

## BY-LAWS OF THE EDWARD W. THOMPSON POST 49 AMERICAN LEGION, DEPARTMENT OF MICHIGAN

### ARTICLE I

Section 1. The Post existing under these By-Laws is to be known as EDWARD W. THOMPSON POST 49. The American Legion, Department of Michigan.

Section 2. The objectives of this Post are as set forth in the Constitution and value The American Legion (AL), The Sons of The American Legion (SAL) and The American Legion Auxiliary (Aux) working in coordination as a family to achieve the mission of serving veterans, their families and the community.

### ARTICLE II MANAGEMENT

Section 1. The government and management of the Post is entrusted to an Executive Committee of up to sixteen (16) members, to be known as the "Executive Committee." The Executive Committee includes (6) elected American Legion members referred to as Trustees, (10) elected American Legion Officers (Cmdr., 1st Vice Cmdr., 2nd Vice Cmdr., Adjutant, Chaplain, Finance Officer, Sgt.at Arms, Service Officer(s), Historian and Judge Advocate). In addition, the President of The American Legion Auxiliary or their appointed representative and the Commander of The Sons of The American Legion or their appointed representatives are expected to attend Executive Committee meetings to insure coordination between the three (Aux, SAL, AL) activities.

Section 2. The six (6) executive committee members, noted in Section 1 as Trustees, will each be elected for three (3) year terms so that two (2) of the six (6) are elected each year. In addition to the two (2) executive committee members, all Post officers will be elected for one (1) year at the annual meeting on the first Thursday of May and take office at the next meeting following the election. 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 members at the next general meeting with a quorum present, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer they succeeded. A vacancy shall also 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.

### ARTICLE III POST EXECUTIVE COMMITTEE

Section 1. 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. A minimum of five (5) American Legion members including a qualified presiding officer, shall constitute a quorum. Qualified presiding officers include the Cmdr., 1st Vice Cmdr., 2nd Vice Cmdr. or their appointed representative.

Section 2. 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.

### ARTICLE IV DUTIES OF OFFICERS

Section 1. Duties of Post Commander. It shall be the duty of the Post commander to preside at all Executive Committee meetings of the Post, to have general supervision over the business and affairs of the Post, and shall be the chief executive officer of the Post. The commander shall approve all orders directing the disbursement of funds, shall make an annual report covering the business of the Post for the year, and shall make 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.

Section 2. Duties of First Vice-Commander. The First Vice-Commander 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. In addition, enhancing membership is the primary assignment of a first vice commander.

Section 3. Duties of Second Vice Commander. The Second Vice Commander shall, in the absence of the Commander and First Vice Commander, discharge the duties of the office of commander. In addition, the Second Vice Commander shall focus on making contact with other veterans and civic groups to verify each patriotic holiday and observance receives the respect it deserves.

Section 4. 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 5. 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, 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 provide one of two required signatures on 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.

**Section 6.** 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 7.** Duties of Post Chaplain. The Post chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., while adhering to such ceremonial rituals as are recommended by the National or Department headquarters from time to time.

**Section 8.** 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.

**Section 9.** Duties of Post Service Officer. The Post Service Officer (PSO) is charged with the responsibility of being the initial point of contact regarding Veteran benefits and issues by providing basic information and assistance. It is critically important for the PSO to work with a professional Department Service Officer (DSO) and ensure any paperwork submitted by the Veteran is forwarded to the DSO in a timely manner, to ensure proper benefit service. While familiarity with VA laws and regulations pertaining to filing claims, as well as the policies and guidelines established by the National VA&R Commission are helpful, what is most important of a PSO is to coordinate efforts and assist the Veteran or dependent to work with an accredited American Legion DSO.

To help insure immediate relief can be administered if required, a \$300 payment is preapproved for one occasion, up to a total payment of \$600 per month, unless said payment comes before the Executive Committee prior to issuance and is voted down. Additional funding must be approved by Executive Committee thereafter and all expenditures shall be reported to the Executive Committee as part of the Post Service Officer's regular monthly report.

**Section 10.** Duties of Judge Advocate. The Judge Advocate should interpret the Constitution and Bylaws of the Post, Department and National organizations and Post Standing Rules if the post has such a document as well as Robert's Rules of Order (Current Edition) when not covered by the Constitution and Bylaws.

#### ARTICLE V DELEGATES

**Section 1.** Delegates and alternates to a Department convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least 20 days prior to the date of such convention.

