

**THE FIRST READING OF POST 193 PROPOSED  
CONSTITUTION AND BYLAWS WAS APPROVED AT THE  
REGULAR POST MEEETING OCTOBER 13, 2016.**

**THE SECOND READING TO BE PRESENTED TO THE  
MEMBERSHIP NOVEMBER 10, 2016 AND IS PRESENTED  
HERE FOR YOUR INFORMATON.**

There were no basic changes. There were some cosmetic changes as follows:

Page 3 – Cover page: - Inserted dates for readings.

**CONSTITUTION:**

Page 6 – Article III, Section 1. Made neater.

Page 9 - Article VIII – Put "POST COMMANDER AND POST VICE COMMANDERS" in bold print. Changed "spokesman to spokesperson."

Page 12 – Section 2. – More clearly identifies 'AMERICAN LEGION AUXILLARY, SONS OF AMERICAN LEGION, and AMERICAN LEGION RIDERS OF SOUTH CAROLINA.'" Also made page neater.

**BYLAWS:**

Page 16 – Article V, Section 1 ( C ) – Changed "Spokesman to Spokesperson."



**DEPARTMENT CONSTITUTION  
AND BY-LAWS**

**AMERICAN LEGION  
CHAPIN POST 193 INC. OF SOUTH CAROLINA  
PROPOSED CONSTITUTION AND BY-LAWS**



# **The American Legion**

---

---

*Chapin Post 193 Inc.  
P.O. Box 897 , Chapin , SC 29036-0897*

**AMERICAN LEGION  
CHAPIN POST 193 INC OF SOUTH CAROLINA**

**PROPOSED AMENDED CONSTITUTION AND BY-LAWS**

**AMENDED AND REPRINTED: DATE - 09/07/2016.**

**FIRST READING - 10/13/ 2016 : APPROVED YES**

**SECOND READING - 11/10/ 2016:**

**THIRD AND FINAL READING - 01/12/2017**

**CHAPIN POST 193 INC.  
CONSTITUTION AND BYLAWS COMMITTEE**

<b>Gerald White – Committee Chairman-</b>	<b>WWII</b>
<b>Cal Coy –Past Commander Post 193-</b>	<b>Korea</b>
<b>Jim Pepper- Post 193 Adjutant –</b>	<b>Grenada</b>
<b>Walt Richardson – Past Commander Post 193- Third Vice Commander, State -</b>	<b>Vietnam</b>

**THE AMERICAN LEGION  
CHAPIN POST 193, INC  
CONSTITUTION/BY-LAWS**

---

**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.**

.....

# **CONSTITUTION:**

## **THE AMERICAN LEGION CHAPIN POST 193 INC of SOUTH CAROLINA**

### **ARTICLE I**

#### **NAME:**

This association shall be known as THE AMERICAN LEGION CHAPIN POST 193 INC. established and chartered in South Carolina.

### **ARTICLE II**

#### **OBJECTIVES:**

#### **Section 1.**

The purposes, principles, aims and objects of this Post are declared to be in conformity with those of the American Legion, Department of South Carolina, of which this Post is a part, as enunciated in the preamble to this constitution, identical with that of the National body of The American Legion adopted at the caucus in St. Louis, Missouri, May 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup>, 1919.

#### **Section 2.**

We further dedicate ourselves to the promotion of the welfare, prosperity and happiness of all people of South Carolina, to the preservation of the ideals and traditions of our state, and pledge our single-minded adherence to the hallowed faith of our fathers.

#### **Section 3.**

The American Legion, Chapin Post 193, Inc, shall be absolutely non-political, and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

**Section 4.** This Post is a civilian organization and membership therein does not affect or increase liability for police or military service. Rank does not exist in the American Legion; no member shall be addressed by his/her military title in any meeting of this Post.

## **ARTICLE III**

### **ELIGIBILITY:**

#### **Section 1.**

Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard or Air Force of The United States and assigned to active duty at sometime during any of the following periods.

