



Constitution and Bylaws

Prairie DuPont Post 485, The American Legion, Department of Illinois



JUNE 1, 2025
PRAIRIE DUPONT POST 485
200 S. 5th St, Dupo, IL 62339

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Constitution

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 all 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. The name of this organization shall be Prairie DuPont Post 485, The American Legion, Department of Illinois.

ARTICLE II OBJECTIVES

Section 1. 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 Departmental Constitutions of the American Legion.

ARTICLE III NATURE

Section 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall be absolutely non-political and non-sectarian, and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. 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. Eligibility to membership in this Post shall be as prescribed by the National Constitution of the American Legion.

Section 2. 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. 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. If the majority of the members present cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same. *

** Before proceeding under this section, Posts should make inquiry as to whether or not the Department Constitution and By-Laws has provided a different procedure, which should be followed.*

Section 5. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee, provided however, that he shall make payment of any arrears in his dues at the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his expulsion or suspension and his reinstatement.

Section 6. 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 Post meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 7. No person who has been expelled by a Post 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 then appeal to the Department Executive Committee of the expelling post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

Section 8. No person, who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or remain a member of The American Legion.

ARTICLE V OFFICERS

Section 1. 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 seven (7) members. 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. The officers of this Post shall be nominated from the floor at the meeting preceding the annual election. The Post Officers shall consist of the following:

- Commander
- Senior Vice-Commander
- Junior Vice-Commander
- Finance Officer
- Adjutant
- Chaplain
- Historian
- Judge Advocate
- Sergeant-at-Arms
- Service Officer

Section 3. All Officers of this Post will be elected by the Post as prescribed herein, with the following exceptions: Post Adjutant, Judge Advocate, and Post Service Officer who will be appointed by the Post Commander-elect and their names submitted to the Executive Committee for approval following their appointment and prior to installation into office. An elected Officer may also hold an appointive office, but may not concurrently hold more than one elected office.

Section 4. All officers and executive committee members shall be elected annually, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committee member may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to affect such removal.

Section 5. Every member of this Post in good standing shall be eligible to hold office in this Post. A member in good standing is one whose current dues are paid.

Section 6. The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the By-Laws.

ARTICLE VI FINANCE

Section 1. 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. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by this Post.

Section 3. The Post shall pay to Departmental headquarters the National and Departmental annual membership dues for every member of the Post.

ARTICLE VII SUBSIDIARY ORGANIZATIONS AND PROGRAMS

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of Prairie DuPont Post 485, The American Legion.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

Section 3. This Post recognizes an organization to be known as Sons of The American Legion Squadron 485.

Section 4. Membership in The Sons of The American Legion shall be prescribed by the National Constitution of The Sons of The American Legion.

ARTICLE VIII AMENDMENTS

Section 1. 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 Illinois, The American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members of said Post attending such regular meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing further, 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, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

ARTICLE IX MASCULINE AND FEMININE GENDERS

Section 1. No Distinction Between Male and Female. Wherever in this Constitution and in the Bylaws reference is made to the words "him", "he", "his" and similar shall be deemed to include, as appropriate, "her", "she", "hers", and similar references, to the end that all distinction between the male and female sexes, for purposes of this Constitution and Bylaws, shall be deemed eliminated.

Article X Enacting Clause

Section 1. This Constitution of American Legion Prairie DuPont Post 485, The American Legion, Department of Illinois, approved and adopted by two-thirds affirmative vote of Post members present at a meeting held this 12th day of May 2025 supersedes any and all previously enacted similar documents.

PRAIRIE DU PONT POST 485 BY-LAWS

ARTICLE I NAME

Section 1. The Post existing under these By-Laws is to be known as Prairie DuPont Post 485, The American Legion, Department of Illinois.

Section 2. The objectives of this Post are as set forth in the Constitution.

Section 3. The good name of this Post shall not be used for any purpose other than for the good of the American Legion and this Post.

