



## **American Legion**

### **Department of Ohio**

Miamisburg American Legion Post 165

## **Post Constitution & By-Laws**

35 North Main Street  
Miamisburg, OH 45342  
937-866-5493

### **Constitution**

Miamisburg American Legion Post 165  
Department of Ohio

#### **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 all 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 I**

## **Name, Location, and Objects**

**Section 1. Name:** The name of this corporation shall be Miamisburg Post 165, American Legion incorporated.

**Section 2. Location:** The principal office of the corporation shall be the facilities of Miamisburg Post 165, American Legion, inc. at 35 North Main Street, in the City of Miamisburg, County of Montgomery, State of Ohio.

**Section 3. Objects:** The objects of said corporation are:

- To conduct a local unit known as the “Post 165 of the American Legion”
- To hold title to real estate and personal property which are to be used for the pleasure, convenience, and benefit of the said Post and for carrying out its patriotic, civic and social purposes.

## **Article II**

### **Membership**

**Section 1. Members:** The membership of this Post shall be governed by the rules and regulations established by The American Legion and by the By-Laws set forth herein. This Constitution and these By-Laws may be amended periodically by the American Legion Executive Committee, subject to approval by a majority vote of the members of Post 165.

No individual shall be eligible for membership in this Post unless he or she has been duly elected to membership, has paid all required dues, and has submitted proper documentation verifying eligibility. Swearing-in ceremonies shall be conducted at the discretion of the First Vice Commander.

## **ARTICLE III**

### **Meetings**

**Section 1. Annual Meetings:** Officers will be nominated in the March meeting and elected during the April meeting.

**Section 2. Monthly Meetings:** The Post and/or Corporation shall hold regular meetings on the third Thursday of each month at 6:30pm, during which such business as may be properly brought before the Post and/or Corporation may be transacted. From time to time, and as deemed advisable by the officers of the Post and/or Corporation, these meetings may be designated as entertainment or social meetings.

**Section 3. Special Meeting(s):** Special meetings may be called at any time pursuant to notice issued by the Commander of Post 165 of the American Legion. Notice of any special meeting shall be posted at least thirty days in advance (excluding emergency situations) on the Post 165 American Legion website on the home page and posted on

the internal messaging board(s) in Post 165. The Post Commander may also, at their discretion, provide notice to members by email, telephone, or text message. No business materially affecting the assets of the corporation, nor any proposed amendments to the Post Constitution or By-Laws, shall be considered or acted upon at a special meeting unless notice has been provided in accordance with Article X (Repeal and Amendments), Section 2 of the Code of Regulations, and Article IX (By-Laws).

**Section 4. Quorum:** A quorum shall consist of five (5) members. The presence of a quorum is required at any regular monthly or special meetings for the valid transaction of business.

**Section 5.** In the event of uncontrollable circumstances, a virtual meeting may take the place of an in-person meeting.

## **ARTICLE IV**

### **Executive Committee**

**Section 1. Election of Post Executive Committee (PEC):** The election of officers by Post 165 shall also be considered as the election of the Executive Committee.

**Section 2. Number of Post Executive Committee members:** The Post Executive Committee of the Post and Corporation shall consist of four (4) members: the Commander, First Vice Commander, Adjutant, and Finance Officer. The Immediate Past Commander may, upon request, serve on the Post Executive Committee as a fifth member in an observer capacity, without voting rights on PEC business items.

**Section 3. Power of the Post Executive Committee:** The Post Executive Committee shall have control and management of the business, funds, and property of the Post, subject only to the actions of the membership duly assembled in a meeting. The Committee may propose By-Laws not inconsistent with these regulations; establish and enforce rules governing the use of Post property and privileges by members, their children, and guests; fill vacancies within its own membership; and appoint standing or special committees of the Post, with the authority to modify their composition as deemed necessary.

