.

# ARTICLE VII

## Charter Members

Members who have joined this Post prior to November 11, 1919 (or members who joined this Post to issuance of the Charter) shall be known as Charter Members.

# ARTICLE VIII

## American Legion Auxiliary and Sons of the American Legion

Section 1.0 This Post recognizes an Auxiliary Organization to be known as the Auxiliary Unit of FRANK B. HUDDLESTON POST NO. 81 Inc., The American Legion.

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

Section 2.0 This Post recognizes a Sons of the American Legion Organization to be known as Squadron Unit of FRANK B. HUDDLESTON POST NO. 81 Inc., The American Legion.

2.1 Membership in the SAL shall be as prescribed by the National Constitution of the American Legion.

# ARTICLE IX

## Amendments

Section 1.0 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 Florida, the American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2.0 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, provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing further, that written notice shall have been given to all members at least fifteen (15) days in advance of the date when such amendment is to be voted upon, notifying said member that at such meeting a proposal to amend the constitution is to be voted upon.

BYLAWS

# ARTICLE I

Section 1.0 The Post existing under these Bylaws is to be known as FRANK B. HUDDLESTON POST NO. 81 Inc., The American Legion, Department of Florida.

Section 2.0 The objects of this Post are set forth in the Constitution.

Section 3.0 A committee will be convened every three (3) years (or sooner if deemed necessary by executive committee) to review these Bylaws.

3.1 Recommendations for changes must be approved by the Executive Committee and the general membership as elsewhere provided in the Post Constitution (Article IX) and Bylaws (Article XIV).

# Article II

Section 1.0 The government and management of the Post is entrusted to an Executive Committee of no less than eleven (11) members to be known as the “Executive Committee”.

Section 2.0 The Executive Committee shall consist of no less than two (2) members in addition to the officers of the Post and together with the other officers of this Post shall be elected annually, no more than Ninety (90) days or less than Ten (10) days prior to the Department Convention.

2.1 Post officers shall be installed, take office and enter upon their duties at a date to be fixed by the District Commander.

2.2 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 or offices for which they are candidates.

Section 3.0 All vacancies existing in the Executive Committee, or in 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 Executive Committee, and a person so appointed shall hold office for the unexpired term of the member of the Executive Committeemen or officer whom he succeeds.

3.1 Officers may be reprimanded, suspended or removed from office under provisions of Article X, Paragraph 14 of the Department Constitution.

# Article III

## Post Executive Committee

Section 1.0 The Post Executive Committee shall be known as the Executive Committee, Executive Board or E-Board and 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.

1.1 Thereafter the Post Executive Committee shall meet at the call of the Commander once each month, and as often as said Commander may deem necessary.

1.2 The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of said Post Executive Committee; Seven (7) members of the Executive Committee shall constitute a quorum thereof.

Section 2.0 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 custody of Post funds; shall hear the reports of Post committee chairmen; and generally shall have charge of and be responsible for the affairs of this Post.

Section 3.0 The immediate Past Post Commander shall be a member of the Executive Committee for a period not to exceed one (1) year.

3.1 In the event that the current Post Commander is re-elected to the position of Post Commander the Executive Committee position of the immediate Past Post Commander shall be filled by a third Executive Committee Member at Large, to be elected by majority vote of membership present as specified in Article V.

Section 4.0 The Post Executive Committee shall designate a three (3) member Behavioral Tribunal which shall be charged with the duties described herein:

4.1 The Behavioral Tribunal shall be chaired by the Post 81 Judge Advocate and shall consist of the Judge Advocate, Sergeant at Arms and one additional Post 81 officer as may be deemed appropriate by the Executive Committee.

4.2 The Behavioral Tribunal shall be charged with any and all investigations related to such items as formal complaints, accusations and disputes occurring between and among Legion, Auxiliary and SAL members or their guests on Post property or at a Post sponsored event.

4.3 The Behavioral Tribunal shall gather information based on the nature of the event and make recommendations to the Executive Committee toward appropriate action or dismissal as required to resolve the event.

