

CONSTITUTION and BYLAWS

of

Scenic City Heroes Post# 0291

An American Legion Department of Tennessee



Revised and Approved this First day of March 2022

INDEX TO CONSTITUTION

	PAGE
Preamble	3
Article I <i>NAME/ORGANIZATION, Article II NATURE AND POLICY</i>	3
Article III <i>MEMBERSHIP ELIGIBILITY</i>	3
Article IV <i>OFFICERS</i>	4
Article V <i>BOARDS AND COMMITTEES</i>	5
Article VI <i>FINANCE</i>	5
Article VII <i>SONS OF AMERICAN LEGION</i>	6
Article VII <i>AMERICAN LEGION AUXILLARY</i>	6
Article VIII <i>CONFLICTS AND AMENDMENTS</i>	6
Article IX <i>REPEAL</i>	7

INDEX TO BYLAWS

Article I	MEMBERSHIP	8
Article II	ELECTIONS	8
Article III	GOVERNMENT AND MANAGEMENT OF POST AFFAIRS	10
Article IV	POST EXECUTIVE BOARD	10
Article V	APPOINTMENTS	12
Article VI	DUTIES OF OFFICERS AND COMMITTEES	12
Article VII	FINANCES	15
Article VIII	MEETINGS	18
Article IX	MISCELLANEOUS	19
Article X	RULES OF ORDER	19
Article XI	LIABILITY	19
Article XII	AMENDMENTS	20
Article XIII	REPEAL AND SAVING	20

Scenic City Heroes American Legion Post 0291

Preamble

For our God and Country, we associate ourselves 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 one-hundred percent Americanism; to preserve the memories and incidents of our associations 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 master of might; to promote peace and goodwill 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.

Constitution

ARTICLE I NAME/ORGANIZATION

Section 1. The name of this organization shall be Scenic City Heroes Post 0291, The American Legion, Department of Tennessee. A short form of American Legion Post 0291 or Post 0291 may be used.

Section 2. Post mailing address shall be PO Box 80035, Chattanooga, TN 37414

Section 3. The object and purpose of this post shall be to promote the principles and policies as set forth in the foregoing Preamble, and the National and Department of Tennessee Constitution and Bylaws of the American Legion.

ARTICLE II NATURE AND POLICY

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

Section 2. This organization shall be absolutely non-political and non-sectarian, and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III MEMBERSHIP ELIGIBILITY

Section 1. Eligibility for membership in this POST shall be as prescribed by the National (Section 21703. Membership) and Department of Tennessee Constitutions and Bylaws of the American Legion (American Legion, Department of Tennessee, Article IV).

Section 2. Application for membership shall be made in writing in such as may, from time to time, be prescribed by the National and Department of Tennessee Constitutions and Bylaws of American Legion or by the Post Executive Committee

Section 3. New, reinstated, and/or transfer applications for membership in Post 0291 must be approved by the members before membership card is issued. Any accepted candidate will be initiated into the American Legion within ninety (90) days after issuance of a membership card.

Section 4. No person who has been expelled or suspended by another post shall be admitted to membership in Post 0291 without the consent of the post which expelled or suspended the individual, except that where such consent has been asked for and denied by such Post, or when no word has been received from such post, after a period of sixty (60) days from the date of such request, or if such post is no longer in existence, the individual may then appeal to the Department Executive Committee for permission to apply for membership in Post 0291, and he/she shall be ineligible for membership in Post 0291 until such permission is granted.

Section 5. No person may be a member at **any time** of more than one Post.

Section 6. There shall be no form or class of membership except an active **membership** and dues shall be paid annually or for life.

Article IV OFFICERS

Section 1. The following officers shall be *elected officers* of Post 0291 and shall be certified to the Department Adjutant no later than five days prior to the Department Convention:

Commander	First Vice-Commander	Adjutant
Sergeant-At-Arms	Finance Officer	

Certification may be made on forms furnished by the Department.

Section 2. With the advice and consent of the Post Executive Board, the new-elected Post Commander shall, as soon as possible after his election, appoint the following offices. Additional offices may be appointed as is deemed necessary provided that their duties do not conflict with the duties of the appointed officers herein listed:

Historian	House Chairman	Service Officer
Chaplain	Judge Advocate	

Section 3. Delegates and alternates to the Department and/or District Convention shall be appointed by the Post Executive Board at the regular meeting of the membership which is held prior to the date of the Department and/or District Convention per Article 5, Section 2 of Tennessee Department American Legion.

Section 4. All elected officers shall be elected annually in accordance with the procedures set forth in the post bylaws and shall hold office for the period of one (1) year or until their successors are duly elected and installed.

Section 5. Each member of this Post, in good standing, shall be eligible to hold an elected or appointed office in this post, except as provided below. The duties of officers shall be provided by the Post Bylaws. No member shall hold more than one elected office at any time. However, they may be appointed to more than

one office, except as provided below:

A. All members of Post 0291 shall be eligible to succeed themselves in the elected or appointed office.

B. Except as provided elsewhere in this Constitution and Bylaws, no member of the Finance Committee of Post 0291 will be eligible for appointment to any position, which could entail the handling of any of the post funds.

ARTICLE V BOARDS AND COMMITTEES

Section 1. A committee, known as the *Post Executive Board*, shall be established, whose main purpose shall be to provide administrative, government, and management of all Post Legion programs between regular meetings of this post. The Post Executive Board shall consist of the Post Commander, Post Adjutant, Post Finance Officer, First Vice, and one non-officer member.

Section 2. A committee, known as the *Post Finance Committee*, shall be established, whose duties shall be to formulate an Annual Budget for the post, and to make recommendations to Post membership regarding financial matters not covered in the budget. The Post Finance Committee shall consist of Post Finance Officer, another officer, and an eligible member. All persons having the custody of funds **will secure** adequate **crime insurance** which shall be approved by the Department Executive Committee.