APRIL 6, 1917 TO NOVEMBER 11, 1918

December 7, 1941 TO DECEMBER 31, 1946

JUNE 25, 1950 TO JANUARY 31, 1955

FEBRUARY 28, 1961 TO MAY 7, 1975

AUGUST 24, 1982 TO JULY 31, 1984

DECEMBER 20, 1989 TO JANUARY 31, 1990

AUGUST 2, 1990 TO THE DATE OF CESSATION OF HOSTILITIES AS DETERMINED BY THE GOVERNMENT OF THE UNITED STATES

All dates inclusive, or who, being a citizen of The United States at the time of his/her entry therein, served on active duty in the armed forces of any of the governments associated with The United States during any of said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods, provided, furthermore that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political, or other grounds to subject himself to military discipline or unqualified service.

#### **Section 2.**

There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life.

#### **Section 3.**

No person may be a member of more than one Post at any one time.

## **ARTICLE IV**

### **POST OPERATION:**

#### **Section 1.**

Except where hereinafter specifically delegated, all power and authority are lodged in the members of the Post. The Post Adjutant is hereby authorized to set and plan the monthly Post meetings, and will report to the Post Executive Committee the necessary arrangements of said meetings. A regular Post meeting must be held no less than once a month.

#### **Section 2.**

The Post Executive Committee is hereby invested with the power to appoint such committees deemed necessary and to make such arrangements as may be deemed necessary for the holding of Post's monthly meetings.

## **ARTICLE V**

### **POST EXECUTIVE COMMITTEE:**

#### **Section 1.**

Between the meetings of the Post the Post Executive Committee shall constitute the governing body of this Post, and such committee is hereby empowered to make all rules and regulations necessary consistent with this Constitution and the By-Laws of this Post, and to do all things to promote and carry out its aims and purposes.

#### **Section 2.**

The Post Commander shall preside over the Executive Committee meetings and he/she shall be the ex officio Chairman of the Post Executive Committee

#### **Section 3.**

The Post Executive Committee shall meet at such times and places as may be agreed upon by the aforementioned committee or upon call by the Post Commander or the Post Adjutant as prescribed by the Constitution and By-Laws. The Executive Committee shall not meet less than once monthly.

#### **Section 4.**

The quorum of said committee will consist of a majority of Post Executive members. A majority being one half of the members present plus one

**Section 5.**

The Post Adjutant shall serve as secretary of the Post Executive Committee when in session.

**Section 6.**

Only the voting members shall be permitted to be present and privileged to participate in Executive Sessions of said committee.

**ARTICLE VI**

**ELECTION OF POST OFFICERS:**

SECTION 1 The Executive Committee shall control the conduct of Post elections as follows.

- A. The Executive Committee shall select a Nominating Committee of no less than three members in, good standing, of the Post in March.
- B. The Nominating Committee shall prepare a list of consenting Post members as candidates for offices of the Post and present it to the membership at the April meeting. Any member not on the list who desires consideration for an office may so state and be placed on the list.
- C. Any member in good standing is eligible to run for any office of the Post.
- D. It should be noted, unless mitigating circumstances dictate, and in conformance with State and National Constitution and ByLaws the three top positions, Commander, 1<sup>st</sup> Vice, 2<sup>nd</sup> Vice, and 3<sup>rd</sup> Vice (Optional) will be filled by accession with one new candidate elected at the lower position. The accession process will be governed by a simple majority vote for each position. Should the candidate not get the majority vote the next in line will be voted on to fill that position. The term in office will normally be one year.
- D. The current Post Commander shall not be a member of the Nominating Committee, nor recommend any candidate for any office.
- E. Tied votes will be resolved by each candidate giving a maximum 4 minute presentation to the membership stating their qualifications. Further ties will be submitted to a committee of at least 3 Past Commanders for resolution. There will be no appeal from their decision.



## **ARTICLE VI1**

### **POST OFFICERS:**

#### **Section 1.**

In the case of the death, resignation, removal from the Post, or disqualification of the Post Commander, the Post Adjutant shall immediately call the Post Executive Committee into session and such committee shall appoint/confirm the Post First Vice-Commander successor for the unexpired term. The Second Vice-Commander then becomes the First Vice-Commander, and so on with the vacancy to be filled occurring in the lowest-ranking Vice-Commanders position.