Section 5.0 The Executive Committee shall appoint a House Rules Committee consisting of no less than three (3) and no more eight (8) members of Post 81 plus the Post Commander and shall be charged with the duties described herein:

5.1 The House Rules Committee shall be chaired by the Post 2nd Vice-Commander as described in Article IV Section 3.0 Sub-Section 3.2 of these Post Bylaws.

5.2 The House Rules Committee shall be charged with the development and regular updating of the “House Rules” and shall make any subsequent, proposed changes to the existing said Rules available for review and approval to the Executive Committee. The “House Rules” shall be reviewed by the House Rules Committee every three (3) years or from time-to-time when called by the Executive Committee. The Executive Committee shall, upon approval, present approved House Rules to the membership for ratification.

5.3 The House Rules Committee shall provide support and guidance to the Bar Manager in the carrying out of their duties. A minimum of 1 House Rules Committee representative shall meet on a quarterly basis with the bartenders and Bar Manager to review suggestions, problem areas and training.

5.4 The House Rules Committee will not be required to supervise, conduct or arrange Post functions or parties. This shall be the duty of the Entertainment Committee or the specific committee involved.

5.5 The House Rules Committee shall be charged with making recommendations to the Executive Committee regarding the hiring and firing of the Bar Manager and other Bar Volunteers.

5.6 Any reported or otherwise known infraction of House Rules shall be referred by the House Rules Committee to the Executive Committee for review and possible investigation by the Behavioral Tribunal as described in Article III, Section 4 of these Bylaws.

5.7 The House Rules Committee may, at its discretion and for the purposes of maintaining order in the Post lounge, temporarily suspend lounge privileges for any member, for up to seven (7) days pending review by the Executive Committee.

# Article IV

## Duties of Officers

Section 1.0 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.

1.1 The Post commander shall be the chief executive officer of the Post.

1.2 He/She shall approve all orders directing the disbursement of funds.

1.3 He/She shall make an annual report covering the business of the Post for the year, and recommendations for the ensuing year, which will be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant.

Section 2.0 Duties of 1st VICE COMMANDER: The 1st Vice Commander shall be the chairman in charge of the Membership Committee.

2.1 He/She shall assume and discharge the duties of the office of the Commander in the absence or disability of, or when called upon by the Post Commander.

2.2 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 3.0 DUTIES OF 2nd VICE COMMANDER: The 2nd Vice Commander shall be the chairman of the entertainment and Americanism activities.

3.1 He/She shall assume the duties of the office of Commander in the absence or disability of both the Commander and 1st Vice Commander.

3.2 He/She shall be chairperson of the House Rules Committee and, as such, shall have control of all use and rental of Post equipment and coordinate with 3rd Vice Commander as to management of same.

3.3 He/She might not have part on the initiation team, but should make sure one is functioning

3.4 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 4.0 DUTIES OF THE 3rd VICE COMMANDER: The 3rd Vice Commander shall have charge of the building and grounds of the Post and all Post property.

4.1 He/She shall ensure that the Post and associated property is properly maintained and coordinate all maintenance and repair to include 3rd party contractors and repairmen as may from time to time be necessary.

4.2 He/She shall perform all required inventory checks and make written record of same and deliver a copy to the Post Adjutant form record and insurance purposes.

4.3 He/She shall prepare a yearly budget proposal for Post property maintenance, repair, upgrade and renovation and propose said budget proposal to the Executive Committee for approval and subsequently to the membership for ratification.

4.3 The 3rd Vice Commander shall be appointed by the Commander, and shall be a member of the Executive Committee.

Section 5.0 DUTIES OF THE 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 Organization may require, render reports of the membership annually or when called upon at a meeting, and under direction of the Commander handle all correspondence of the Post.

5.1 The Adjutant shall have knowledge of all Post functions; activities and matters pertaining to Post operations.

5.2 The Adjutant shall be appointed by the Commander, and shall be a member of the Executive Committee.

5.3 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 6.0 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 some local bank or banks and shall report once a month to the Executive Committee and assemble 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.

