

Constitution of Richard H. Stewart, Jr.

American Legion Post 543, Inc.

Department of North Carolina

PREAMBLE

Recognizing that veterans of America's military action exhibited an unfailing love of country; a special loyalty to its institutions and ideals; an eagerness to defend it against all enemies; an unwavering allegiance to the flag; and a desire to secure the blessings of liberty to ourselves and our Posterity, the American Legion was founded in 1919.

Today's veterans readily identify with these qualities and seek likeminded men and women to join together in promoting and preserving those ideals that have brought this nation a material and spiritual way of life that is the envy of the world.

Those early founders of the American Legion identified four "pillars" on which they would build the fledgling organization:

- Veterans Affairs and Rehabilitation
- National Security
- Americanism
- Children and Youth

The founders, and current members of the Richard H. Stewart, Jr., Post 543, Inc., recognize the need and accept the challenge of providing local service in each of these areas.

ARTICLE I - NAME

The name of this organization shall be: Richard H. Stewart, Jr. American Legion Post 543, Inc. Department of North Carolina.

ARTICLE II - OBJECTIVES

The objectives and purpose of this Post shall be as set forth in the National and Departmental Constitutions of The American Legion.

ARTICLE III - NATURE

SECTION 1: This Post is a civilian organization and membership therein does not affect nor increase liability for military or police service.

SECTION 2: This organization shall be non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy

ARTICLE III – NATURE (Continued)

of any person seeking public office.

SECTION 3: Rank does not exist in The American Legion; no member shall be addressed by their military title in any meeting, correspondence or other communication of any sort of this Post.

ARTICLE IV - MEMBERSHIP

SECTION 1: Eligibility for membership in this Post shall be prescribed by the National Constitution of the American Legion.

SECTION 2: By his or her application to become a member of the Richard H. Stewart, Jr., American Legion Post 543, Inc. the eligible veteran agrees and understands they are expected to fully participate in furthering the mission and ideals of the Post as stated in the four pillars of service listed in the preambles to the national, department and this constitution.

It is further understood that all current members:

- Shall be eligible to be elected to any open office.
- Are allowed to participate fully in the discussion of issues raised at regular and special membership meetings.
- Shall enjoy the comradeship of his fellow veterans at Post social functions.
- May participate in all Post sponsored events.
- May attend selected Department of North Carolina American Legion conferences and meetings.

SECTION 3: Pursuant to Department of North Carolina By-laws Article IV any member of this Post may be suspended or expelled for cause only after a trial held before the Executive Committee of the Post, Post Commander presiding. These only after specific charges have been preferred under oath and in writing. (See ARTICLE IV Constitution and Bylaws of the American Legion Department of North Carolina titled "Discipline of Post Members").

SECTION 4: No individual who is otherwise eligible shall be denied membership in this Post on account of race, gender, disability, national origin, age or other legally protected status.

ARTICLE V - MANAGEMENT

SECTION 1: The administrative affairs of the Richard H. Stewart, Jr American Legion Post No. 5 43 Inc. shall be under the supervision of an Executive Committee, which shall consist of all elected officers. This Post by its By-laws may provide for such standing or other special committees as the business of the Post may require. The chair of such standing or special committees may attend all Executive Committee meetings but are not voting members.

SECTION 2: The officers of the Post shall be Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Post Historian, Post Chaplain, Service Officer, Judge Advocate, Sergeant At Arms, and such other officers as may be deemed necessary by this organization.

SECTION 3: All officers shall be elected annually to a one-year term and shall hold office until their successors are duly installed, or as otherwise provided. Any Post Officer may be removed following three (3) consecutive absences not approved by the Commander from regular or special membership or regular or special Executive Committee meetings by a 2/3rds vote of the Executive Committee, provided such officer shall be given written notice that such action is pending and an opportunity to be heard is provided before such vote.

SECTION 4: Every member of this Post who is in good standing shall be eligible to hold office in this Post.

SECTION 5: The duties of Officers shall be as further provided in the Post 543, Inc. By-Laws.

ARTICLE VI - FINANCE

SECTION 1: The revenue of the Richard H. Stewart, Jr., Post 543, shall be derived from annual membership dues and from such other sources as may be approved by the Executive Committee

SECTION 2: The amount of such annual Post dues shall be fixed and determined by this Post.

SECTION 3: The Post shall pay the National and Departmental annual membership dues to Departmental Headquarters for every member of the Post.

ARTICLE VI – FINANCE (Continued)

SECTION 4: An annual review of the Post financial records for the previous fiscal year shall be completed during the month of July by an Audit Committee consisting of two or more members of the Post appointed by the newly elected Post Commander. The previous year's Commander, the previous year's Post Adjutant, the previous year's Post Finance Officer, or anyone else authorized to sign checks or anyone who used the debt card during the previous fiscal year may not serve on this committee.

SECTION 5: Immediately upon taking office the Post Commander and the Post Finance Officer, with the assistance of the Finance Committee, shall prepare a proposed budget of income and expenses for the fiscal year beginning July 1st. Upon approval of the Executive Committee said budget will be presented to a meeting of the full membership and if approved by a majority vote of the membership in attendance shall be considered final approval for the Executive Committee to spend the budgeted amount for projects and expenses falling within that budget category. Any additions or corrections to the budget, or expenditure of funds above the budgeted amount must be approved by a majority vote of the membership. Such a budget shall remain in effect for one full year.

SECTION 6: Any and all revenue received by the Post shall be immediately deposited in FDIC Insured Bank accounts. The authorized signatures on such account shall be the Post Commander, the Post Adjutant and the Post Finance Officer.

SECTION 7: No money shall be withdrawn from Post Accounts except by check or debit card. All debit card expenditures must be approved by the Executive Committee in advance or at its first meeting following the expenditure. Failing Executive Committee approval such use of the card shall be deemed to be an "unauthorized use" and the person using the card required to reimburse the Post for the amount of the purchase.

ARTICLE VII - AMERICAN LEGION AUXILIARY

SECTION 1: This Post recognizes that various American Legion Auxiliary organizations may be established in the future. They shall be known as an Auxiliary Unit of Richard H. Stewart, J r. American Legion Post Number 543, Inc. Department of North Carolina.

SECTION 2: Membership in the Auxiliary shall be prescribed by the National Constitution of the appropriate American Legion Auxiliary.

ARTICLE VIII - AMENDMENTS

SECTION 1: This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Constitution of The Department of North Carolina. Any amendment to said National Constitution or Department Constitution, which is in conflict with any provision in this Constitution shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

SECTION 2: This Constitution may only be amended at any regular or special Post meeting by vote of two-thirds (2/3rds) of the regular Post members in attendance at such meeting. Such a vote may be taken by show of hands unless any single member in attendance requests a written secret ballot. It is required that the proposed amendment be submitted in writing and read at the next preceding regular meeting of said Post. It is also provided that written notice shall have been given to all members at least thirty (30) days in advance of the date when such amendment is to be voted upon. Such notice shall be provided by US Postal Service mail, or by electronic mail if so authorized by the member. Such notice to said members will state that at the regular Post meeting a proposal to amend the Constitution is to be voted upon.

REVIEWED AND APPROVED AS AMENDED THIS DATE: May 22, 2019

Commander: _____


Adjutant: _____
