

CHAPEL HILL POST NO. 6 AMERICAN LEGION, INCORPORATED

BY-LAWS

ARTICLE I

Section 1. The American Legion Post existing under these By-Laws is to be known as Chapel Hill Post No. 6, American Legion Incorporated, Department of North Carolina.

Section 2. The objects of this American Legion Post are set forth in the Constitution.

ARTICLE II

MANAGEMENT

Section 1. The government and management of the American Legion Post are entrusted to an Executive Committee of members to be known as the “Executive Committee”, which is the elected board of directors of this incorporation. Past Post Commanders (in good standing), may be members of the PEC as ex-officio members **without the right of vote and only voice.**

Section 2. The officers of the Post shall be elected annually at the May meeting and shall take office at the June meeting after the Department Convention. A nominating Committee of four active members will be appointed by the Post Commander in January. The Nominating Committee will make their nominations known to the Post Executive Committee in March for approval. The approved report will then be presented to the membership at the April meeting where additional nomination may be accepted from the floor. A list of the nominees will be sent to all members prior to the election in May. Elections will be by secret, written ballot or if there is no opposition, the said nominee may be elected by voice or show of hands, and those persons receiving the highest number of votes from those members present shall be elected to their respective office or offices for which they are candidates. Elected officers are as follows: Commander, 1st Vice Commander, 2nd Vice Commander, 3rd Vice Commander, Adjutant, Finance Officer, Judge Advocate, Service Officer, Historian, Chaplain, and Sergeant-At-Arms (5).

Section 3. All vacancies existing in the Executive Committee, or in any office of the American Legion Post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Post Executive Committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whom he succeeds. A vacancy shall exist when a member or officer is absent from his American Legion Post for a continuous period considered detrimental to the interest of the American Legion Post by the Executive Committee.

ARTICLE III

AMERICAN LEGION POST EXECUTIVE COMMITTEE

Section 1. The American Legion Post Executive Committee shall meet for organization and such other business as may come before it at the call of the American Legion Post Commander within 10 days after the installation of the new officers. Thereafter, the American Legion 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 American Legion Post Executive Committee upon the joint written request of three or more members of said American Legion Post Executive Committee. Fifty-one percent of the members of the Executive Committee shall constitute a quorum thereof.

Section 2. The American Legion 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 American Legion Post funds; shall hear the reports of American Legion Post committee chairmen; and generally shall have charge of and be responsible for the management of the affairs of the American Legion Post.

Section 3. The minutes of each Post Executive Committee meeting will be distributed at each monthly meeting and be approved at that meeting.

ARTICLE IV

DUTIES OF OFFICERS

Section 1. Duties of the American Legion Post Commander. It shall be the duty of the American Legion Post Commander to preside at all meetings of the American Legion Post and to have general supervision over the business and affairs of the American Legion Post, and such officer will be the Chief Executive Officer of the American Legion Post. He shall approve all orders directing the disbursement of funds and shall make an annual written report covering the business of the American Legion Post for the year, and recommendations for the ensuing year which shall be read at the annual meeting. He shall perform such other duties as directed by the American Legion Post.

Section 2. Duties of the Vice Commanders. The Vice Commanders shall assume and discharge the duties of the office of the commander in the absence or disability of, or when called upon by, the American Legion Post Commander. A partial list of the duties of the Vice Commanders is specified in the Officer's Guide and Manual of Ceremonies. **In addition;**

Section 2a. Duties of the 1st Vice Commander. The 1st Vice Commander shall assume and discharge the duties of the office of Commander in the absence of or disability of the Commander, or when called upon to do so by the Post Commander. The 1st Vice Commander shall be responsible for overseeing the membership program of the Post. The 1st Vice Commander shall appoint members to a Membership Committee and be Chairman of the Membership Committee. The 1st Vice Commander shall oversee such other Post and committee activity as the Commander directs.

Section 2b. 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 or disability of the Commander and 1st Vice Commander. The 2nd Vice Commander will be responsible for Post activities and functions.

The 2nd Vice Commander shall be Chairman of the Ceremonial Committee and shall oversee such other Post and committee activities as the Commander directs.

Section 2c. Duties of the 3rd Vice Commander. The 3rd Vice Commander shall assume and discharge the duties of the office of Commander in the absence of or disability of the Commander, 1st Vice Commander, and 2nd Vice Commander. The 3rd vice Commander shall also be Chairman of the Building and Grounds Committee and shall oversee such other Post and committee activity as the Commander directs.

Section 3. Duties of the American Legion 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 Organization may require, render reports of membership annually or when called upon at a meeting, and under the direction of the Commander, handle all correspondence of the American Legion Post.