6.1 He/She shall receive and properly account for all moneys due and payable as the Bylaws provide, and shall give an official receipt as prescribed for all moneys received by him.

6.2 He/She shall expend funds only upon presentation of a proper expenditure voucher designated clearly to whom payments are to be made, as to what the expenditure is for, and approved by the Commander.

6.3 All checks for expenditure of funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing same, and in addition to the signature of the Finance Officer shall be signed by the Commander.

6.4 In the absence of the Commander, for cause, he shall sign checks with some other officer designated by the Executive Committee.

6.5 He/She shall furnish Surety Bond in such sum as shall be fixed by the Post Executive Committee. Said Surety Bond premium shall be paid by the Post.

6.6 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 7.0 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 perform such other duties as may properly pertain to the office as may be determined by the Post Commander.

7.1 The Post Historian shall be the chair of the Grave Registration and Memorial Committee and work with the Chaplain on related duties.

7.2 The Historian shall provide copies of is whatever is printed or otherwise reported concerning the Post and should deposit same in the Post files.

7.3 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 8.0 DUTIES OF THE POST CHAPLAIN: The Post Chaplain shall be charged with the spiritual welfare of the Post members 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 and Department Headquarters from time to time.

8.1 The Chaplain should cooperate with the Post Historian on graves registration work and inspire the Post to its full duty in seeing that graves are decorated on Memorial Day.

8.2 The Post Chaplain shall be responsible to report on members sick or deceased and may, on behalf of the Post, send cards to ill or grieving members as necessary.

8.3 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 9.0 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.

9.1 The Sergeant-at-Arms shall chair the ceremonial committee and is the flag etiquette person and should be well informed on proper flag display and procedures used in operating a meeting and should play a leading part in the Post color guard, burial detail and other pageantry that is part of the American Legion

9.2 The Sergeant-at-Arms must make certain new members are welcomed, introduced and made to feel they are important to the Post. The Sergeant-at-Arms shall keep track of members present at any official Post meetings and provide report on same.

9.3 The Sergeant-at-Arms is the chairman of the welcoming Committee. The members of this committee must welcome new members and guests, make sure they are introduced and keep the Commander advised as to who should be acknowledged.

9.4 The Sergeant-at-Arms shall be a member of the Behavioral Tribunal as described in Article III, Section 4 of these Bylaws

9.5 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 10.0 DUTIES OF THE JUDGE ADVOCATE: The Judge Advocate is the legal committee, but if desired, he can have additional professional people working with him.

10.1 He/She is to supply professional advice in the conduct of Post business or to procure proper counsel.

10.2 He/She is the guardian of the constitutional form of the Post government.

10.3 He/She shall also have charge of auditing of the Post financial accounts. This will be done annually one month (30 days) prior to the election of officers (May) or more frequently at the request of the Executive Committee.

10.4 The Judge Advocate shall be appointed by the Commander and shall be a member of the Executive Committee.

10.5 The Judge Advocate shall be chairperson of the Behavioral Tribunal as described in Article III, Section 4 of these Bylaws.

10.6 And as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 11.0 DUTIES OF THE SERVICE OFFICER: He/She will coordinate all activities on veteran’s rights between Post members and the appropriate Government agencies.

11.1 The Post Service Officer shall be chair of the Veteran’s Affairs and Support Committee

11.2 The Post Service Officer shall inform members of new or impending legislation pertaining to Veterans Rights.

11.3 And perform other duties as further prescribed in the Officers Guide and Manual of Ceremonies.

Section 12.0 DUTIES OF OTHER OFFICERS: Where specific duties of officers have not been specified, the Post Commanders Guide and the Officers Guide will be used as a reference to duties to be performed.

# Article V

## Nomination and Election

Section 1.0 NOMINATING COMMITTEE: A Nominating Committee consisting of three (3) members shall be elected two months (March) before the election of officers (May) at a regular meeting of the Post.

1.1 The Nominating Committee shall consist of members in good standing of Post 81 and should give thoughtful considerations to the qualifications of each candidate for office, and should secure the consent of the candidate before placing his name on the ticket. This committee shall present their ticket at the next regular meeting in April.