**Section 4. Post Executive Committee Meeting(s):** The Post Executive Committee shall hold regular meetings, normally on the third Thursday of each month prior to the scheduled meetings. The Post Commander may call special meetings of the Executive Committee as necessary. Notice of any special meeting shall be posted in advance on the home page of Post 165 American Legion website and internal message boards. At the Post Commander's discretion, additional notice may also be provided to members by email, telephone, or text message.

**Section 5. Quorum:** A quorum shall consist of five (5) members. The presence of a quorum is required at any regular monthly or special meetings for the valid transaction of business.

## **ARTICLE V**

### **Officers**

**Section 1.** The officers of Post 165 and its corporation shall consist of a Commander, First Vice Commander, Second Vice Commander, Finance Officer, and Adjutant. Officers shall be elected annually by a majority vote of the regular Post membership at the April regular meeting. Each officer shall serve a term of one (1) year or until a successor is duly elected by a majority vote of the regular membership and qualified to assume office.

In the event an in-person vote is too close to determine or results in a tie, written ballots shall be made available to the membership. Members shall have an additional two (2) calendar days to cast their ballots, on the night of the vote until close of the following business day. Ballots shall be deposited in a locked ballot box prominently located within the Post. Custody of the key to the ballot box shall be determined by the current Post Commander. On the second (2) day following the election at 8:00pm, the ballots shall be retrieved and publicly counted at the Post by the current members of the Executive Committee. Regular members wishing to observe the ballot count shall be permitted to do so without interference.

**Section 2. Commander:** The Commander shall serve as the chief officer of the Post and shall be responsible for overseeing and conducting the regular business of the Post. Duties shall include signing official records and meeting minutes, presiding over meetings, and performing such other duties as may be required. The Commander may appoint individuals to fill any vacant elected position, subject to approval by a majority vote of the regular membership so long as a quorum is present.

**Section 3. First Vice Commander:** The First Vice Commander of the Post and its corporation shall assume and perform all duties of the Commander in the event of the Commander's absence or incapacity, as determined by the Commander. The First Vice Commander shall also serve as the Membership Chair, be responsible for maintaining accurate membership records, and present monthly membership reports when requested. In addition, the First Vice Commander shall perform such other duties as may be assigned by the Commander.

**Section 4. Second Vice Commander:** The Second Vice Commander shall assist the Commander in the performance of their duties and shall have responsibility for coordinating and promoting patriotic observances of all kinds, as well as for supporting the development of Post activities and entertainment events.

**Section 5. Adjutant:** The Adjutant shall have charge of and maintain a complete and accurate record of all proceedings of Post meetings; keep such records as may be required by the Department and National organizations; and, under the direction of the Commander, manage all official correspondence of the Post.

**Section 6. Finance Officer:** The Finance Officer shall ensure that all funds in their custody are securely deposited in a local financial institution and shall report to the membership, at least once per month during the regular meeting, on the financial condition of the Post. The Finance Officer shall serve as a primary authorized signer on all checks disbursing general membership funds, including gaming, charitable, and canteen accounts. A minimum of three (3) Executive Committee members, including the Finance Officer, shall be authorized on all Post accounts. The Finance Officer and any Executive Committee member authorized on Post accounts shall be fully bonded or otherwise covered under the Miamisburg Post 165 liability insurance policy.

**Section 7. Non-Elected Offices or Officers:** Upon a duly made motion and second, the Post Commander may appoint members to the following positions.

**A). Chaplin:** The Chaplain shall be responsible for the spiritual welfare of the Post and shall perform such duties as prescribed in the Official Ritual of The American Legion. When requested, the Chaplain shall officiate at the funerals of deceased comrades, as well as at dedications and other public functions.

**B). Post Historian:** The Post Historian shall serve as the publicity officer of the Post and shall regularly submit appropriate publicity materials to local newspapers, as well as to National and Department publications. The Historian shall be responsible for maintaining records of significant activities, reports, and events of the Post and its members, and shall perform such other duties as may be inherent to the office.

