

**THE AMERICAN LEGION
LEBANON, OREGON 97355
BY-LAWS SANTIAM POST #51**

ARTICLE I NAME

Section 1. The post existing under these By-Laws is to be known as Santiam Post 51, The American Legion.

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

ARTICLE II GOVERNMENT AND MANAGEMENT

Section 1. The government of this Post is vested in the Seven member Executive Committee consisting of three regularly elected Officers: Commander, First Vice Commander, Second Vice Commander, three elected Committeemen and the Junior Past Commander.

Section 2. The authority to hire the Club Room Manager is vested in the Executive Committee. The Commander shall have the authority to appoint a Club Room Audit Committee.

Section 3. The management of all real and personal property of the Post is vested in the Board of Trustees, consisting of five members.

ARTICLE III OFFICERS

Section 1. The Elected Officers of this Post shall be:

**Commander
First Vice Commander
Second Vice Commander
Sergeant-at-Arms**

Section 2. Board of Trustees:

Five members

Section 3. Executive Committee:

**Commander
First Vice Commander
Second Vice Commander
Three elected Committeemen
Junior Past Commander**

**The following officers with a voice, but no vote:
Adjutant
Finance Officer
Judge Advocate**

Section 4. The Commander shall appoint the following Officers:

**Adjutant
Assistant Adjutant
Finance Officer
Chaplain
Service Officer
Historian
Judge Advocate
Club Liaison Officer**

ARTICLE IV ELECTIONS

Section 1. Any member of the Post in good standing shall be eligible for any office and each member of the Post present and in good standing shall be entitled to one vote on any candidate or question before the Post.

Section 2. At the regularly scheduled January meeting, the Commander will appoint a Nominating Committee of five members in good standing, two of whom shall be Past Commanders.

a. At the February meeting, the Commander will bring to the membership at least one nomination for each elective office, and for the delegates and alternates to the Department Convention.

b. The candidates for election must have personally appeared or submitted in writing to the Chairman of the Nominating Committee, their acceptance of the nomination to run and their willingness to serve to which they are nominated. At this time all candidates must have a copy of his or her DD214 on file in the Adjutant's Office. The notification must be prior to the Nominating Committee's report to the floor.

c. First nominations shall be in March with second nominations and elections in April.

d. Nominations from the floor shall also be in order following the filing of the committee report and including the night of election.

Section 3. Voting shall be by secret ballot where more than one nomination for an office occurs and a majority of all votes cast shall be necessary to elect. If there is no election the first ballot, the names of the two candidates

receiving the highest number of votes shall be again balloted upon and the remaining candidate(s) dropped.

Section 4. REGULAR OFFICERS AND EXECUTIVE COMMITTEE

MEMBERS-AT-LARGE. Elections of officers and delegates shall be at the Post meeting in April. At this time the Commander elect shall announce his or her appointed officers. Installation of Officers will be in May and the officers shall take charge at that time. The Jr. Past Commander will be the Chairman of the delegation to Department Convention.

Section 5. TRUSTEES shall hold office for a term of five (5) years, one member being elected each year at the time and in the manner of the election of officers. The Trustees may serve no more than two (2) terms in office. However, he or she shall be eligible for re-election one year or more after the expiration or termination of his or her second term.

Section 6. REMOVAL FROM OFFICE for cause of any officer, member-at-large of the Executive Committee, Trustee or Committee member. This may be accomplished by a two-thirds majority vote of the members present in a regular meeting, providing the Executive Committee shall have first passed on the question, and also that notice in writing shall have been read at the preceding meeting of the Post by the Adjutant.

Section 7. VACANCIES in elected office shall be filled by election at a meeting following the meeting at which said office was declared vacant, so long as the member shall have been notified in writing. If an Officer or Committee person has missed 3 or more consecutive meetings without being excused, that position can be declared vacant by following the procedures outlined in Article IV, Section 6 above.

ARTICLE V DUTIES OF OFFICERS

Section 1. COMMANDER. It shall be the duty of the Commander to:

- a. Preside at all meetings of the Post and Executive Committee.
- d. Insure a strict observance of the Constitution and By-Laws.
- c. Appoint all officers and committees whose elections are not otherwise provided for.
- d. Be aware of and bring the recommendations of committees to the next Executive Committee meetings.
- e. Perform such other duties that usually pertain to the presiding officer.
- f. The Commander may appoint someone to fill a vacancy until it can be filled by election.

Section 2. FIRST VICE COMMANDER

- a. In absence of the Commander, the First Vice Commander shall fulfill the duties of the Commander.
- b. The First Vice Commander shall be in charge of the membership program. It shall be his or her responsibility to carry out an active recruitment and retention program.
- c. The First Vice Commander shall be responsible for establishing semi-annual American Legion Orientation and initiation for all new members.

Section 3. SECOND VICE COMMANDER

- a. In event that both the Commander and the First Vice Commander are absent, the Second Vice Commander shall preside.
- b. It shall be the duty of the Second Vice Commander to act as entertainment chairman for Post functions and in coordination with the Auxiliary Unit shall be responsible for the decoration of the facilities.