1.2 No action is taken on the report of the Nominating Committee. Nominations from the floor are always in order after the Nominating Committee has reported.

1.3 This information shall be included in all notices pertaining to the nomination and election of officers.

1.4 No name shall be placed in nomination without the consent of the nominee. This prevents promiscuous nominations and withdrawals.

1.5 The Commander shall not be a member of the Nominating Committee

Section 2.0 ELECTION OF OFFICERS: Election of officers shall take place at the regular meeting in May or at such dates as designated by the Department. A printed ballot shall be used and the names of the candidates from the floor and those proposed by the nominating Committee must be printed on the official ballot.

2.1 Voting polls will be open at 3 PM (1500 hrs.) and will remain open until 6:30 PM (1830 hrs.) on the day of the regular meeting. No ballots will be accepted after 6:30 PM.

2.2 The Commander shall appoint an Election Committee consisting of a chairman and not less than two (2) members.

2.3 The vote for each office must be preserved in such manner that if the election is questioned, the vote may be verified by a recount.

2.4 The Election Committee places the voted ballots in a sealed packet together with its report (and signed by the Election Committee), and delivers the packet, sealed to the Adjutant. This shall not be opened except by order of the assembly or the Executive Committee for purposes of verifying the vote, or destroying the packet.

2.5 After the vote for all offices has been read, the report is handed to the Commander and the reporting member sits. The Commander announces who is elected. (Reference Post Commander’s Guide, pages 168-169).

2.6 Absentee ballots may be obtained from the Adjutant by personal contact (I.e. phone or in person) and must be returned to the Commander in a sealed envelope prior to 6:30 PM on Election Day.

2.7 Reasons for Absentee Ballot requests are: Military Service; health reasons and being out of town on Election Day.

# Article VI

## Appointments

Section 1.0 The Post commander immediately upon taking office shall announce the appointments of the 3rd Vice Commander, Adjutant, Judge Advocate and the Service Officer.

1.1 He/She shall appoint the following standing committees; Children and Youth; Public Relations; and National Security and Disaster Preparedness.

1.2 Such standing committees consist of such members, and the chairman thereof, as shall be designated by the Commander or as described in Department of National official documentation.

1.3 Commander may, at his/her discretion appoint additional committee persons and chairs thereof as necessary to conduct Post business.

1.4 Chair positions for other “Standing Committees” are as described in Article IV – Duties of Officers.

1.5 The duties of these committees shall be carried on as enumerated in the American Legion Officers Guide under the heading “Standing Committees”.

# Article VII

## Delegates

Section 1.0 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 twenty (20) days prior to the date of such Department Convention.

# Article VIII

## Resolutions

Section 1.0 All Resolutions of State and National scope presented by the Post by a member or reported to the Post by a committee shall merely embody opinion of this Post on the subject and copy of same shall be forwarded for the Department Headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

# Article IX

## Meetings

Section 1.0 The regular meetings of the Post shall be held on such day and at such time as prescribed by the Executive Committee and ratified by the membership, at which may be transacted such business as may be properly be brought up for action. Such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post.

Section 2.0 The Post Commander of a majority of the Executive Committee shall have the power to call a special meeting of the Post at any time.

Section 3.0 Upon written notice of nine (9) members of the Post, the Executive Committee shall call a special meeting of the Post.

Section 4.0 Twelve (12) members shall constitute a quorum.

Section 5.0 The membership at a regular meeting by a majority vote shall have the authority to change any scheduled meeting during a calendar month to another date for that month.

Section 6.0 Upon change of the meeting day and time, the Post shall notify District and Department of said changes. These changes can be done “in-house”, with approval of membership. No amendment is required.

# Article X

## Notices

Section 1.0 The Post Adjutant may receive contact information of members via electronic means (e.g. mylegion.org) for mailing purposes of the Post Bulletin or other Post information. Any member requesting electronic distribution shall submit preferred, valid email address to the Post Adjutant for said information.