**C). Service Officer:** The Service Officer, who may simultaneously hold any other elective or appointed office, shall advise and assist eligible members, veterans, and their dependents in the preparation and pursuit of equitable claims for benefits from governmental agencies. The Service Officer shall also assist eligible members and veterans in securing suitable and gainful employment; provide relief to deserving indigent members, veterans, or their dependents from funds authorized by the Executive Committee; and officially coordinate and cooperate with governmental agencies involved in veterans' affairs. The Service Officer shall submit monthly reports to the Executive Committee and an annual report to the Post regarding the activities of the office and shall perform such other duties as may be assigned by the Post Commander.

**D). Sergeant-At- Arms:** The Combined Honor Guard shall perform such duties as prescribed in the Official Ritual of The American Legion and as delegated or authorized by the Post Commander.

**F).** Such other positions and titles as may be deemed necessary for the betterment of the Post may be created upon approval of the Executive Committee.

**Section 8.** At the conclusion of their term, all elective and appointed officers shall deliver to their successors, or to the corporation, all Post correspondence, records, and property entrusted to their care.

**E). Americanism**

**F). Gifts for Yanks**

**G). Uniform Groups**

**H). House Committee**

**I). Executive Committee**

**J). Post Service Officer**

**K). Unfinished Business**

**L). New Business and Correspondence**

**M). memorial to Departed Comrade**

**N). The good of The America Legion**

## **ARTICLE VI**

### **Discipline**

**Section 1.** Expulsion or suspension of members or removal of elected officers shall be accomplished in accordance with the Department of Ohio By-Laws.

**Section 2.** Each Post of The American Legion, Department of Ohio, shall have the authority to determine its own membership, subject to the provisions of the National American Legion Constitution and By-Laws and the Department of Ohio Constitution and By-Laws. Notwithstanding this, no individual who is a member of any organization advocating the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to the constitutional form of government, shall be eligible for membership in, or to remain a member of The American Legion.

### **Section 3. Disciplinary Procedures and Removal of Officers**

#### **A. Grounds for Discipline**

Members of the Post may be reprimanded, suspended, or expelled, and officers may

be reprimanded, removed from elected office, suspended, or expelled from membership, only upon due process and a proper showing of cause. Charges may be based upon disloyalty, neglect of duties, dishonesty, or conduct unbecoming a member or officer of The American Legion.

**B. Filing of Charges**

All charges must be submitted in writing under oath by the accuser and filed with the Post or Department Adjutant, as appropriate. No member in good standing shall be reprimanded, suspended, or expelled until afforded a fair trial conducted in accordance with the Department of Ohio Uniform Code for the Conduct of Disciplinary Proceedings.

**C. Trial Procedures**

1. Trial proceedings shall be documented either by audio or visual recording, or by verbatim transcription.
2. The trial board verdict shall be announced at the next regular meeting of the Post membership. Members present may, except in the case of acquittal, affirm, modify, or reverse the findings and sentence of the trial board.
3. For County, District, or Department elected officers, the Department Executive Committee shall appoint a trial board, and the trial shall proceed substantially in the same form and manner as set forth in the Department of Ohio Uniform Code for the Conduct of Disciplinary Proceedings.

**D. Appeals**

1. A member or officer who is suspended, expelled, or removed from office may appeal the decision to the Department Executive Committee.
2. Such appeal must be filed with the Department Adjutant within thirty (30) days of the Post membership's decision.
3. The Department Executive Committee shall hear the appeal, with the Department Judge Advocate presiding, based solely on the evidence considered by the trial board and the oral arguments of the parties.
4. The decision of the Department Executive Committee shall be final if an appeal is properly filed; otherwise, the decision of the Post shall be final.

**E. Representation**

The Post Executive Committee shall appoint one or more members, or retain legal counsel, to prosecute the charges. The disciplined member or officer may be represented personally or by counsel of their choosing.

**F. Jurisdiction of the Post**

Nothing herein shall deprive the member's or officer's Post of jurisdiction to hear and determine charges against its members, including matters relating to suspension, expulsion, or removal from Post office.