#### **Section 2.**

In the event of a vacancy in any other Post office such vacancy shall be immediately filled at a meeting of the Post Executive Committee and the officers so elected by the Post Executive Committee shall continue to discharge the duties of the office until the next Post election.

## **ARTICLE VIII**

### **POST COMMANDER & POST VICE COMMANDERS:**

#### **Section 1.**

The duties of the Post Commander will be to preside over the Post meetings and he/she shall be the ex officio Chairman of the Post Executive Committee.

He/she shall take care that the high principles and purposes of the American Legion are preserved.

He/she shall be the official spokesperson, on all occasions for Chapin Post 193 Inc.

With the approval and consent of the Post Executive Committee, he/she shall discharge the duties laid upon him/her by the Post Constitution and Bylaws, and shall further perform all duties incident to the office of Chief Executive of this organization, and faithfully carry out the mandates of the Post and all duties devolved upon him/her by the Post Executive Committee.

The Post Commander, or their designee, is expected to attend District meetings held at such places as may be selected by the District Commander and at such times as may be specified.

#### **Section 2.**

The Post Vice-Commanders will consist of one annually elected officer and one or two (Optional) officers moving in order of accession.

The titles of the Post Officers are as outlined: **Commander,**

**1<sup>st</sup> Vice-Commander, 2<sup>nd</sup> Vice-Commander, 3<sup>rd</sup> Vice Commander (Optional)**

### **Section 3.**

The order of accession to Post Commander for the aforementioned Vice Commanders will be as follows, and as approved by a simple majority vote of members of the Post following Roberts Rules of Order.

(a) First Vice-Commander serves for a term of one year before ascending to the Post Commander, unless Article VII, Section 1 has taken affect.

(b) Second Vice-Commander serves for a term of one year before ascending to the position of First Vice-Commander, unless Article VII, Section 1 has taken affect.

(c) (Optional) Third Vice-Commander serves for a term of one year before ascending to the position of Second Vice-Commander,

## **ARTICLE IX**

### **POST DISCIPLINE:**

#### **Section 1.**

That upon the conviction of any Post member or Post officer of any felony by any duly constituted court, that Legionnaire cannot be a member of Chapin Post 193 Inc.

#### **Section 2.**

Upon the filing by any Member of charges against any other Member of the Post, coming out of the failure on his part of performing the duties of his office, according to the Constitution and By-Laws of the organization.

Neglect, incapacity, inability to serve, or failure to carry out the orders or directions of the Post Commander, or the Post Executive Committee. Or conduct unbecoming an American Legion Post 193 Member.

Then the offending member shall be served with a copy of the charges and shall be given twenty (20) days from the set date to file a request with the Post Adjutant for a hearing of the charges before the Post Executive Committee. Upon notification by the Post Adjutant of a day fixed and time set, he shall be required to appear before the Post Executive Committee and answer such charges as may be preferred against him.

#### **Section 3.**

If said Member fails to file such a request within the specified time, then the Post Executive Committee shall have the power to act on the charges, at such time as the Post Commander may designate.

#### **Section 4.**

A two-thirds (2/3's) vote of the Post Executive Committee on the said charges shall be binding upon him, and at any trial held, the Post Judge Advocate shall be the presiding officer.

## **ARTICLE X**

### **AMENDMENTS:**

#### **Section 1.**

The Constitution may be amended at any regular Post meeting by a vote of two-thirds (2/3's) of the members of said Post attending such regular meeting: Provided that the proposed amendment shall have been submitted in writing to the Post members at least thirty (30) days prior to the next regular scheduled Post meeting.

The first reading will take place at the next regular Post meeting. The said amendment will be voted at the following regular scheduled Post meeting.

## **ARTICLE XI**

### **FINANCE:**

#### **Section 1.**

The revenue of The American Legion, Chapin Post 193 Inc shall be derived from annual membership dues, Additional monies shall be derived from such other sources as may be recommended by the Post Executive Committee and approved by the Post membership.

#### **Section 2.**

The amount of such annual Post membership dues as prescribed in the aforementioned section, as recommended by the Post Executive Committee, shall be determined by two-thirds vote (2/3's) of members present at a regularly scheduled Post meeting and cannot be lower than the preceding year.