Section 2.0 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 1.0 All proceedings of this Post will be conducted under and pursuant to Robert’s Rules of Order, except as herein otherwise provided.

# Article XII

## Expenditures and Property Records

Section 1.0 The Post Commander shall approve all expenditures for regular office expenses, National and Department Dues, Surety Bonds, Insurance premiums and Utility bills without assembly approval.

Section 2.0 The Commander, with signature approval from two (2) Executive Committee members is authorized to approve expenditures up to $100 per incident for emergencies not to exceed 5 instances during a calendar year.

2.1 The Post commander shall have a fund of up to $100 for use at his/her discretion for emergency aid to Post members. Funds not to be disbursed directly to member requiring assistance, rather to 3rd party in support of said member (e.g. utility company).

2.2 The Post Commander shall have a fund of $100 for use at his/her discretion in for emergency aid to American Legion members at large. Funds not to be disbursed directly to member requiring assistance, rather to 3rd party in support of said member (e.g. utility company).

2.3 The 3rd Vice Commander shall have a fund of $100 per month to use at his/her discretion for maintenance supplies, etc.

Section 3.0 Any expenditure over $500 (except as provided for in section 1.0) must be referred to the Executive Committee for study and proper discussion, and with a recommendation of either approval or rejection, and the presented to the assembly for action.

3.1 Any expenditures for additions, repairs or improvement, in excess of $500 must have three (3) written proposals and/or bids submitted for study by the Executive Committee. The approval or rejection of the proposals and/or bids by the Executive Committee shall be presented at the next regular meeting of the Post.

Section 4.0 An inventory of the Post expendable property, office equipment, tables, chairs, bar furniture and equipment shall be made each year.

4.1 A complete record system shall be maintained for insurance purposes and tax depreciation.

4.2 All necessary Insurance Policies for the Post shall be reviewed each year to insure proper coverage against losses to the Post.

Section 5.0 The use and rental of the Post meeting room or any part of the property outside of the building shall be at the discretion of the House Rules Committee.

Section 6.0 No part of, or the entire Post-owned land or buildings, will be disposed of unless the following requirements are complied with:

6.1 Any land or building owned by the Post and recommended for disposal MUST be advertised by a printed notice in the Post monthly Bulletin so the every member will have a knowledgeable understanding of the pending recommendation.

6.2 This advertisement must be disseminated one time each thirty (30) days for the two (2) months prior to a vote by the memberships, with complete terms, conditions and costs to be incurred by the proposed disposition of any portion or the entirety of said property, together with how the proceeds from such Disposition of Property shall be used and/or applied from any portion of entirety of said property.

6.3 At a scheduled or special meeting called for this purpose, all members in good standing in the American Legion Post #81at the time if such meeting hall be entitled to vote by a two-thirds (2/3) majority of those present and voting or voting by Absentee Ballot must affirmatively approve of the proposed disposition. Absentee Ballots shall be on a form prepared by the Post and must be notarized: Absentee Ballots in order to be counted must be in the hands of the Post Commander or 1st Vice Commander prior to or at the meeting at which this disposition is voted upon.

6.4 If Post owned land or buildings are found in violation of local, county, state and/or Federal Statutes, or if said property is creating a hazard to health or safety to the Post and/or community, and immediate or emergency action must be taken to rectify the situation, the Post Commander may call a meeting of the Executive Committee to take whatever actions that are deemed necessary to satisfy the situation.

6.5 The Executive Committee decision will be binding

6.6 All such actions must be reported to the membership a large in writing no later than the next monthly newsletter and will also be presented at next regular meeting.

6.7 All non-emergency actions will follow guidelines of sub paragraphs 6.0 through 6.3 above.

# Article XIII

## Limitations of Liabilities

Section 1.0 This Post shall incur, or cause to be incurred, no liability nor obligations whatever which shall subject to liability any other Post, subdivision, group of men, members of the American Legion, or other individuals, corporations or organizations.