ARTICLE II MANAGEMENT

Section 1. The government and management of the Post is entrusted to an Executive Committee of seven (7) members, to be known as the "Executive Committee" or the "Executive Board".

Section 2. The Executive Committee shall consist of seven (7) members including the Post Commander, Senior Vice Commander and Finance Officer of the Post, and together with the four (4) Trustees, shall be elected annually at the June meeting and take office at the meeting next following the Department Convention. All elections of officers and executive committee members 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. 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 committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer who succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

Section 4: No candidate for, or incumbent of, a remunerative elective public office shall hold any office in this Post of the American Legion, and the declaration of candidacy for a public office by any person who is an officer of this Post of the American Legion shall operate automatically to vacate his office in this Post, and the same shall be filled as hereinafter provided.

ARTICLE III POST OFFICERS

Section 1: The Post Officers shall consist of the following:

- | | |
|-------------------------|--------------------|
| • Commander | • Chaplain |
| • Senior Vice-Commander | • Historian |
| • Junior Vice-Commander | • Judge Advocate |
| • Finance Officer | • Sergeant-at-Arms |
| • Adjutant | • Service Officer |

Section 2. All officers shall be nominated at the regular meeting in May, and elected at the regular meeting in June – except the four (4) elective members of the Executive Committee, which shall be nominated and elected at the June meeting.

Section 3. All nominations for offices and members of the Executive Committee shall be made from the floor at the meeting called for that purpose as provided in Section 1 of this Article.

Section 4. The four (4) elective members of the Executive Committee shall be elected by a majority of votes of the membership present at the June meeting, or a special meeting called for that purpose.

Section 5. Elective officers shall be elected at a regular meeting or at special meetings called for that purpose and the candidate receiving the majority of votes of the membership present shall be elected.

ARTICLE IV POST EXECUTIVE COMMITTEE

Section 1. The management of this Post will be entrusted to the Executive Committee also known as the Executive Board. No Officer or person related by birth, marriage or by familial relationship of the Executive Committee shall be gainfully employed by the Post in any capacity.

Section 2. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post commander within 10 days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the commander at least every month and as often as said commander may deem necessary. The commander shall call a meeting of the Post Executive Committee upon the joint written request of three or more members of said Post Executive Committee, four (4) members of the committee shall constitute a quorum thereof. The Adjutant shall attend all meetings of the Executive Committee and shall have the proceedings of the meetings recorded, and subsequently put into proper format. The Adjutant shall not be a member of the Executive Committee and is not entitled to a vote.

Section 3. 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 the custody of Post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

SECTION 4. Separate rules and operating procedures as approved by the Executive Committee may supplement but not violate these By Laws.

SECTION 5. The Post Executive Committee is charged with the operation of the Post Home and any related-functions thereof, including the employment of all needed employees, selection of volunteer bartenders and contracted personnel such as canteen manager, kitchen manager, and housekeeping personnel. They shall review and make changes when needed to the House Rules and Regulations/Standard Operating Procedures.

Section 6. The Post Executive Committee will have final authority for hiring or discharging Post, Canteen, Club or Kitchen employees, providing however that this shall not restrict the manager from hiring or discharging on a temporary basis; shall authorize and approve the expenditures of funds for normal operation of the post and fixed expenses of the Post, hear reports of the Committee Chairs and shall notify and may file criminal charges in accordance with Statutes of the State of Illinois to Local Law Enforcement Agencies in the event of any theft accumulated; and shall have charge of and be responsible for the management of the affairs of the Post. All fixtures acquired by the Executive Committee will remain property of the Post.

Section 7. Any member of the Executive Committee who shall fail to attend three (3) consecutive monthly meetings of the Committee, without just cause, shall automatically forfeit his membership on the Committee, and the Post Commander shall call a special election, at the next regular Post meeting, to elect a member of the Post, in good standing, to fill such unexpired term.