## **ARTICLE XII**

### **SUBSIDIARIES:**

#### **Section 1.**

The American Legion recognizes an auxiliary organization, known as the American Legion Auxiliary. The American Legion, Department of South Carolina recognizes as a program within the Department, The Sons of The American Legion, and American Legion Riders of South Carolina.

## **Section 2.**

**AMERICAN LEGION AUXILLARY:** Membership in The American Legion Auxiliary shall be limited to the mothers, daughters, sisters, granddaughters, great-granddaughters and grandmothers of members of The American Legion, and to the mothers, wives, daughter, sisters, granddaughters, great-granddaughters, and grandmothers of all men and women who were in the armed forces of the United States during any of the following periods.

April 6, 1917 to November 11, 1918

December 7, 1941 to December 31, 1946

June 25, 1950 to January 31, 1955

February 28, 1961 to May 7, 1975

August 24, 1982 to July 31, 1984

December 20, 1989 to January 31, 1990

August 2, 1990 to the date of cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who, being citizens of the United States at the time of their entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

**SONS OF THE AMERICAN LEGION:** All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War I, World War II, and Korean War, the Vietnam War, Lebanon, Grenada, Panama, and the Persian Gulf War, during the delimiting periods set forth in Article IV, Section 1, of the National constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in The Sons of The American Legion.

**AMERICAN LEGION RIDERS OF SOUTH CAROLINA:** Regular membership in the American Legion Riders of South Carolina shall be open to any verified current member of The American Legion, American Legion Auxiliary and The Sons of The American Legion.

## **Section 3.**

The Auxiliary shall be governed in each Department of The American Legion by such rules and regulations as may be prescribed by the National Executive Committee and thereafter approved by such Department of The American Legion.

The organization of Detachments and Squadrons shall conform with regulations of the Department of The American Legion having jurisdiction, with regulations of the National Executive Committee of The American Legion, and with the National Constitution and By-Laws of The Sons of The American Legion.

The ALRSC (American Legion Riders of South Carolina) is a program of The American Legion Department of South Carolina and subject to the rules, regulations, policies, oversight and control thereof. Such oversight and control shall be exercised through a committee of The Internal Affairs Commission of The Department of South Carolina to be known as the American Legion Riders Committee, members whereof shall be appointed in accordance with Department of South Carolina policy.

## **ARTICLE XIII**

### **PARLIAMENTARY PROCEDURE:**

#### **Section 1.**

If the conduct of a hearing, meeting, proceeding or other activity is not otherwise governed by Post 193 Inc.'s Constitution or By Laws, then Robert's Rules of Order (current edition), shall govern the conduct of the above described Post 193 Inc.'s activities.

## **BY-LAWS**

### **AMERICAN LEGION CHAPIN POST 193 INC. OF SOUTH CAROLINA**

#### **ARTICLE I**

#### **MISSION:**

##### **Section 1.**

The mission of AMERICAN LEGION CHAPIN POST 193 INC. is in accordance with the requirements of the Department Constitution and Bylaws.

##### **Section 2.**

The Charter of the AMERICAN LEGION CHAPIN POST 193 INC. shall be displayed at all regular Post meetings.

#### **ARTICLE II**

#### **ELECTION OF OFFICERS:**

##### **Section 1.**

The Post Officers elected in May shall take office at the regular scheduled meeting in June and shall forthwith assume the performance of the duties of their respective offices.

##### **Section 2.**

In electing Post Officers, the following schedule will be followed:

(a) At the **March** meeting of the Post, a nominating committee will be elected by the Post membership or by the Post Executive Committee. The Post Commander shall not appoint nor be a member of the committee.

(b) This committee shall make its formal report to the Post at the **April** meeting.

(c) Post Officers will be elected at the **May** meeting with the Post Commander calling for additional nominations from the floor at the Post meeting.

(d) Post Officers will be installed at the **June** meeting. The induction of the Officers should be by a present Officer or a Past Officer from the Department. If circumstances dictate otherwise any Past Commander of Chapin Post 193 may perform the installation.

(e) The names of the newly elected officers shall be reported to Department Headquarters **immediately following the election** or by **July first (1<sup>st</sup>)** on forms provided by the Department.