*(Amended 102nd Department Convention, 2021)*

**ARTICLE VII**

**SEAL**

The Corporation shall have a seal, which shall consist of a seal press bearing the emblem of The American Legion, along with the name and number of the Post.

## **ARTICLE VIII**

### **Order of Business**

Unless otherwise directed by a majority vote of the members present, the order of business at all regular and special meetings of the Post shall be as follows:

1. Presentation of Colors
2. Opening prayer
3. Reading of minutes of previous meeting
4. Introduction of guests, prospective members, and newly admitted members
5. Committee report
6. Balloting on applications
7. Sick call, relief, and employment
8. Post Service Officer's Report
9. Initiation of candidates
10. Unfinished business
11. Election of officers, or appointment of committees
12. New business (and correspondence)
13. Memorial to a departed Post member
14. The good of the American Legion. The membership shall be permitted to offer suggestions of any kind, character, or nature, except those relating to religion or partisan politics.
15. Closing prayer
16. Retirement of the Colors

## **ARTICLE IX**

### **By-Laws**

By-Laws for the further governance of the membership of the Post may be adopted, amended, or repealed by a majority vote of the members present at a regular meeting, provided a quorum is present. Notice of any proposed repeal or amendment shall be announced at the preceding meeting, and a written copy of the proposed action, together with the date of the meeting at which it will be considered, shall be filed with the Adjutant.

### **Delegates**

Delegates shall represent the Post as prescribed by the By-Laws of this corporation.

## **ARTICLE X**

### **Repeals and Amendments**

**Section 1.** This Constitution is adopted in conformity with the provisions of the National Constitution of The American Legion and the Constitution of the Department of Ohio. Any amendments to this Constitution that conflict with provisions of the National or Department Constitutions shall be deemed automatically repealed 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 majority vote of the members ~~present~~ if a quorum is present, provided that the proposed amendment has been submitted in writing and read at the preceding regular meeting of the Post. Furthermore, written notice of the proposed amendment, including the date of the meeting at which the vote will take place, shall be provided to all members at least thirty (30) days in advance.

## **By-Laws**

American Legion Miamisburg *Post 165*  
Department of Ohio

## **ARTICLE I**

### **Membership**

#### **Section 1. General Eligibility**

1) **General Eligibility**

Membership in Post 165 of The American Legion shall be open to any person who was a citizen of the United States at the time of their entry into military service and who served honorably on active duty in the Armed Forces of the United States, or in the armed forces of any government associated with the United States, during any period outlined in The American Legion handbook.

2) **Service Requirements**

Eligibility requires that such service was terminated by honorable discharge, honorable separation, or continued honorably beyond any designated period of service. Individuals who, during the applicable periods of service, refused to serve on conscientious, political, or other grounds that would have subjected them to military discipline or unqualified service shall not be eligible for membership.

3) **Proof of Eligibility**

No person shall be admitted to membership without providing satisfactory proof of eligibility to the Post Adjutant or First Vice Commander. Acceptable proof shall

include, but is not limited to, a DD-214 or equivalent official military documentation.

**4) Jurisdiction Over Membership**

Each Post shall have the authority to determine the eligibility of its members, subject to the provisions of the National Constitution of The American Legion and the Constitution of the Department of Ohio. Notwithstanding any local determination, no person who is a member of an organization advocating the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to the constitutional form of government, shall be eligible for membership or permitted to remain a member.

**5) Lifetime membership**

Upon the conclusion of all elected officers' terms of service, and at a regular meeting, the membership shall have the opportunity, by majority vote following a duly made and seconded motion, to grant an outgoing officer a lifetime membership. Such lifetime membership shall be provided at no cost to the recipient and shall be paid for by The American Legion Post 165.

**Section 2. Members responsibilities:** All members and their guests shall promptly report any incident in which they are involved or of which they are a witness to a Post Officer or the bartender on duty, if the incident has the potential to adversely affect the Post or its members. A written incident report shall be prepared, providing a detailed account of the incident. In addition, a Post Officer shall complete a separate incident report and, whenever possible, document the incident with photographs.