Section 4. ADJUTANT The Adjutant shall:

- a. Safely keep all books and records and minutes of the Post, including the Constitution and By-Laws.
- b. Keep complete and accurate minutes of the preceding of the Post and Executive Committee.
- c. Preserve all correspondence and files belonging to the Post and said committees.
- d. Attest all resolutions and other writings of the Post, and of the Executive Committee and impress the seal of the Post thereon.
- e. Under the direction of the Commander, the Adjutant shall prepare and send out all reports required. The Adjutant shall be the custodian of all property of the Post not in custody of other officers.

Section 5. FINANCE OFFICER. The Finance Officer shall:

- a. Keep a correct financial report of the Post.
- b. Render an account to the Post at each meeting.
- c. Be the custodian of the funds, securities and vouchers of the Post upon approval of the Executive Committee.
- d. Receive all Post funds and give the Adjutant the receipt for the same.
- e. Deposit all funds received by him or her to the credit of Santiam Post No. 51, The American Legion, Department of Oregon.
- f. Make disbursements by check for all financial obligations of Post No. 51 after approval of the Board of Trustees and the Executive Committee.
- g. All checks, warrants, etc, shall have two of three signatures. Signatories shall be the Finance Officer, Adjutant, and Commander.
- h. The Finance Officer will receive a booking account of activities of the Past Commanders for each of their fund raising efforts
- i. He shall be entitled to sit in all committee and Post meetings involving financial matters with a voice but no vote.

The Board of Trustees and Executive Board do not have the authorization to write checks on the Post account.

The Adjutant, Finance Officer, and Commander shall give bond for \$5,000.00 to be approved by the Executive Committee, by Post paying the premium for the same.

Section 6. CHAPLAIN: The Chaplain shall officiate at the opening and at the funerals of Comrades when attended by the Post, and shall perform such other duties in connection with his or her office as the Post may require.

Section 7. SERVICE OFFICER: The Service Officer shall give advice and reasonable assistance to Veterans, their widows and orphans, relating to the procedure and benefits available to them by law. The Service Officer shall assist Veterans in making the necessary appointments and arranging transportation to the Portland Veterans Hospital.

Section 8. 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 Commander. Shall be responsible for the Post Colors as per the oath of office taken at his or her installation.

Section 9. HISTORIAN: The office of Historian is one of importance. That of compiling and preserving the records and accomplishments of Post No 51 each year. The future can only be judged by the past and properly recorded activities and experiences is of great assistance to those who follow.

Section 10 JUDGE ADVOCATE: The Judge Advocate duties shall be to advise the Post Officers on the construction and interpretation of the Post's Constitution and By-Laws and to perform such other duties that usually pertain to the office. He is entitled to sit in all committees and Post meetings with a voice but no vote.

Section 11 CLUB LIAISON: The Club Liaison Officer shall assist and advise the Club Manager with any problems she or he may have regarding normal operation of the club and coordinate the dates of special Post functions as not to be in conflict with other organizations. The Club Liaison Officer will report directly to the Commander.

ARTICLE VI BOARDS, COMMITTEES, ETC.

Section 1. BOARD OF TRUSTEES: The Trustees shall:

- a. Have control and maintenance of all real and personal property of the Post, not otherwise provided for in these By-Laws. They shall conduct an

- annual inventory of said property.
- b. They shall meet and consider all proposed disbursements of funds or property in amounts greater than \$500.00 and notify the Finance Officer and the Executive Committee of their recommendations on non budgeted items, subject to approval at the next general meeting. Except for July, August, and December.
 - c. Promptly after each annual election, the Board shall meet and organize Election of a chairman and a secretary.
 - d. The Secretary shall record the minutes of all meetings and promptly Deliver a copy of such minutes to the Post Adjutant for filing.
 - e. Meetings shall be held when called by the Chairman or when directed by the Commander.
 - f. The Commander and Finance Officer of the Post shall be ex-officio members and shall be in attendance at, and shall be notified of all meetings of the Board.
 - g. The Chairman or his or her designee shall be notified and shall attend all Executive Committee meetings.

Item 1. All work scheduled for major repairs of building modifications must be put up for bid, except for emergency situations.

Section 2. EXECUTIVE COMMITTEE: The Executive Committee shall have general charge of the government and all funds of the Post. It shall have oversight of the Budget Committee and all proposed budgets must be submitted to the Executive Committee for approval.

Section 3. BUDGET COMMITTEE: The Commander shall appoint a committee for the purpose of creating an annual budget for the Post. The committee shall consist of the Commander, at least one other member of the Executive Committee, and at least two other Post members in good standing.

Section 4. AUDIT COMMITTEE: The Commander shall appoint a committee for the purpose of an annual audit of Post Funds. The Committee shall consist of three members in good standing under the supervision of one elected officer. Excepting the outgoing, incoming Commanders and the Financial Officer.