(f) All American Legion protocol for installation of officers should be followed if possible.

(g) All voting will be done in the first person (voters must be present to cast ballots). There will be no voting by proxy or electronic voting.

(h) A quorum for the Post membership shall be at least 10% of the then paid membership and a majority will be one half of members present plus one.

## **ARTICLE III**

### **FINANCES:**

#### **Section 1.**

The Post shall pay into the treasury of the Department, the said amount for each member for each fiscal year.

#### **Section 2.**

The Finance Officer of the Post shall have charge of all finances and see that they are safely deposited in a local bank or banks, and shall report once a month to the Executive Committee the condition of the finances of the Post with such recommendations as may be deemed expedient or necessary for raising funds with which to carry on the activities of the Post. Post 193 checks will require the signature of two authorized Post Officers. The Finance Officer shall be responsible to ensure that proper authorized signatures are on all checks disbursing monies of the Post, and shall furnish such surety bonds in such sums as shall be fixed by the Post Executive Committee.

## **ARTICLE IV**

### **POST EXECUTIVE COMMITTEE:**

#### **Section 1.**

Between the meetings of the Post the Post Executive Committee shall constitute the governing body of this Post, and such committee is hereby empowered to make all rules and regulations necessary and consistent with this Constitution and the By-Laws of this Post, and to do all things to promote and carry out its aims and purposes

#### **Section 2.**

The Post Executive Committee shall consist of the following members. All members shall have full voting rights except the Commander who can vote only in case of tie votes by the Committee.

Commander (Does not have the right to vote except in committee tie votes only).

1<sup>st</sup> Vice Commander

2<sup>nd</sup> Vice Commander

3<sup>rd</sup> Vice Commander (optional)

Adjutant

Finance Officer

Historian

Chaplain

Sergeant at Arms

Judge Advocate

Building Coordinator

Immediate Past Commander

ALR Chapter 193 Director

The Post Commander shall preside over the Executive Committee meetings and he/she shall be the ex-officio Chairman of the Post Executive Committee

### **Section 3.**

The Post Executive Committee shall meet at such times and places as may be agreed upon by the aforementioned committee or upon call by Post Commander or the Post Adjutant as prescribed by the Constitution and By-Laws. The Executive Committee shall not meet less than once monthly.

### **Section 4.**

The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures of Post funds. Post 193 officers or Post members shall not expend Post funds in excess of \$200.00 per item or enter into any long term obligations of the Post without prior approval of the Post membership. Shall require adequate bond from all persons having custody of Post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of and be responsible for the affairs of this Post.

## **ARTICLE V**

### **DUTIES OF OFFICERS:**

#### **POST COMMANDER:**

### **Section 1.**

(a) The duties of the Post Commander shall be to preside over the Post meetings, and he/she shall be ex officio Chairman of the Post Executive Committee.

(b) He/She shall take care that the high principles and purposes of The American Legion are preserved.

(c) He/She be the official spokesperson on all occasions for The American Legion, Chapin Post 193 of South Carolina.

(d) With the approval and consent of the Post Executive Committee, he/she shall discharge the duties laid upon him/her by the Constitution and these By-Laws, and shall further perform all duties incident to the office of Chief Executive of the organization, and faithfully carry out the mandates of the Post and all duties devolved upon him/her by the Post Executive Committee.

(e) The Post Commander or his/her designee is expected to attend District meetings held at such places as may be selected and designated by the District Commander and at such times as the District Commander may specify.



## **Section 2.**

### **FIRST VICE COMMANDER:**

As Commission Chairperson, Internal Affairs, the incumbent oversees all phases of Internal Affairs and assures the Post Commander, Post Adjutant, and the Post Executive Committee that all sub-committees have met, findings reported and/or plans implemented as required.

The primary duties and responsibility of the Post First Vice-Commander is over sight of all sub-committees that formulate Internal Affairs.

The Post First Vice-Commander will represent the Post Commander and/or the Post at various functions as prescribed by the Post Commander and the Post Adjutant throughout the ensuing year.