**Section 3.** The Post shall admit or reject any applicant by acclamation or secret ballot, provided that all applicants meet the eligibility requirements set forth in Article I, Section 1 of these By-Laws. Admission shall be determined by a majority vote of the members present.

**Section 4.** The Post shall remit to Department Headquarters the National and Departmental dues for each of its members as such dues are collected or become payable annually.

**Section 5.** The Post shall remit to the District the per capita tax assessments as required by the Constitution.

**Section 6.** No person who has been expelled from membership in another Post shall be eligible for admission to this Post without the prior written consent of the expelling Post; provided, however, that such consent shall not be required when authorization for

admission has been granted by the Executive Committee of the Department of the expelling Post.

**Section 7.** Any member whose dues for the current membership year have not been paid by January 1 of the calendar year shall be deemed delinquent. If such dues remain unpaid as of February 1, the member shall be suspended and shall retain membership status without privileges, except the right to reinstatement upon payment of all delinquent dues ~~and approval by a vote of the Post~~. Should the delinquent member fail to remit all dues owed, the member shall be dropped from the membership rolls in accordance with constitutional mandate, and all rights and privileges of membership shall be forfeited.

**Section 8.** Under no circumstances shall the membership roster, including names and addresses, be used for any purpose other than those of The American Legion, except with the express consent of the Post Executive Committee.

**Section 9.** There shall be no form or class of membership in this Post other than active membership.

**Section 10.** All new members shall take and subscribe to the American Legion Obligation as prescribed in the Manual of Ceremonies of The American Legion.

**Section 11.** Upon request, each member shall be provided with a copy of the By-Laws.

## **ARTICLE II**

### **Elections**

**Section 1.** Nominations for candidates for elective offices shall be made from the floor of the Post during the March membership meeting by a nominating member and shall be seconded by another member from the floor. All nominations shall be made only with the consent of the individual being nominated.

**Section 2.** During the April membership meeting, the membership shall vote on the nominated candidates. In the event an in-person vote is too close to determine a winner or results in a tie, written ballots shall be made available to the membership. Members shall have an additional two (2) calendar days to cast their ballots. Ballots shall be deposited in a locked ballot box, prominently located within the Post, the custody of which shall be determined by the current Post Commander. By 8:00pm on the following day following the election, the ballots shall be retrieved and publicly counted at the Post by the members of the current Executive Committee. Regular members wishing to observe the ballot count shall be permitted to do so without interference.

**Section 3.** In the event an officer's position is uncontested, election to that position shall be affected by a majority vote of the membership, by motion at the March nomination meeting, provided a quorum is present.

**Section 4.** In the event a member in good standing is unable to attend the election meeting, an absentee ballot may be issued to such member. Absentee ballots shall not be distributed prior to the nomination meeting and must be returned to the Post before the election meeting. Completed absentee ballots shall be submitted directly to the current Post Commander in a sealed envelope, upon which the member's signature shall be written. The envelopes shall be opened, and the ballots publicly counted, during the election meeting in the presence of the membership.

**Section 5.** All elected Officers of this Post shall be installed on or before June 1 following their election. Officers elected to fill vacancies resulting from death, resignation, or removal from office prior to the completion of their term shall be installed as soon as practicable.

**Section 6.** In the event uncontrollable circumstances prevent a majority of members from attending the nomination or election meeting, the Executive Committee shall authorize the postponement of such meeting(s). Notice of the rescheduled meeting date(s) shall be clearly posted within the Legion facility and on the home page of The American Legion Post 165 website.

**Section 7.** Unless postponed for good cause and approved by majority vote of a quorum of regular members, the election of officers of The American Legion Post 165 shall be held on the third (3rd) Thursday in April.

## **ARTICLE III**

### **Executive Committee**

**Section 1. Election of Post Executive Committee (PEC):** The election of officers by Post 165 shall also be considered as the election of the Executive Committee.

