

**AMERICAN LEGION  
POST 51**

**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 association in the Great Wars; to inculcate a sense of individual obligation to 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 1 NAME**

**The name of this organization shall be: Santiam Post 51, The American Legion, Department of Oregon.**

**ARTICLE II OBJECTIVES**

**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 Department 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 nonpolitical not to 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 or her 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. Application for membership shall be in writing, signed by the applicant and giving his or her address, branch and dates of service, shall show evidence of service by providing a copy of his or her DD214 and or such other information as may be required on said date of application. No application for membership in this Post can be considered unless the same is accompanied by dues for the current year.**

**Section 2. Each applicant, for membership shall be voted upon individually, if accepted shall be notified thereof, and on presenting his or herself for membership, he or she shall subscribe to the Constitution and By-Laws of the Post and shall there upon become a member of the organization. Unless the candidate shall present his or herself for membership within three months from the date of such notice, or at such time set by the Post, membership may be voided and the money accompanying shall be forfeited to the Post.**

**Section 3. There shall be no entrance fee, but the annual dues shall not be less than \$45.00 or such amount as determined by the Executive Committee and approved on the floor at a regular meeting of the membership. The annual dues shall be payable on or before the first of January.**

**Section 4. Members may be suspended or expelled from the American Legion only upon proper showing of cause, and upon proceedings as provided for in the Officer's Guide, Practice and Procedure in the Expulsion or Suspension of a member of the American Legion. Any appeal shall be taken to the Department Executive Committee, and the case shall be tried anew. The decision of the Department Executive Committee in such cases shall be final.**

**Section 5. A member who has been expelled or suspended from this post for any cause may be reinstated to membership by a majority vote of the membership present at the post meeting, and the payment of the current dues for the year in which the reinstatement occurs.**

**Section 6. 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, he may then appeal to the Department Executive Committee of the Department of the expelling 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 an Executive Board which shall consist of 3 members in addition to the following Post officers: Commander, 1<sup>st</sup> Vice Commander, 2<sup>nd</sup> Vice Commandeer, and Junior Past Commander. The following officers shall have a voice but no vote: Adjutant, Finance Officer, & Judge Advocate. The term of office of members of the Executive Board shall be for one year. This post, by its By-Laws, may provide for such other committees as the business of the organization may require.**

**Section 2. The officers of this post shall be a Commander, a 1<sup>st</sup> Vice Commander, a 2<sup>nd</sup> Vice Commander, and a Sergeant-at-Arms.**

**Section 3. The post shall elect its officers for the ensuing year not less than forty-five days prior to the Department Convention of that year, and such officers shall be installed within the forty-five days prior to the Department Convention of that year, or not later than the first meeting of September or September 20<sup>th</sup> of such year, whichever is the earliest date. All installations of officers of posts shall be subject to approval of the District Commander of that District.**

**Section 4. The personal liability of each member of the Executive Committee and each uncompensated officer of the post or its members, for monetary or other damages, for conduct as an executive board person, or officer, or member shall be eliminated to the full extent permitted by law.**

**Section 5. All officers and executive board members shall hold office until their successors are installed or as otherwise provided. Any officer or executive board person may be removed for inefficiency by the executive board. A 2/3rds vote of said committee present after reasonable notice shall be necessary to effect such removal.**

**Section 6. Every member of this post in good standing shall be eligible to hold office in the post.**

**Section 7. The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided by the By-Laws.**

**Section 8. No elected officer shall hold two offices simultaneously.**

#### **ARTICLE VI AMERICAN LEGION AUXILIARY**

**Section 1. This post recognizes an auxiliary organization to be known as the Auxiliary Unit of Santiam Post 51, The American Legion.**

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

#### **ARTICLE VII AMENDMENTS**

**Section 1. This constitution may be amended at any regular meeting of the Post by a vote of two-thirds of the members present, provided the proposed amendment has been read at the preceding meeting and notification sent to all members in writing.**

**Section 2. This constitution shall be amended to conform to any changes in the National or Department Constitution and By-Laws. Failure to adopt the required amendments shall not delay or modify the effect of such changes.**

## Certification

Above the signatures of the Commander and the Adjutant, certify to the following:

We hereby certify that the above Constitution was read at two regular post meetings and adopted on:

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A quorum being present and approved by two-thirds majority vote of those present and voting.

First Reading

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(Date)

Second Reading

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(Date)

Signed: \_\_\_\_\_ (Post Commander)

Signed: \_\_\_\_\_ (Post Adjutant)

Certification in the event of any subsequent amendments is required. These By-Laws of any amendments thereto, must be sent in duplicates to Department Headquarters, as one copy is kept by Department and the original is returned to the Post.

Articles of incorporation for this Post are on file with the Secretary of State Under the date of, April 5, 1929.