Section 8. Upon adoption of this Article, the government and management of all properties presently owned or possessed in the name of the Prairie DuPont Post 485 of the American Legion, Department of Illinois and of all other Post properties, shall be in the hands of the Executive Committee. The Executive Committee shall have the power to execute leases for the properties thereof, and receive and collect rents, proceeds of merchandise sales, or any other income or any other income derived from the said Post properties.

- a. The Executive Committee shall have supervision of the buying and selling of merchandise needed to conduct Legion Business, and shall have charge of repairs, improvements, etc., needed to keep all Post properties in a presentable condition.
- b. The Executive Committee shall select a Canteen Manager and enter into a contract with said Bar Manager as to duties, salary, etc. The Canteen Manager shall recommend such additional personnel as may be needed by the Executive Committee for the operation and maintenance of Post properties and recommend rates of pay for such help. Should any dispute arise between the public and the Canteen Manager or his help, the same shall be referred to the Executive Committee and any action taken by the Executive Committee shall be final.
- c. The Executive Committee shall have the power and it shall be the duty of the Executive Committee to furnish and rent the property of the Post to any individual, organization, club or lodge deemed worthy by the Executive Committee. Rental charges for the use of said property is to be left to the discretion of the Executive Committee. The various recognized Auxiliaries shall pay such amounts of rent for their meetings and functions as may be deemed necessary by the Executive Committee.
- d. The Executive Committee shall approve all functions of the Post and/or Auxiliaries, except regular meetings, and set a date for same before they can be held. The Executive Committee shall have the power to set an opening and closing time of properties and functions.
- e. Should it be necessary to dismiss any help, the action of the Executive Committee shall be final.
- f. The Executive Committee shall at all times provide adequate insurance as needed for the protection of the Post properties.
- g. The Executive Committee shall be custodian of all legal papers pertaining to Post properties and shall deposit these papers in a safe deposit box in the name of the Executive Committee, Prairie DuPont Post 485, of the American Legion, Department of Illinois.

ARTICLE V TRUSTEES

Section 1. Election of Trustees: The election of one (1) Post Trustee shall be for a term of four (4) years. Previously elected Trustees will serve annually declining terms (eg, the Trustee elected the previous year will have three (3) years remaining on his/her term, the Trustee elected the year previous to that will have two (2) years remaining on his/her term, etc). The immediate past Commander shall automatically serve as a member of the Trustee Board for one term; if the immediate Past Commander declines to serve, is unable to serve, or is serving the Post in another position, the Commander may nominate another member to serve, subject to the affirmative vote of the remaining Executive Board members and affirmed by the membership. If an Executive Board member becomes unable to serve for any reason, the Commander may nominate a member to serve the balance of the term, subject to approval by the remaining Executive Board and affirmed by the membership.

Section 2. Power of Trustees: The Board of Trustees shall have the control of the property; subject only to the actions of the members in the meeting assembled. It may propose By-Laws not inconsistent with these regulations, initiate and enforce rules governing the use of the property of the Post by its members, their family, and guests.

Section 3. Trustees Meeting: The Board of Trustees shall hold a regular meeting on the second Monday of the month. Special meetings of the Board of Trustees may be called by the Commander.

Section 4. Quorum: Four (4) members shall constitute a quorum for the conduct of business, as long as at least one of the members is an elected Post Officer and is a member of the Executive Board.

ARTICLE VI DUTIES OF OFFICERS

Section 1. All officers will conform to and abide by the duties prescribed by the Department of Illinois at their last convention. Any changes in the constitution and by-laws of the State or National will automatically change and become a part of these constitutions and by-laws.

Section 2. The elective officers of this Post shall be the Commander, Senior Vice-Commander, Junior Vice-Commander, Finance Officer, Chaplain and Sergeant-at-Arms

Section 3. The Post Adjutant, Service Officer, Historian and any other Officer deemed necessary, shall be appointed by the Commander subject to the approval of the Executive Committee.