Section 5. STANDING COMMITTEES: Standing committees of the Post shall be appointed by the Commander as needed and shall be of the kind and nature as deemed best to serve the Post and said committees shall serve at the pleasure of the Commander.

Section 6. OTHER COMMITTEES: All committees, individuals, or groups of individuals conducting a Post sponsored or sanctioned function or endeavor which involves the receipt or expenditure of money shall

provide the Executive Committee with a Profit and Loss Statement, signed by the person in charge of the function or endeavor.

ARTICLE VII MEETINGS

Section 1. REGULAR MEETINGS of the Post shall be held at 7:00 PM on the third Tuesday of each month, at the Post Headquarters, with the exception of December, July and August no other meetings shall be eliminated. No meetings shall be official unless a quorum is present consisting of at least four members of the executive board, two of which are elected officers.

Section 2. EXECUTIVE COMMITTEE MEETINGS consisting of the Commander, First Vice Commander, Second Vice Commander, three elected Committeemen, the Junior Past Commander and the Adjutant with a voice but no vote shall meet at 7:00 PM on the second Tuesday of each month, at Post Headquarters. No meetings shall be eliminated. A quorum consisting of four members, two of which are elected Officers, shall constitute an official meeting.

- a. **Executive Session of the Executive Committee:** Consisting of the Commander, First Vice Commander, Second Vice Commander, three elected Committeemen, the Junior Past Commander and the Adjutant with a voice but no vote. These sessions may be called by the Commander or any four members of the Executive Committee. Only those asked by the Commander/Chairman to attend for a specific reason may attend. Minutes will be taken and discussed at the next regular meeting.

Section 3. BOARD OF TRUSTEES MEETINGS shall be held at 7:00 PM on the first Tuesday of each month at Post headquarters.

NOTE! This committee or any other Post Committee may change the meeting time with a two-thirds vote of said committee, providing the new time has been duly recorded and posted in the Post Examiner and the web site.

Section 4. SPECIAL MEETINGS of the Executive Committee or Board of Trustees May be called by a majority of the Executive Committee or Board of Trustees with at least 24 hours notice prior to such a meeting having been given to all members of the committees and Post Officers. Minutes of any special meetings shall be read at the next regular meeting of the Post and written copies of the minutes taken and turned over to the Post Adjutant. All committees shall be governed by this section as well.

Section 5. A Post Everlasting service will be held by Santiam Post 51 twice yearly

during the months of May and November. These services will be rendered by the Presiding Officers and/or Post Ritual Team.

ARTICLE VIII RULES

Rules of procedure at meetings of the Post shall be those set forth in “Roberts Rules of Order,” except as otherwise expressly provided herein.

ARTICLE IX SOLICITING

No soliciting for money or pledges of any nature may be made during any meeting of the Post.

ARTICLE X

HONOR GUARD, PAST COMMANDERS, S.A.L.

Section 1. HONOR GUARD: The Honor Guard shall elect its own officers, adopt its own rules and regulations and control its finances through a special account monitored and handled in conjunction with the Post Finance Officer. They shall give an accounting to the Post upon the request of the Commander or Executive Committee. They shall be subject to the same expenditure limits as the Post. All acts, judgments, performances, obligations or liabilities are subject to approval of the Executive Committee.

Section 2. PAST COMMANDERS: The Past commanders group shall elect its own officers, and adopt its own rules and regulations. All money raised by the Past Commanders shall be turned over to the Post Finance Officer. All acts, judgments, performances, obligations or liabilities are subject to approval of the Executive Committee.

Section 3. SONS OF THE AMERICAN LEGION: The Sons of the American Legion shall elect its own officers, adopt its own rules and regulations and raise its own funds to be reported to and deposited to their account through the Post Finance Officer. All acts, judgments, performances, obligations or liabilities are subject to approval of the Executive Committee.

- a. The Sons of the American Legion meet at 7:00 PM on the first Thursday Of the month at Post Headquarters.
- b. All S. A. L. checks shall be signed by the Post Commander’s designee or the Post Adjutant.
- c. The association of the Sons of the American Legion to Santiam Post No. 51, Lebanon, Oregon, Department of Oregon is as follows:

**Charter and By-Laws of Santiam Post No. 51, Lebanon, Oregon,
Department of Oregon.**

ARTICLE XI LIMITATIONS AND LIABILITY

**This Post shall incur no obligations or liabilities of any kind or nature
Whatsoever which shall subject to liability any other Post, subdivision
organization, committee or group of members of the American Legion.**

**No member or group of members shall incur any obligations or
liabilities of any kind or nature whatsoever to our Post except upon a
voice vote in its favor at a meeting of the Post.**

ARTICLE XII LETTERS OF RECOMMENDATION

**No letters of recommendation or the signing of the Post name by any
member or members is permitted, except upon a vote of the Post duly
past.**

Certification

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

We hereby certify that the above By-Laws were read at two regular post meetings and adopted on:

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

First Reading

_____ (Date)

Second Reading

_____ (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.