

BY-LAWS

Of

LEROY HILL POST NO.19

AMERICAN LEGION

DEPARTMENT OF KANSAS

ARTICLE I – Name of Post

Section 1. The Post existing under these By-Laws is to be known as the LeRoy Hill Post No. 19, Gardner, American Legion of the Department of Kansas.

ARTICLE II - MANAGEMENT

Section 1. The management of the Post is entrusted to the officers of the Post, subject to the approval of the Post at a Post meeting.

Section 2. The Post officers shall be elected annually at the regular meeting in the month of April and take office at the next regular meeting following the State Convention. All elections of officers 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. All eligible officer nominations shall be presented to the membership by Feb or March of that year.

Section 3. The Board of Trustees will consist of five people. All five must be current members in good standing. The make-up of the new Board of Trustees will be the current Post Commander, Immediate past Commander, and Finance Officer, First-Vice Commander, and Adjutant.

Section 4. All vacancies existing in any elected office and on the Board of Trustees of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the members attending the meeting called to fill the vacancy, and a person so elected shall hold office for the unexpired term of the member of the Board of trustees or officer whom he or she succeeds. All members to hold position must be current members in good standing.

ARTICLE III – DUTIES OF OFFICERS

Section 1. Duties of the 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. He or she shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year. Recommendations for the ensuing year shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant.

Section 2. Duties of the 1st Vice-Commander. The 1st Vice-Commander is responsible for membership and shall work in conjunction with the Adjutant on current membership standing and shall report same at each meeting. He or she is the chairperson of the Americanism Committee and shall acquaint himself or herself with the Americanism suggestion in the Officer's guide. The 1st Vice-Commander shall assume and discharge the duties of the Office of Commander in the absence of the Post Commander.

Section 3. Duties of the 2nd Vice-Commander. The 2nd Vice-Commander shall assume and discharge the duties of the Office of Commander in the absence of both the Post Commander and 1st Vice-Commander. His or her primary duty is entertainment and shall have charge of all matters pertaining to the arrangement of social activities of the Post.

Section 4. Duties of the Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings. The Post Adjutant will keep all 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. Previous month records shall be presented at following months meeting for review by all attending members.

Section 5. 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 of banks and shall report once a month the condition of the finance of the Post. He or she shall sign all checks disbursing the monies of the Post. He or she shall furnish such surety bond in such sum as shall be fixed by the Post. The Finance Officer or Post Commander shall have access to the post's safety deposit box. The Post Finance Officer and any/all employee(s) who have access to Post monies, MUST be insured/bonded by the Post in order to protect the Post & membership of financial wrong-doing in the amount of twice Post's total funds.

Section 6. 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 or the Executive Committee.

Section 7. Duties of the Post Chaplain. The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but non-sectarian services in the event of dedications, funerals, public functions, etc. He or she shall adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 8. Duties of the 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 or her by the Post Executive Committee. The Sergeant at Arms is responsible for the preparation of the hall on meeting nights.

ARTICLE IV – DELEGATES

Section 1. Delegates and alternates to a district or department convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least twenty days prior to the date of such convention.

ARTICLE V – APPOINTMENTS

Section 1. The post Commander, each year, immediately upon taking office, shall appoint the following standing committees:

Membership; Board of Trustees; Public Relations; Service Officer; Americanism; Athletic; Youth; Welfare and Defense. Such standing committees shall consist of such members, and the Chairman there of shall be designated by the Post Commander.

Section 2. Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post including the procuring of new member, reinstatement and eligibility of members.

Section 3. Board of Trustees. The Board of Trustees shall have charge of all matters pertaining to the Post clubroom. The Board of Trustees shall supervise the duties of the clubroom manager and all clubroom activities

pertaining to those duties. The Board of Trustees shall govern general rules applicable to the conduct of members while on the premises of the clubroom.

Section 4. Public Relations. 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 5. Service Officer. The Service Office shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state governments; employment, relief, etc. The Service Officer is charged with the visiting and comforting of

Members and their families when sick or bereave and by visiting members in both veteran and community hospitals.

Section 6. Americanism Committee. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangement for proper observance of patriotic occasions; encouragement of patriotic and civil 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 civil betterment.

Section 7. Athletic Committee. The Athletic Committee shall be charged with the promotion of physical development and clean sports by the organization of post athletic teams, recreation, etc., and by cooperation and support in the general recreational athletic programs of the community.

Section 8. Child Welfare Committee. The Child Welfare 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 service and agencies in the community for the above purposes.

Section 9. Welfare and Defense Committee. The Defense Committee is to 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.

ARTICLE VI – MEETINGS

Section 1. The executive meetings of the Post, when called, shall be held at the Legion Hall immediately prior to the regular Post meeting. The regular meeting of the Post shall be held at the Legion Hall on the first non-holiday 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.