In addition, in case of where the Post Commander cannot fulfill his/her duties as outlined in Article VII; Section 4 of the Constitution, the Post Adjutant will call a special meeting of the Post Executive Committee for the purpose of filling the unexpired position of the Post Commander. The Post First Vice-Commander upon approval will ascend to Commander and fulfill the unexpired term as directed by the Post Executive Committee.

The Post First Vice-Commander's term of office is for one (1) year, unless otherwise provided for in the Post Constitution.

## **Section 3.**

### **POST SECOND VICE COMMANDER:**

The duties and responsibilities are to serve as Commission chairperson of Americanism and to oversee functioning responsibility of the various Americanism programs for American Legion, Chapin Post 193 Inc, of South Carolina.

The incumbent works closely with each committee and their chairman's, as appointed by the Post Commander. The incumbent will learn history, program operational procedures, and time frames for all the Americanism programs conducted by both National and Department Headquarters.

These major programs are, but not limited to, Oratorical, Boys State, Baseball, and Law Cadet. As Commission chairperson, numerous other programs are conducted throughout the year that warrants Post awareness and knowledge. The incumbent is responsible to disseminate appropriate information concerning these programs to the Post.

The incumbent oversees all phases of Americanism and assures the Post Commander, Post Adjutant, and Post Executive Committee, that all sub-committees have met, findings reported, and/or plans implemented as required.

The incumbent works closely with the Post Commander and Post Adjutant to assure all programs outlined by the Post Executive Committee are implemented.

The incumbent throughout the year will represent the Post Commander and/or Post Adjutant at various functions prescribed by the Post Commander and/or Post Adjutant. The Post Second Vice Commander's term of office is for one (1) year unless otherwise provided for in the Post's Constitution.

**Section 4.**

**POST THIRD VICE COMMANDER: (Optional).**

Chapin Post 193 Inc does not anticipate filling this position in the foreseeable future. If and when the positions are filled the duties will be as generally outlined in The American Legion, Department of South Carolina By-Laws as applicable to the Post positions.

**Section 5.**

**POST ADJUTANT:**

The Post Adjutant shall be the Chief Operating Officer of The American Legion, Chapin Post 193 Inc . As Chief Operating Officer of the Post, he/she shall be charged with the administration of policies and procedures of both the National and Department American Legion, as well as, the policies and mandates of Post 193 and the Post Executive Committee. He/she shall perform such other duties as are usually incident to the office.

**Section 6.**

**POST FINANCE OFFICER:**

-

The incumbent shall be the Fiscal agent/Finance officer for the Post.

The incumbent shall keep the accounts, receive all funds, and sign all vouchers for the Post. If the Post Executive Committee shall so require, at any or all of the meetings, he/she shall be prepared to render true accounting of the financial condition of Chapin Post 193 Inc. The Post Executive Committee has the option to call for an independent audit at any time and particularly at the conclusion of a Post Officers term.

With the Post Historian, he/she shall carefully prepare all of the permanent records of the Post, and shall be the official custodian of all such records.

**Section 7.**

**POST BUILDING CO-ORDINATOR:**

The incumbent shall be in charge of the Post Headquarters Building and supervise its management thereof to include scheduling of third party occupants. Any changes to the 2016 lease agreement with the town of Chapin or any other long term agreements affecting the Post must be approved by the Post Membership.

**Section 8.**

**POST CHAPLAIN:**

The Post Chaplain shall be elected by the Post Membership from among the Post members of Post 193 who are willing and qualified to serve.

The incumbent shall discharge all duties incident to his/her office, and do all things required of him/her by the Post Executive Committee.

It shall be the particular duty of the Post Chaplain to promote the "Service to God and Country" program of The American Legion in the Post and assist the Post in carrying out that objective.

The incumbent shall be responsible for all religious and memorial services for all Post meetings.

**Section 9.**

**POST SERVICE OFFICER:**

He/she shall cooperate with the other officers of both the National and the local Department of The American Legion in performing the first duty laid upon this Post and each member thereof, that is to care for our disabled comrades and the widows and orphans of deceased ex-servicemen.

The incumbent shall be prepared at all times to cooperate with the State Director, Governor's Office of Veterans Affairs, Department of Veterans Affairs, and the Department of Veterans Benefits in prosecuting all just claims of ex-servicemen, and he/she shall not hesitate to call upon any member of The American Legion, Chapin Post 193 Inc of South Carolina, or elsewhere, to assist him/her in efforts thereabout.