#### ARTICLE VI APPOINTMENTS

**Section 1.** The Commander, immediately upon taking office each year, may appoint the following standing committees: 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. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post commander.

**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 an 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 reemployment 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. The finance committee will also insure that two (2) signatures are present on every payment dispersal or commitment for future disbursements.

**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.

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 comrades 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 Committee. This committee 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. Club Facilities and Operations Committee. This committee shall be responsible for maintaining the club house and surrounding club property by ensuring proper maintenance and capital funding is planned and approved for payment during the fiscal year. The committee should include a minimum of three (3) elected AL members including the Finance officer and two elected Trustees, the club manager, one (1) SAL member and one (1) Aux member. A single expenditure of up to \$750 may be made by the committee lead for immediate repair of building, infrastructure or major appliance as required. In addition, this committee will support club management in running the club operations as a profitable business so as to contribute funding to support local veterans, their families and the community.

Section 18. Other appointments may be made by the Commander to achieve requirements not noted above such as, but not limited to, Ordnance officer (to ensure safe handling and use of ceremonial weapons).

#### ARTICLE VII 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 VIII MEETINGS

Section 1. The regular member meeting of the post shall be held in the clubroom the date and time to be determined by the members in the post standing rules. In addition, special meetings may be called by the Commander as required.

Section 2. The Executive Committee meeting of the post shall be held in the clubroom the date and time to be determined by the members in the post standing rules. In addition, special Executive Committee meetings may be called by the Commander as required.

Section 3. A minimum of five (5) American Legion members including a qualified presiding officer, shall constitute a quorum. Qualified presiding officers include the Cmdr., 1st Vice Cmdr., 2nd Vice Cmdr. or their appointed representative.

#### ARTICLE IX NOTICES

Section 1. Every member shall furnish the Post adjutant with a mail and email (if available) address for the purpose of conducting post business.

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

#### ARTICLE X 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 XI LIMITATIONS OF LIABILITIES

Section 1. The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations or organizations.

#### ARTICLE XII 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 preceding regular meeting of said Post and, provided, further, that notice shall have been given to all members at least twenty-five (25) 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.

Section 2. These By-Laws shall become effective immediately after approval by the Department Judge Advocate.

Section 3. Membership Dues. American Legion membership is annual, the Legion year being from January 1 to December 31. Dues are payable to the Post Adjutant October 20 in advance. If dues are not paid by January 1 of each calendar year, the member becomes delinquent. If dues have not been paid by February 1, the member is suspended, but nevertheless a member with no privilege except that of reinstatement by post vote and payment of dues. If dues not being paid, such membership continues for five months, to June 30, at which time the member is dropped from the roll by constitutional mandate and membership forfeited.

Addendum. Committee Leadership Responsibility suggestion based on officer assigned responsibility adjacencies.

By-Laws Reference	Committee Requirement	Recommended AL Officer(s)	Other
Article VI, Section 2.	Americanism Committee	Second Vice Commander	
Article VI, Section 3.	Ceremonials Committee	Post Adjutant	
Article VI, Section 4.	Children and Youth Committee	Service Officer	
Article VI, Section 5.	Economic Committee	Finance Officer	
Article VI, Section 6.	Finance Committee	Finance Officer	
Article VI, Section 7.	Foreign Relations	Commander	
Article VI, Section 8.	Graves Registration and Memorial Committee	Post Adjutant	
Article VI, Section 9.	House and Entertainment Committee	Second Vice Commander	
Article VI, Section 10.	Legislative Committee	Commander	
Article VI, Section 11.	Membership Committee	First Vice-Commander	
Article VI, Section 12.	Public Relations Committee	Commander, retired	
Article VI, Section 13.	Veterans Affairs and Rehabilitation Committee	Service Officer	
Article VI, Section 14.	Security Committee	Commander	Includes Post security
Article VI, Section 15.	Sons of The American Legion Committee	SAL Commander	
Article VI, Section 16.	Visiting or VAVS Committee	Post Adjutant	
Article VI, Section 17.	Club Facilities and Operations Committee	Finance Officer, and/or two (2) Trustees	One (1) Aux & one (1) SAL member, club manager
Other	Safe Use of Ordnance	Ordnance Officer	
Other	Building AL Relationships with other org's	Commander	

Bylaws approved 3 October 2019 EDWARD W. THOMPSON POST 49 Membership Meeting with later Division recommendations.