**Section 2. Number of Post Executive Committee members:** The Post Executive Committee of the Post and Corporation shall consist of four (4) members: the Commander, First Vice Commander, Adjutant, and Finance Officer.

**Section 3. Power of the Post Executive Committee:** The Post Executive Committee shall have control and management of the business, funds, and property of the Post, subject only to the actions of the membership duly assembled in a meeting. The Committee may govern the use of Post property and privileges by members, their children, and guests; fill vacancies within its own membership; and appoint standing or special committees of the Post, with the authority to modify their composition as deemed necessary.

**Section 4. Post Executive Committee Meeting(s):** The Post Executive Committee shall hold regular meetings, normally on the third Thursday of each month prior to the regular meeting. The Post Commander may call special meetings of the Executive

Committee as necessary. Notice of any special meeting shall be posted in advance on the home page of Post 165 American Legion website. At the Post Commander's discretion, additional notice may also be provided to members by email, telephone, or text message.

## **ARTICLE IV**

### **Duties of the Officers**

**Section 1.** It shall be the duty of all officers—namely, the Post Commander, First Vice Commander, Second Vice Commander, Adjutant, and Finance Officer—to attend all regular monthly meetings of the Post, unless excused by the Post Commander. Any officer who is absent from three (3) regular meetings during their elected term of office shall be deemed to have resigned. The Post Commander may be excused from regular meetings upon approval by a majority vote of the Executive Committee.

## **ARTICLE V**

### **Meetings**

Special meetings may be called at any time pursuant to notice issued by the Commander of Post 165 of the American Legion. Notice of any special meeting shall be posted at least two days in advance (excluding emergency situations) on the Post 165 American Legion website on the home page. The Post Commander may also, at their discretion, provide notice to members by email, telephone, or text message.

No business materially affecting the assets of the corporation, nor any proposed amendments to the Post Constitution or By-Laws, shall be considered or acted upon at a special meeting unless notice has been provided in accordance with Article X (Repeal and Amendments), Section 2 of the Code of Regulations, and Article IX (By-Laws).

**Section 2. Record(s) retention:** The Adjutant shall maintain all Post records, either electronically or in paper form, on a permanent basis and shall make such records available as required. At a minimum, the Adjutant shall maintain at the Post the meeting minutes, financial reports, membership records, and any other records subject to audit.

## **ARTICLE VI**

### **Dues and Finances**

**Section 1.** The annual membership dues shall be established each year by the Executive Committee and shall be payable prior to January 1 for the succeeding calendar year. Such dues shall be assessed and enforced in accordance with Article I, Section 7 of these By-Laws, as applicable to delinquent members.

**Article 1 - Section 7.** Any member whose dues for the current membership year have not been paid by January 1 of the calendar year shall be deemed delinquent. If such dues remain unpaid as of February 1, the member shall be suspended and shall retain

membership status without privileges, except the right to reinstatement upon payment of all delinquent dues and approval by a vote of the Post. Should the delinquent member fail to remit all dues owed, the member shall be dropped from the membership rolls in accordance with constitutional mandate, and all rights and privileges of membership shall be forfeited.

**Section 2.** The Finance Officer shall ensure that all funds in their custody are securely deposited in a local financial institution and shall report to the membership, at least once per month during the regular meeting, on the financial condition of the Post. The Finance Officer shall serve as a primary authorized signer on all checks disbursing general membership funds, including gaming, charitable, and cantina accounts. A minimum of three (3) Executive Committee members, including the Finance Officer, shall be authorized on all Post accounts. The Finance Officer and any Executive Committee member authorized on Post accounts shall be fully bonded or otherwise covered under the Miamisburg Post 165 liability insurance policy.

**Section 3.** All invoices shall be paid by check signed by an authorized signee as appointed by the Executive Committee. In the absence of the Finance Officer, checks may be signed by one (1) of the other authorized account signees.

**Section 4.** Upon approval by a majority vote of the Executive Committee, all proceeds payable to the Post from any source other than membership dues may be deposited into a separate account at the same financial institution with which the Post customarily conducts business.