**Section 10.**

**POST JUDGE ADVOCATE:**

The Post Judge Advocate shall be the legal advisor for all Post activities; the Post Executive Committee; the Post Commander; and the Post Adjutant, as well as, the other officers of Chapin Post 193 Inc.

The incumbent when called upon by any duly authorized officer, shall prepare and submit his legal opinion upon any question arising in The American Legion, Chapin Post 193 Inc of South Carolina.

The incumbent shall perform such other duties as may be assigned to him/her by the Post Commander, Post Adjutant or the Post Executive committee and shall act as parliamentarian at all The American Legion, Chapin Post 193 of South Carolina, meetings during his/her term of office.

It is the duty of the Post Judge Advocate to attend all scheduled Post meetings and to advise the Post Commander and Post Adjutant on any matters pertaining to the interpretation of the Constitution and By-Laws of The American Legion, Chapin Post 193 Inc of South Carolina.

**Section 11.**

**POST SERGEANT AT ARMS:**

The incumbent under the direction of the Post Commander and/or Post Adjutant shall attend all scheduled Post meetings of The American Legion, Chapin Post 193 Inc. of South Carolina.

The incumbent shall take care of the Post colors and see that they are properly displayed and secured after each meeting.

The Post Sergeant-at-Arms shall see that all members attending the various meetings are properly qualified and shall call for such identification as he/she deems necessary.

**Section 12.**

**POST HISTORIAN:**

The incumbent shall be charged with the preparation of the permanent records of Chapin Post 193 Inc.

The records shall faithfully promote the membership, aims, ideals, and principles of the association. The incumbent shall perform such other duties as directed by the Post Commander, Post Adjutant, Post Vice-Commander, and the Post Executive Committee.

**ARTICLE VI**

**POST DISCIPLINE:**

**Section 1.**

That upon the conviction of any Post member or Post Officer of any felony by any duly constituted court, that Legionnaire cannot be a member of Chapin Post 193 Inc.

**Section 2.**

Upon the filing by any Member of charges against any other Member of the Post, coming out of the failure on his part of performing the duties of his office, according to the Constitution and By-Laws of the organization,

Neglect, incapacity, inability to serve, or failure to carry out the orders or directions of the Post Commander, or the Post Executive Committee

Then the offending Officer shall be served with a copy of the charges and shall be given twenty (20) days from the set date to file a request with the Post Adjutant for a hearing of the charges before the Post Executive Committee. Upon notification by the Post Adjutant of a day fixed and time set, he shall be required to appear before the Post Executive Committee and answer such charges as may be preferred against him.

**Section 3.**

If said Member fails to file such a request within the specified time, then the Post Executive Committee shall have the power to act on the charges, at such time as the Post Commander may designate.

**Section 4.**

A two-thirds (2/3's) vote of the Post Executive Committee on the said charges shall be binding upon him, and at any trial held, the Post Judge Advocate shall be the presiding officer.

B) No member in good standing shall lose his/her membership until given a fair trial in such manner and form as the Post By-Laws shall prescribe. Executive committee of the Post, the Commander presiding, and he/she shall be the sole judge of the admissibility of evidence.

**Section 5.**

Any member who has been suspended or expelled has the right to appeal to the Post Executive Committee, and its decision shall be final.

**ARTICLE VII**

**POST AMENDMENTS:**

**Section 1.**

The Bylaws may be amended at any regular Post meeting by a vote of two-thirds (2/3's) of the members of said Post attending such regular meeting: Provided that the proposed amendment shall have been submitted in writing at least thirty (30) days prior to the next regular scheduled Post meeting.

The first reading will take place at the next regular Post meeting. The said amendment will be voted at the following regular scheduled Post meeting.

**ARTICLE VIII**

**POST PARLIAMENTARY PROCEDURE:**

**Section 1.**

If the conduct of a hearing, meeting, proceeding or other activity is not otherwise governed by Chapin Post 193 Inc's Constitution or By-Laws, then Robert's Rules of Order (current edition), shall govern the conduct of the above described Post 193 Inc.'s activities.

