

# THE AMERICAN LEGION GREENLAWN POST 1244

## CONSTITUTION

As Amended October 13, 2010

### ARTICLE I - NAME

The name of this organization shall be Greenlawn Post No. 1244, Department of New York, The American Legion.

### ARTICLE II - OBJECTS

The objects of this organization shall be: 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 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 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 III - MEMBERSHIP

Section 1. Any person shall be eligible for membership in this Post who was a member of the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; February 28, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the Governments associated with the United States during any of said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided, further that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified service.

Section 2. There shall be no form or class of membership except an active membership as hereinbefore provided.

Section 3. No person shall be a member at any one time of more than one Post.

#### ARTICLE IV - NATURE

Section 1. The American Legion is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank does not exist in the Legion; no member shall be addressed by his military or naval title in any meeting of the Post.

Section 2. This Post shall be absolutely non-political and shall not be used for the dissemination of partisan principals or for the promotion of the candidacy of any person seeking public office or preferment. No candidate for; or incumbent of a salaried elective public office shall hold any office in this Post.

Section 3. Each member shall perform his full duty as citizen according to his own conscience and understanding.

Section 4. Application for membership shall be made in writing under such regulation as may from time to time be prescribed by the Post and in conformity with State and National regulations.

Section 5. All applications for membership shall be acted upon at the next Post Executive Meeting following the making of such application and at such meeting be recommended for acceptance or rejection. If three or more executive committeemen cast their vote against the acceptance of said application then such application shall be recommended as rejected. A rejected application shall not again be considered until after the expiration of six months from the date of such rejection.

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 Executive Committee of the department of the expelling post for permission to be admitted to membership in this post, and shall be ineligible for membership until such permission is granted.

Section 7. This Post shall be the judge of its own membership subject to the restrictions of the National and New York Department Constitution and by-laws respectively; a member may be suspended or expelled from The American Legion only upon due conviction of disloyalty, neglect of duty, dishonesty, ineligibility or other conduct unbecoming a member of the American Legion. All charges must be made under oath in writing by the accusers and no member in good standing may be expelled unless and except upon a fair trial in such manner and form as the Department Executive Committee shall prescribe. A member of this Post may be expelled for cause by a two-thirds vote of those present at a stated meeting at which there is a quorum present provided charges have been made at a previous meeting in the manner prescribed in this section.

## 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 committee which shall consist of the two most recent preceding past commanders in addition to the following Post officers: Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Adjutant and Finance Officer. At the election, immediately following the adoption of this constitution, one member of the Executive Committee shall be elected for one year and one member for two years, after which one member shall be elected annually for a period of two years. This Post by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The Elected Officers of this Post shall be: Commander, First, Second and Third Vice Commanders, Adjutant, Finance Officer, Chaplain and Sergeant-at-Arms. They shall be nominated from the floor at the meeting preceding the annual election or at the meeting of the annual election. Such other officers as may be deemed necessary by this organization and not specified by this Constitution shall be appointed by the incumbent Commander.

Section 3. Elected officers shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided by the Constitution or By-laws or by special action of the Post.

Section 4. The duties of the officers and executive committee men shall be those usually appertaining to such officers or committee men and as further provided in the By-Laws.

## 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 annual dues of this Post shall be as recommended by the Executive Committee from time to time, and voted upon by the membership at a regular meeting of the post. A 2/3 majority vote shall be necessary to increase the annual dues of the post.

Section 3. Members in arrears four months in payment of dues shall be classed as delinquent and six months arrearages shall automatically impose suspension from all privileges, and one year's arrearages shall automatically forfeit membership in this Post.

Any member so delinquent or suspended who is not in arrears for as much as one year may be reinstated to active membership in good standing by a vote of the Post upon payment of

all amounts due by such member to the Post for arrears in addition to the dues for the current year in which the reinstatement occurs; and any member whose membership has been forfeited for non-payment of dues for one year may be reinstated by vote of the Post upon payment by such member of One Dollar (\$1.00) in dues in addition to the dues for the current year in which such reinstatement occurs.

Section 4. The Post shall pay to departmental headquarters the national and departmental annual membership dues for every member of the Post in good standing.

#### ARTICLE VII - CHARTER MEMBERS

Section 1. Members who joined this post prior to the issuance of the permanent charter shall be known as charter members.

#### ARTICLE VIII - THE AMERICAN LEGION AUXILIARY

Section 1. This post recognizes a duly chartered Auxiliary Unit of Greenlawn Post No. 1244, American Legion.

#### ARTICLE X - AMENDMENTS

Section 1. This constitution shall be adopted subject to the provisions of the National Constitution of the American Legion and or the department constitution of the Department of New York, the American Legion. Any amendment to said National Constitution or Department Constitution which shall conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions 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 present at such regular meeting, provided that the proposed amendment shall have been submitted in writing and read the next preceding regular meeting of said Post, and providing further, that written notice shall have been mailed to all members at least seven 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 Constitution is to be voted upon. Article and section to be amended shall be definitely stated in such notice.

# THE AMERICAN LEGION GREENLAWN POST 1244

## BY-LAWS

As Amended October 13, 2010

### ARTICLE I – NAME

Section 1. The Post existing under these By-Laws is to be known as Greenlawn Post No. 1244, The American Legion, Department of New York.

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

### ARTICLE II – MANAGEMENT

Section 1. The government and management of the Post is invested in the membership of the Post itself.

### ARTICLE III – POST EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall consist of two past commanders in addition to the following Post officers: Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Adjutant and Finance Officer and together with the other officers of the Post shall be elected annually, as provided in the Constitution, at the annual election and take office at the meeting next following that of the election immediately upon installation of officers.