Section 4. 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, and such officer shall be the chief executive officer of the Post. The commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department adjutant. The commander shall perform such other duties as directed by the Post. Commander is an ex-officio member of all committees.

Section 5. Duties of Vice-Commanders. The vice-commanders shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the Post Commander. Specific duties of each Vice Commander will be detailed under Post Standard Operating Procedures.

Section 6. Duties of Post 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 Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the Post.

Section 7. Duties of the Finance Officer/Treasurer. The finance officer/treasurer 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 the condition of the finances of the Post and then to the membership at the regular Post meeting, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The finance officer/treasurer shall sign all checks disbursing the monies of the Post, and shall furnish such surety bonds in such sum as shall be fixed by the Post Executive Committee.

- a. All checks written on Post funds shall be by authorized signatories as set forth by the Executive Committee or Board.
- b. All signatures placed on signature cards shall be by the approval of the Post Executive Committee.
- c. The Post may maintain additional checking, savings and investment accounts, e.g., Certificates of deposit as may be deemed necessary or desirable by the executive committee.
- d. The Commander, in conjunction with the Finance Officer, shall be authorized to expend funds from the Post bank accounts for normal and necessary day to day operating expenses. He/She must also inform the Executive Committee of such transactions at the next Executive Board meeting. Any financial transactions outside of normal operations, up to \$4,999.00 must be approved by the Executive Board and \$5,000.00 and above must be approved by both the Executive Committee and Post membership.

Section 8. Duties of 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 or the Executive Committee.

Section 9. Duties of 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 or Department headquarters from time to time.

Section 10. Duties of Sergeant-at-Arms. The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as may be from time to time assigned by the Post Executive Committee and/or specified in the Post Standard Operating Procedures.

Section 11. All officers are subject to recall. The recall shall be by petition signed by ten (10) percent or more of the members of the Post who are in good standing, and shall be presented at a regular Post meeting and the recall shall be voted on at the next regular meeting. The officer petitioned for recall must get a majority of the vote of the members good standing who are present at the meeting in order to continue in office. The ballot shall be secret. If the recall is successful, the office shall be declared vacant and an election to fill the vacancy shall be held at the next regular meeting of the Post by a majority vote of the members in good standing present.

Section 12. Any officer recalled shall not be eligible to hold any office in the Post for a period of twelve (12) months after his/her recall.

ARTICLE VII DELEGATES

Section 1. Delegates for District, Division and Department Conventions shall be elected by a majority of the votes of the members in good standing at a regular meeting of the Post, to be held at least twenty (20) days prior to the date of such convention.

Section 2. The Post may pay any delegate or alternate, who attends a convention covered in Section 1 of this article, at a rate deemed appropriate by the Executive Committee.

ARTICLE VIII APPOINTMENTS

Section 1. The Post commander, immediately upon taking office each year, may appoint the following standing committees and programs: Americanism, Ceremonials, Children and Youth, Economic, Finance, Foreign Relations, Graves Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of The American Legion and Visiting or VAVS and/or any other committees as may be needed. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post commander. Committee reports will be submitted in writing to the Adjutant for inclusion into the Minutes and Post Records.

Section 2. Americanism Committee. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 3. Ceremonials Committee. The principal duty of the Ceremonials Committee is to insure all new members are properly initiated. The committee also concerns itself with proper presentation of other rituals outlined in the Manual of Ceremonies—burial detail and the wearing of Legion regalia.

Section 4. Children and Youth Committee. Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war veteran shall be in need of the necessities of life" and "a square deal for every child."

Section 5. Economic Committee. The Post Economic Committee is primarily concerned with local employment programs, Veterans' preference, government employment and re-employment rights.

Section 6. Finance Committee. The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds.

Section 7. Foreign Relations. This committee has become active as America has recognized its responsibility as a world leader. Maintaining and securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

Section 8. Graves Registration and Memorial Committee. The duties of this committee involve recording of grave sites and complete information on veterans' burial in cemeteries assigned to the Post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries.