Section 4. Duties of the Finance Officer. The Finance Officer shall have charge of all finances and see that they are safely deposited in appropriate financial institutions. The Finance Officer shall report on the financial condition of the Post at each regular meeting of the Post and to the Executive Committee **at their monthly meeting**. The Finance Officer shall **serve on Finance Committee** and makes recommendations on the raising or investing of funds to the Executive Committee. The Finance Officer shall, along with the Post Commander, sign all checks disbursing the money of the Post. The Finance Officer shall also furnish such surety bonds in such sums as shall be fixed by the Executive Committee. The American Legion Department of North Carolina American Legion Post provides a surety bond for all members of the American Legion Post in the amount of \$25,000. The Finance Officer shall provide a final financial report on the financial health of the Post at the regular monthly meeting in June (prior to the swearing-in of new Post Officers.)

Section 5. Duties of American Legion Post Historian. The American Legion Post Historian shall be charged with the individual records and incidents of the American Legion Post and American Legion Post members and shall perform such other duties as may properly pertain to the office as determined by the American Legion Post Commander or Executive Committee.

Section 6. Duties of the Post Chaplain. The Post Chaplain(s) shall be charged with the spiritual welfare of the American Legion Post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Departmental headquarters from time to time.

*****We will keep this version of Judge Advocate**

Section 7. Duties of American Legion Post Judge Advocate. The Post Judge Advocate shall advise and council the Post Officers and the Post Executive Committee on all matters and shall perform such other duties as are usually incident to the office. On any legal matters, the Post Judge Advocate shall immediately contact the Department Judge Advocate for assistance.

Section 8. Duties of the Sergeant(s)-at-Arms. The Sergeant(s)-at-Arms shall preserve order at all meetings. You will learn the identity of and introduce to the Commander all visiting comrades and guests of the Post. In addition, **you shall also ask for and look at the non-member American Legion identification card**. You are responsible that no one shall remain a stranger in our midst. Be ready at all times to assist your Commander. Into your hands is given charge of the stand of colors which you will properly display at all Post meetings and on ceremonial occasions" The Sergeant(s)-at-Arms **shall know**

how to arrange the meeting hall and shall assist the Post Commander and Adjutant in the preliminary arrangements for the meeting. He shall play a leading part in the Post Color Guard, burial detail, and the other pageantry that is a part of The American Legion. The Chief Sergeant-at-Arms shall be Chairman of such a committee and shall perform such other duties as may be assigned by the Post Commander, Executive Committee or as outlined in the Post 6 Standard Operating Procedures (SOP).

Section 9. Duties of committee chairmen having a checking account. They shall report once a month to the Finance Officer the condition of the finances of their committee and shall provide copy of all bank account statements. The American Legion Post Finance Officer shall be an authorized signatory on all committees' financial accounts.

Section 10. Duties of the Service Officer. It is the duty of the Service Officer to look after the welfare of Veterans in the Post and community. He reports on members who are ill or have died. He is responsible for bringing to Veteran's attention their rights and benefits granted by law. He serves as Chairman of the Veterans Affairs and Rehabilitation Committee.

Section 11. Other duties may be assigned to the above Officers and published in the Post 6 established SOP.

ARTICLE V

DELEGATES

Section 1. Delegates and alternates to a Department Convention shall be elected by voice vote by the American Legion Post at a regular meeting of the American Legion Post to be held at least 20 days prior to the date of the convention.

ARTICLE VI

APPOINTMENTS

Section 1. The American Legion Post Commander, immediately upon taking office, shall make a recommendation to the Post Executive Committee for the appointment of the following standing committees as deemed necessary with approval of American Legion Post Executive Committee: Americanism, Ceremonials, Children and youth, Economic, Finance, Foreign Relations, Graves Registrations and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Sports, Veterans Affairs and Rehabilitation, National Security, Sons of the American Legion, Visiting or VAVS and a Legion Riders Committee. Such standing committees shall consist of such members, and the chairman thereof, as shall be designated by the American Legion 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 ensure 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. The 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 American Legion 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 American Legion Post funds. ~~The Finance Officer is Chairman of the Finance Committee.~~

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 American Legion 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 Committee shall have charge of all matters pertaining to the care of the American Legion Post quarters, promotion of club advantages and arrangement for social activities. The 2nd Vice commander is the chairman of this committee.

Section 10. Legislative Committee. The Legislative Committee needs to have 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 American Legion Post, including the procuring of new members, reinstatements and eligibility of members. The 1st Vice Commander is the Chairman of this committee.

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 services, and by local publicity of American Legion 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. The American Legion Post Services officer is the chairman of this committee.

Section 14. Security Committee. The Security Committee shall work with and coordinate Legion efforts with 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 American Legion Post's Squadron of the Sons of The American Legion. The American Legion Post 6 Executive Committee shall have final authority over 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-servicemen in nearby hospitals. The American Legion Post Chaplin is the chairman of this committee.

Section 17. The Legion Riders Committee. If the Post so recognized this program, the President of the Post American Legion riders shall coordinate and supervise all matters pertaining to this program **with the Post Legion Riders Committee**. The American Legion Post 6 Executive Committee shall have final authority over the Sons of the American Legion.