**Section 5.** No bank accounts shall be opened or closed without the approval of the Executive Committee.

## **ARTICLE VII**

### **Committees**

**Section 1.** The Post Commander may establish such committees as are deemed necessary for the effective operation of the Post.

## **ARTICLE VIII**

### **Delegates**

**Section 1.** Delegates and alternates to the District and Department Conventions shall be elected at a regular monthly meeting of the Post held no fewer than thirty (30) days prior to the convening of such conventions.

**Section 2.** Members of The American Legion Post 165 who are elected to a Third District officer position—specifically Post Commander, First Vice Commander, Second Vice Commander, or Finance Officer—shall serve as voting delegates representing their respective Post, provided they are properly registered for and present at the applicable

District and Department (State) Conventions during the year in which they hold District office.

## **ARTICLE IX**

### **Sons of The American Legion – squadron 165**

**Section 1.** The Post Sons of The American Legion (S.A.L.) Squadron shall be governed by the Post Constitution and By-Laws.

**Section 2.** The Sons of The American Legion (S.A.L.) Squadron Commander and officers shall be duly elected in the same manner as the Post officers, by a majority vote of the S.A.L. membership.

**Section 3.** The Sons of The American Legion (S.A.L.) shall maintain a minimum of two (2) bank accounts at the same financial institution utilized by the Post.

- General funds
- Membership funds

**Section 4.** There shall be at least three (3) Post members on the S.A.L bank account.

1. S.A.L. Squadron Commander
2. S.A.L. Finance Officer
3. Post Finance Officer

**Section 5.** The Sons of The American Legion (S.A.L.) shall hold regular monthly meetings on the second (2nd) Thursday of each month at 6:00 p.m.

**Section 6.** A quorum shall consist of five (5) members. The presence of a quorum is required at any regular monthly or special meetings for the valid transaction of business.

**Section 7.** All monthly meetings shall be professional and ran in accordance with “Roberts Rule of Order”.

**Section 8.** The S.A.L Squadron Commander shall maintain all Post records, either electronically or in paper form, on a permanent basis and shall make such records available as required. At a minimum, the S.A.L Squadron Commander shall maintain at the Post the meeting minutes, financial reports, membership records, and any other records subject to audit.

## **ARTICLE X**

### **The American Legion Riders**

**Section 1.** The Post Riders shall be governed by the Post Constitution and By-Laws.

**Section 2.** All officers of The American Legion Riders shall be elected by a majority vote, in the same manner as Post officers.

**Section 3.** The American Legion Riders shall maintain a minimum of two (2) bank accounts at the same financial institution utilized by the Post.

- General funds
- Membership funds

**Section 4.** There shall be at least three (3) Post members on The American Legion Riders bank account.

1. Riders Director
2. Riders Finance Officer
3. Post Finance Officer

**Section 5.** The Riders shall meet monthly on a scheduled day and time.

**Section 6.** Three (3) members shall constitute a quorum for business transactions.

**Section 7.** All monthly meetings shall be professional and ran in accordance with “Roberts Rule of Order”.

**Section 8.** All written record shall be kept indefinitely by the post adjutant. All meeting records shall be recorded by the next monthly meeting and presented to the executive committee. Said records including but not limited to financial report, bank records, membership records, in meeting minutes.

### **End of Post By-Laws**

#### 2026 Constitution and By-Laws Committee

1. Steve Captain
2. Rob Scott
3. Travis Meeks
4. Peggy Gross
5. Brendon Akey
6. Vern Dunn
7. Jeff Pettit
8. Mike Gorretta
9. Eli Hayes

#### Past Amendments

Updated April 16, 2026

- Original Constitution adopted October 14, 1919
- Amended June 5, 1950
- Retyped April 7, 2011
- Amended March 2013
- Amended December 1, 2024
- Amended January 21, 2026
- Amended April 16, 2026

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**Steve Captain**  
**Post Commander**

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**Rob Scott**  
**First Vice-Commander**