Section 9. House and Entertainment Committee. The House and Entertainment quarters promotion of club advantages and arrangement for social activities.

Section 10. Legislative Committee. The Legislative Committee needs to have a knowledge of what is going on in Congress—what we favor or oppose, and should be ready to initiate action in support of our position when requested by the national or Department organization.

Section 11. Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

A. Applicants must present their discharge papers to the Adjutant or any elected Officer of the Post prior to the vote on their membership.

B. A rejected application shall not again be considered until after the expiration of six (6) months from the date of such rejection

Section 12. Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department and national Legion news service and by local publicity of Post programs and activities.

Section 13. Veterans Affairs and Rehabilitation Committee. The Veterans Affairs and Rehabilitation committee shall supervise all matters pertaining to service to veterans in the prosecution of all just claims against the United States or state government, employment, relief, etc.

Section 14. Security Committee. The Security Committee shall work with and coordinate Legion efforts with the local Civil Defense Council on matters pertaining to national, civilian and home defenses. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the nation and the security of the American home.

Section 15. Sons of The American Legion Program. This designee shall have supervision over the operations of the Post's squadron of the Sons of The American Legion.

Section 16. Visiting or VAVS Committee. This committee is charged with visiting and comforting members and their families when sick or bereaved, and with visiting ex-service personnel in hospitals.

SECTION 17. The Park and Grounds Committee shall be responsible for the maintenance of the Post grounds and for improvement there to. Any recommendations requiring expenditures of Post funds, other than bona fide emergencies and routine operational purchases, i.e.; fuel and minor repairs, hand tools, etc.; shall be referred to the Executive Committee for final approval.

SECTION 18. The Post House (Building) Committee is charged with the maintenance and upkeep requirements of the Post Home facility and property. House committee members will accomplish routine walk around inspections of the Post Home and its property and document items that need repair or replacement or suggest changes or improvements to the Post Home that would improve or enhance its appearance or operations. Members of the House Committee may be tasked with obtaining estimates and providing oversight to ensure work is accomplished properly and to the Post expected standards. The House Committee will take-on the Grounds Committee responsibilities if that committee is not appointed. Expenditure of funds, other than routine purchases necessary for maintaining the facility and property and those for bona-fide emergencies, shall be referred to the Executive Committee for approval prior to action. The House Committee Chairman will provide a listing with details, recommended priority, expected cost, and source of repair to the Executive Committee so it can be reviewed at the Executive Committee Meetings.

- a. The Post Home is, and will remain, a smoke free building, except for designated areas. This includes the use of electronic cigarettes (E-Cigs).

SECTION 19. The Canteen Committee will be responsible to the Executive Committee for the proper Operation of the Canteen and Supervision of the Canteen Manager. The Canteen Committee shall be tasked with reviewing incident reports and administering disciplinary actions within the canteen areas. The Chairman shall forward a report of actions to the Commander for review by the Executive Committee.

Section 20. Special Committees will be constituted to complete a single project within a specified period (a fund-raising event or social activity). Special committee chairs will report to the Junior Vice Commander

ARTICLE IX RESOLUTIONS

Section 1. All resolutions of state or national scope presented to this Post by a member or reported to this Post by a committee shall merely embody the opinion of this Post on the subject and copy of same shall be forwarded to the Department headquarters for approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE X MEETINGS

Section 1. The regular meeting of the Post shall be held at the Post home or any other place specified by the Executive Committee at 7:00 pm on the second Monday of each month, at which may be transacted such business as may 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. The Executive Committee will meet at 6:00 p.m. prior to the Regular monthly meeting.

Section 2. The Post commander or a majority of the Executive Committee shall have power to call a special meeting of the Post at any time.

Section 3. Upon the written request of ten (10) percent of the members of the Post, the Commander shall call a special meeting of the Post.