Section 18. Building and Grounds Committee. The Building and Grounds Committee shall oversee the maintenance, improvement and upkeep of all buildings and properties of this Post. They shall oversee the obtaining of goods and services needed to maintain the building and grounds of the Post. This Committee shall be chaired by the 3rd Vice Commander.

Section 19. Legal Committee. The Legal Committee will review all proposed contracts, rental agreements, and other such documents and issues, and will present a recommendation for additions, deletions, and/or changes to the Post Executive Committee. This Committee shall be chaired by the Judge Advocate.

ARTICLE VII

RESOLUTIONS

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

ARTICLE VIII

MEETINGS

Section 1. The regular meeting of the American Legion Post shall be held at the Chapel Hill Post No.6, American Legion, Incorporated at 7:30 PM on the second Tuesday 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 American Legion Post.

Section 2. The American Legion Post Commander or a majority of the Executive Committee shall have power to call a special meeting of the American Legion Post at any time upon ten days written and/or electronic notice to all members of this American Legion Post.

Section 3. Upon the written request of 5 members, the committee shall call a special meeting of the American Legion Post upon ten day written and/or electronic notice to all members of this American Legion Post.

Section 4. 5% of the members shall constitute a quorum.

ARTICLE IX

NOTICES

Section 1. Every member shall furnish the American Legion Post Adjutant with his or her address for mailing purposes along with their email address and telephone numbers.

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

ARTICLE X

RULES OF ORDER

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

ARTICLE XI

LIMITATIONS OF LIABILITIES

Section 1. The American Legion Post shall not incur, or cause to be incurred no liability nor obligations whatever which shall be subject to liability any other American Legion Post, subdivision, group of men, 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 American Legion Post attending that meeting. Amendments to Post 6 By-Laws may only be made after the following actions have occurred: (1) the proposed amendment was submitted (in writing) to the Executive Committee; (2) the proposed changes were read at the regular monthly meeting preceding the vote to amend the current By-Laws; and (3) written notice was given to all members at least **60** days in advance of the date when such amendment is to be voted upon. In addition to the above, written notice must also be provided to the Department Adjutant, Department Judge Advocate, Division Commander and District Commander. Once approved, the Constitution and By-Laws should be reviewed every five years for relevancy and to ensure the documents remain current, updated and reflect State and National precepts.

State's New Section 2. A pandemic poses difficult American Legion Post management decisions for volunteer organizations like The American Legion and the membership they serve. The Executive Committee is there to make those decisions as the Board of Directors when the general membership is in a Stay-at-Home Pandemic. In the absence of general membership meetings to vote on motions that may

require a vote of the Post membership, this committee acts with full authority on all major and minor repairs, appointments, future activities of the American Legion Post and votes to represent the members on any financial expenditures of the American Legion Post.

By-Law Amendments

October 18, 1919 The Model Constitution and By-Laws were adopted after a motion by Cart T. Durham. (Motion carried.) Henry V. Koonts, Commander.

No date. 1922 The Constitution and By-Laws were amended as they now read after a motion from H.D. Stroud and seconded by L.J. Pippis. (Motion carried.) Henry A. Whitfield, Commander.

March 3, 2003 The proposed amendments to the By-Laws were approved by the Executive Committee as they now read. Those present at the meeting were Al Hackney - Commander, Dan Murphy - 1st Vice Commander, Delos O'Daniel – 2nd Vice Commander, David Goldstein 3rd Vice Commander, Bud Hampton - Historian, Sam Taylor - Sgt-at-Arms, Nick Ladd - Finance Officer, Tom Chegash - Judge Advocate, and Bob Patton - Adjutant.

May 13, 2003 The Amendments to Article II - Management, Section 2 and Article IV- Duties of Officers, Section 4 and Section 17 were unanimously approved according to the requirements as specified in Article XI, Section 1 of the By-Laws on May 13, 2003 at the regular Chapel Hill Post No.6, American Legion Incorporated monthly meeting after a motion was made by Alfred Meyer and seconded by both Delos O'Daniel and Thomas Chegash. Alvin B. Hackney, Commander.

February 4, 2021. The proposed amendments to the By-Laws were approved by the Executive Committee as they now read. Those present at the meeting were: Bill Munsee (Post Commander); Lewis Atwater (3rd Vice Commander); Jim Parise, Tony Garcia, Art Prack, Matt Attaway (Sergeant-at-Arms); Jane Lyonnais (Judge Advocate); John Cocowitch (VSO); Lee Heavlin (Adjutant); Jim Mackorell (Chaplain); Frank Horner (Past Commander)???

Date? The proposed Amendments to the Post 6 By-laws were approved by a 2/3s vote at a regular monthly meeting according to the requirements specified in Article XII, Section 1 of the By-Laws dated _____ which were approved by the Executive Committee on _____.

This Constitution and By-Laws are hereby ratified on this _____ Day of _____ 2021.

Signed: _____ Commander

Signed: _____ 1st Vice Commander