All elections of officers and committee men shall be by ballot, and the candidate or candidates receiving that highest number of votes shall be elected to the respective office or offices for which they are candidates.

Section 2. 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 appointment by the Commander and a person so appointed shall hold office for the unexpired term of the committee or officer whom he succeeds. A vacancy exists when a member or officer is absent from this Post for a continuous period considered detrimental to the interests of the Post by its membership at two consecutive regular meetings of the Post.

Section 3. 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 thirty days after the installation of the new officers. Thereafter, the Post Executive Committee shall meet at the call of the Commander. 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. Four members of the Committee shall constitute a quorum thereof. The Post Executive Committee shall require adequate bonds from all persons having the custody of the Post fund.

## ARTICLE IV – 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 shall perform such other duties as directed by the Post.

Section 2. Duties of the Vice-Commanders. The Vice Commander shall assume and discharge the duties of the office of the Commander in the absence or disability of the Post Commander or when called upon by him. In the absence of the Commander, the first of the Vice-Commanders to arrive at Post headquarters shall preside at such meeting.

Section 3. Duties of the Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings; keep such record as the Department and National organizations may require and, under the direction of the Commander, handle all correspondence of the Post.

Section 4. Duties of 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 or banks and shall report at each regular meeting of the Post the condition of the finances of the Post, with such recommendations as he may deem expedient or necessary for raising or disbursing funds, with which to carry on the activities of the Post. He shall sign all checks disbursing the monies of the Post. He shall furnish such surety bond in such sum as shall be fixed by the Post Executive Committee; premium to be paid by the Post.

Section 5. Post Chaplain. The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by the National or Departmental headquarters from time to time.

Section 6. Duties of Sergeant-at-Arms. The Sergeant-at-Arms shall preserve order at all meetings, take charge of the Post equipment classed as armor and perform such other duties as may be from time to time assigned to him by the Post Executive Committee.

## ARTICLE V- APPOINTMENT

Section 1. The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: Membership, House, Finance, Publicity, Service, Americanism, and Post Activities. Notice of such appointments shall be posted upon the Post bulletin board as a permanent announcement and shall constitute notice of appointment. All committees shall consist of such members and the chairman thereof shall be designated by the Post Commander. The Post Commander shall have the power to appoint any further committees deemed necessary by him.

Section 2. Membership Committee. The Membership Committee shall have charge of all matters pertaining to membership, new and delinquent, of the Post; receiving applications, investigating eligibility and recommending to the Post Executive Committee their approval or rejection.

Section 3. House Committee. The House Committee shall have charge of all matters pertaining to the care of Post quarters. It shall be the duty of the committee to collect all fees the Post may prescribe as proper and reasonable for house privileges and to turn over to the Finance Officer all monies received together with a monthly report of all receipts. All disbursements for the proper functioning of the committee must be made by the Post Finance Officer. Recommendations in connection with the general management of the house shall be considered an important duty of the committee and shall be presented at regular meetings of the Post.

Section 4. 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 for all Post funds.

Section 5. Publicity Committee. The Publicity Committee shall be charged with the promotion of public support of the Legion program by the establishment of proper contact with the American Legion Monthly, Department and national news service and by local publicity of Post program activities.

Section 6. Service Committee. The Service Committee 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., and community welfare matters and shall submit a written report of disbursements and receipts to the Post Finance Officer during the months of October and April of each year.

Section 7. Americanism Committee. The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observances 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 8. Post Activities Committee. The Post Activities Committee shall be charged with the promotion of entertainment for meetings and at other such times as may be deemed necessary by the Commander.

#### ARTICLE VI – COUNTY COMMITTEE

Section 1. The representatives and alternates to the County Committee shall be elected at the annual meeting of the Post, the number of the same to be based in accordance with the constitution and by-laws of the County Committee. The voting shall be

by one ballot, those receiving the greatest number of votes shall be elected as delegates and the next highest shall be alternates.

#### ARTICLE VII – MEETINGS

Section 1. Regular meetings are to be held not less than one each month. Scheduled meeting nights are to be determined by a vote of the membership at a regular meeting of the Post. A 2/3 vote is necessary to change the schedule of meetings.

Section 2. The Post Commander or a majority of the Executive Committee shall have the power to call a special meeting of the Post at any time.

Section 3. Upon the written request of twelve members the Commander shall call a special meeting of the Post.

Section 4. Twelve members shall constitute a quorum.

Section 5. The Annual Meeting of the Post at which time the election of officers shall take place will be held on the second Wednesday of the month of April each year.

#### ARTICLE VIII - NOTICES

Section 1. Every member shall furnish the Post Adjutant with his address, for mailing purposes.

Section 2. The Post Adjutant shall cause notice of all meetings to be in the mails at least three days prior thereto except as otherwise provided herein.

#### ARTICLE IX – RULES OF ORDER

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

#### ARTICLE X – LIMITATIONS OF LIABILITIES

Section 1. This post shall not incur or cause to be incurred any liabilities or obligations whatever which shall subject to liability any other post, sub-division, group of men, members of the American Legion, or other individuals, corporations or organization.

#### ARTICLE XI – AMENDMENTS

Section 1. These By-Laws may be amended at any regular meeting of the Post 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 provided further that written notice shall have been given to all members at least one week 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 are adopted subject to the provisions of National, Department, and Suffolk County Constitutions and By-Laws. Any amendments to said National, Department and Suffolk County Constitutions and By-Laws which are in conflict with the provisions hereof shall be regarded as automatically repealing or modifying the provisions of these By-Laws to the extent of such conflict.