Section 4. Six (6) members in good standing shall constitute a quorum.

Section 5. Minutes - After the minutes have been read by the Adjutant, the Commander asks, "Are there any questions or corrections?" If none, the minutes will stand approved as read. No vote is required.

Section 6. Finance - The Commander then calls for the finance report. After it has been read the Commander says, "If there are no questions or corrections the report will be filed pending audit". Only if corrections are made is a vote necessary.

ARTICLE XI NOTICES

Section 1. Every member shall furnish the Post Adjutant or Membership Chairman with his/her address or any changes thereof for mailing purposes. Electronic addresses should be submitted if available and is the preferred method to expedite notification.

Section 2. The Post adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

ARTICLE XII RULES OF ORDER

Section 1. All proceedings of this Post shall be conducted under and pursuant to Roberts' Rules of Order, except as herein otherwise provided.

ARTICLE XIII LIMITATIONS OF LIABILITIES

SECTION 1. This Post shall neither incur, nor cause to be incurred, any liability or obligation whatever which shall subject to liability any other Post, subdivision, group of people, members of the American Legion, or other individuals' corporations, or organizations.

Section 2. Any Officer, Executive Committee Person, Trustee, Member, or Post Employee who is involved in litigation by reason of his or her position as an Officer, Executive Committee Person, Trustee, Member, or Employee of this Post shall be indemnified and held harmless by the Post to the fullest extent authorized by law as it now exists or may subsequently be amended (but, in the case of any such amendment, only to the extent that such amendment permits the Post to provide broader indemnification rights).

ARTICLE XIV ASSETS & LIABILITIES

Section 1: No member of this Post, individually, as an Officer or otherwise, will at any time create, incur, or authorize any indebtedness or liability against this Post without the prior consent or authorization of the Post membership or the Commander.

Section 2: No property of the Post will be sold, transferred, conveyed, or otherwise disposed of without approval of the Executive Committee and the Post membership. The Commander may at his or her sole discretion, dispose of non-functioning Post equipment whose value does not exceed \$200 per item.

Section 3: The Commander may expend up to \$200.00 for emergency aid of Post 485 members or their members families without prior approval of the Executive Committee but with the concurrence of the Finance Officer.

Section 4: The Commander may expend funds, to address urgent matters, if necessary to protect, preserve or secure Post property. This action must be approved (by conference or individual calls) by at least (4) elected members of the Executive Committee and ratified at the next Executive Meeting and presented and approved at the next Membership Meeting.

ARTICLE XV AMENDMENTS

Section 1. These By-Laws 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, provided, further, 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, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon.

APPENDIX 1

Difference Between Constitution and Bylaws

A constitution establishes the fundamental principles and framework for an organization, while bylaws detail the specific operational rules and procedures. The constitution is typically a more formal and less frequently amended document, outlining the structure and powers of the organization, while the bylaws provide more detailed guidance on how the organization functions day-to-day.

Here's a more detailed breakdown:

Constitution:

1. **Purpose:** *Defines the organization's core principles, purpose, and structure.*
2. **Content:** *Outlines the overall governance, including membership rights, election procedures, and basic organizational structure.*
3. **Frequency of Amendment:** *Typically less frequent, requiring a formal process and often a higher vote threshold.*
4. **Example:** *The constitution might define the types of membership, the structure of the board of directors, and how the organization's assets will be managed.*

Bylaws:

1. **Purpose:** *Provides detailed rules and procedures for the organization's daily operations and internal governance.*
2. **Content:** *Includes specific rules for meetings, committees, member conduct, financial matters, and other operational details.*
3. **Frequency of Amendment:** *Generally more flexible and can be amended more easily than the constitution.*
4. **Example:** *Bylaws might specify the procedures for elections, the terms of office for board members, the requirements for attending meetings, or the process for resolving disputes, [according to the University of Alabama at Birmingham](#).*