Section 2. The Post Commander shall have the power to call a special meeting of the Post at any time. The Commander shall give the entire membership twenty-four hours written notice of the time, place and purpose of the special meeting.

Section 3. Upon the written request of seven or more members of the Post, the Commander shall call a special meeting of the Post by giving the entire membership twenty-four hours written notice of the time, place and purpose of the special meeting.

Section 4. A minimum of 5 percent of Post membership, who are in good standing, to include Post officers, attending any duly called/regular Post meeting shall constitute a quorum.

ARTICLE VII – NOTICES

Section 1. Every member shall furnish the Post Adjutant with his or her address, phone number, email and/or any other notification(s) if applicable so as to keep information equal to technological needs for mailing purposes.

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

Section 3. Post CMDR can call special/emergency executive board meeting(s) at any time, giving 24hr notice to the board. This meeting can be held at CMDR's discretion. (i.e. home, Post, email, phone, etc.). Must have more than ½ majority of board members to constitute a quorum.

ARTICLE VIII – RULES OF ORDER

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

ARTICLE IX – 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 proceeding regular meeting of said Post, and provided further, that written notice shall have been given to all members at least ten 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 to be voted upon.

ARTICLE X – TRUSTEES

Section 1. The Board of Trustees shall have charge of all major repairs to the exterior and interior of the Post building(s) and ground(s). All expenses above \$1,500 other than emergency repairs, must be presented on the floor of a regular meeting.

ARTICLE XI - VETERAN ASSISTANCE Program

Section 1. Individual Veteran's cases seeking monetary assistance shall be presented in a timely manner, to the executive board, no longer than 48 hours for consideration. Monetary expenses shall be capped at \$500 per case, unless changed by a unanimous vote by the board. All expenses' will be accounted for at next regular Post meeting via regular Post Finance Report.

This Constitution and these By-Laws of LeRoy Hill Post No. 19, Gardner of the American Legion, Gardner, Department of Kansas, were voted upon and approved at the regular meeting of February 1st, 2016. All By-Laws previously adopted by this Post are rescinded by these By-Laws effective February 1st, 2016

CONSTITUTION

LEROY HILL POST NO. 19

AMERICAN LEGION

DEPARTMENT OF KANSAS

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 goodwill 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 LeRoy Hill Post No. 19, Gardner, American Legion Department of Kansas.

ARTICLE II - OBJECTS

Section 1. The objects and purposes of this Post shall be to promote the principle 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 principle nor for the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination or election to, and no incumbent of any remunerative elective public office, shall hold any elective office or any appointive remunerative office in this Post of the American Legion, and the declaration of candidacy for such public office by any person holding any elective or appointive remunerative office in this post of the American Legion, shall operative automatically to vacate his or her office in this Post and the same shall be filled as hereinafter provided.

Section 3. Rank does not exist in the American Legion. No member shall be addressed by his or her military 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 prescribed by the National Constitution of the American Legion.

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 one-third of the members present at the meeting cast their vote against the acceptance of said application, then such application shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of six months from the date of such rejection.

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

Section 5. 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 at a Post meeting; provided, however, that he or she shall make payment of any arrears in his or her dues at the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his or her expulsion or suspension and his or her reinstatement.

Section 6. No person who has been expelled by a post shall be admitted to membership in another post without the consent of the expelling post except that where such consent has been asked for and denied by such post, he or she may then appeal to the State Executive Committee of the Department of the expelling post for permission to apply for membership in another post, and shall be ineligible for membership until such permission is granted.

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 the officers of the Post. This Post's By-laws may provide for such standing committees as the business of the organization may require.

Section 2. The officers of this Post shall be Commander, Vice-Commander, Second Vice-Commander, Adjutant, Finance Officer, Post Historian, Post Chaplain, Sergeant at Arms, and such other officers as may be deemed necessary to by this organization.

Section 3. All officers shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any officer may be removed for inefficiency by the Post. A two-thirds vote of the members present at the Post meeting being necessary to effect such removal.

Section 4. Every member of this Post in good standing by payment of dues shall be eligible to vote at the Post election. A candidate for an elective office in the Post must have been in good standing in the Post for a period of one year prior to the election.

Section 5. The approved By-Laws of this Post shall govern the activities of all elective and appointive officers and committee members.

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.

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 – CHARTER MEMBERS

Section 1. Members who joined this Post prior to May 31, 1921, shall be known as Charter Members.

ARTICLE VIII – AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of LeRoy Hill Post No. 19, Gardner, the American Legion.

ARTICLE IX – 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 Kansas, the American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions herein shall be regarded as automatically repealing or modifying the provision of this Constitution to the extent of such conflict.

Section 2. 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 ten day 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 on.

These Amendments were last amended on Feb of 2016