# Article XIV

## Amendments

Section 1.0 These Bylaws may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members of said Post attending such a regular meeting : Provided that the proposed amendment shall have been submitted in writing and read at the next proceeding regular meeting of said Post: and Provided, Further, that written notice shall have been given to all members at least fifteen (15) 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 Bylaws is to be voted upon.

# Article XV

## REVISIONS

Section 1.0 Initially adopted October 6, 1970 and approved by the department December 29, 1970

Section 2.0 Revised and updated September 29, 1976. All Amendments Approved by Department

Section 3.0 Article 12 Section 6 revised and voted on October 4, 1988

Section 4.0 Revised, updated and approved by the Executive Committee July 28, 1992

4.1 Voted on and passed by general membership at regular meeting September 4, 1992

Section 5.0 Pursuant to the letter from the Department Judge Advocate dated 5 February 1993, the last sentence of proposed Article IV Section 3 of the proposed constitution has been deleted. Also proposed Bylaws article II Section 3.1 was reworded to comply with Department Post Judge Advocate Recommendations and Section 3.2 of Article II has been deleted, as of 5/7/94.

5.1 Added phrase to Article XII Section 3.0 referencing normal expenditures provided for in Section 1.0. 5/8/94.

5.2 Constitution article V Section 5.0 Deleted as contrary to national Bylaws 5.8.94 renumbered section 6 to section 5. (Section 5.0 No member shall be elected Commander of this Post who has not served as an elected or appointed officer of this Post for at least one term.)

Section 6.0 Updated by Executive Committee November 2014, Approved by Membership at General Meeting on January 6, 2015 as follows:

Constitution amended:

6.1 Article IV Section 1.0 - Updated to allow verification of eligibility at Post level;

6.2 Article IV Section 4.0 - Changed trial section to align with Departmental guidelines;

6.3 Article V Section 3.0 - Added Office of 3rd Vice Commander;

Bylaws amended:

6.4 Article I Section 3.0 - Changed bylaw review interval from 4 years to 3 years IAW Department guidelines;

6.5 Article II Section 2.0 – Changed election interval IAW Department guidelines;

6.6 Article II Section 3 Subsection 3.1 – Changed erroneous cite of Department Constitution;

6.7 Article III Section 4 Added to describe the responsibilities of the Behavioral Tribunal:

6.8 Article III Section 5 Added to describe the responsibilities of the House Rules Committee:

6.9 Article IV Section 3.0 – Added clarification on duties of 2nd Vice Commander per previous edit:

6.10 Article IV Section 4.0 – Added duties of 3rd Vice Commander specified by Constitution Article V Section 3.0;

6.11 Article IV Section 7.0 – Added detail to Post Historian Duties per previous edit;

6.12 Article IV Section 8.0 – Added detail to Post Chaplain Duties per previous edit;

6.13 Article IV Section 9.0 – Added detail to Post Sergeant-at-Arms Duties per previous edit;

6.14 Article V Section 1.0 subsection 1.1 – Added qualifications of Nominating Committee members:

6.15 Article V Section 2 subsection 2.1 – Modified election date times per previous edits:

6.16 Article VI Section 1.0 – Added 3rd Vice Commander per Constitution change Article V Section 3.0;

6.17 Article VI Section 1.0 subsection 1.5 – Changed cite to reflect proper document section;

6.18 Article IX Section 1.0 and Section 6.0 – Changed wording to allow membership to select meeting day and time with proper notification to District and Department;

6.19 Article X Section 1.0 – Updated to reflect electronic distribution of Post documents;

6.20 Article XII Section 2.0 – Changed Commander’s Emergency Fund wording to limit to 5 instances per year.

6.21 Article XII Section 2.0 subsection 2.1 and 2.2 – Add funds distribution constraint to Commander’s discretionary fund per membership vote.

6.22 Article XII Section 2.0 subsection 2.3 – Redirected maintenance and supplied discretionary fund from House Rules Committee to 3rd Vice Commander;

6.23 Article XII Section 5.0 – Changed Hall Rental Committee to House Rules Committee;

Approved: November 7th, 2017

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Stephen Lecuyer – Post Adjutant Tracy Spence – Post Commander