Section 3. Additional Boards and Committees may be appointed by the Post Commander as is deemed necessary for the proper operation of the post and its programs. However, no such Boards or Committees will be appointed whose duties and responsibilities will overlap or replace those described herein.

Section 4. Unless otherwise provided in the Constitution and Bylaws, all Board and Committee members for the ensuing year will be appointed by the Post Commander within thirty days following the Department Convention.

ARTICLE VI FINANCES

Section 1. The revenue of this post shall consist of funds derived from annual membership dues and from other sources as may be approved by the Post Commander and/or Post Finance Committee.

Section 2. The amount of membership annual dues shall be fixed and determined by the post membership prior to the beginning of the fiscal year. The amount of the annual dues shall be, *as a minimum*, not less than the combined amount of the annual National Department dues.

Section 3. This post shall pay to the American Legion National Department Headquarters dues for each member of this post whom have paid dues to the post. Annual membership dues shall be paid by October 20, of each year prior to

the start of the next calendar year. Legion membership is annual, the Legion year being from January 1 to December 31. Department and National dues shall be paid for the full year, irrespective of the month in which the member joined the local Post. If membership dues have not been paid by January 1 of each calendar year, the member becomes delinquent. If dues have not been paid by February 1, the member is suspended, but nevertheless as a member with no privilege to vote, or hold office except that of reinstatement by vote of the Post and payment of dues.

Section 4. No officer, elected or appointed, nor any member of any committee or board of this post, shall receive a salary or compensation for his/her service to the Post unless designated by the Post Executive Board. This does not prohibit the payment of expenses incurred by such members in carrying out the assigned duties of their programs when such expenses are authorized by a vote of the membership, or when attending other Posts, District, Department or National Conventions; or Department Homecomings; or District Membership Rallies or Star Parties, when such attendance is required by said Posts, District, Department or National Headquarters; provided sufficient funds are available and authorized and approved by the membership prior to incurring the expense.

Section 5. A Budget for the new fiscal year (14 July) shall be prepared annually by the Post Finance Committee and submitted for approval by the members of Post 0291 at the first regular meeting of the membership for that fiscal year. The budget must be approved by the members of Post 0291 at the first regular meeting of the members for that fiscal year.

ARTICLE VII AUXILIARIES

Section 1. This post authorizes and recognizes the Sons of the American Legion (SAL), Squadron 0291 of the Scenic City Heroes.

Section 2. This post authorizes and recognizes the Auxiliary organization to be known as the American Legion Auxiliary Unit 0291 of Scenic City Heroes.

Section 3. The members of a Section 501(c)(19) auxiliary that is related to a Post are a separately formed organization and recognized as tax exempt and, therefore the auxiliary members are not considered part of the post. Membership in the Sons of the American Legion shall be prescribed in the Department and National Constitution of the American Legion, Sons of the American Legion. A list of all officers and members will be provided to the post Adjutant for proper disposition.

ARTICLE VIII CONFLICTS AND AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and the Constitution of the Department of Tennessee. Any provisions of this Constitution which are in conflict with those of the National Constitution of the American Legion or the Consitution of the

Department of Tennessee are null and void and must be amended to comply with the above-mentioned Constitutions at the first practical date following notification of such conflict.

Section 2. This Constitution may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members in attendance at such meeting, provided that there is a quorum present. The proposed amendment must first be submitted in writing and read at the previous regular meeting of the post. Copies of the proposed amendment will be available to any member who requests such a copy. A written notice must be given to all members of the post at least thirty (30) days prior to the date when such amendment is to be voted upon, notifying them that a Proposal to amend the Constitution is to be voted upon and specifying the date and time of the regular meeting. The post Newsletter and/or Bulletin Board may be utilized for this written notice providing all other aspects of this paragraph are covered in the Newsletter.

ARTICLE IX REPEAL

Section 1. This Constitution supersedes and takes the place of all earlier Constitutions and amendments thereto of Post 0291, and the same are hereby revoked and/or rescinded, provided that nothing in this Constitution shall be construed so as to deprive any member of any prior version of Post 0291 Constitutions and/or actions taken under said Constitution, previously approved by the members of Post 0291.

THIS CONSTITUTION IS HEREBY APPROVED BY THE MEMBERS OF THE AMERICAN LEGION POST 0291 AT A REGULAR MEETING OF THE POST MEMBERSHIP HELD ON ___ DAY OF _____ IN THE YEAR OF 2021.

ATTESTED:

Mateen El

Post Commander

Carla Bell

Post Adjutant

BYLAWS

OF

THE SCENIC CITY HEROES AMERICAN LEGION POST 0291

ARTICLE I MEMBERSHIP

Section 1. All applications for membership in Post 0291 other than continuous membership, shall be submitted to the members for approval at the first meeting of the membership after receipt of such application. If such application is approved, a current membership card shall be issued to the individual. All applications for membership, which are not so approved, must be submitted to the Post Executive Board for their recommendations prior to further action. The members must approve or disapprove any recommendations of the Post Executive Board. A rejected or disapproved application for membership shall not be resubmitted by the same applicant for at a period of six (6) months after rejection or disapproval of said applicant.

Section 2. The Post Executive Board may expel or suspend, for cause, any member of Post 0291 in accordance with Article IV, Section 2, or the National Bylaws of the American Legion. A two-thirds (2/3) majority vote of the Post Executive Board is required to accomplish this action providing a quorum is present at the meeting.

Section 3. Any member of this Post who has been expelled or suspended from the post for any reason, may be reinstated to membership by a two-thirds (2/3) majority vote of the members present at the Post meeting, providing there is a quorum present. If a member is so reinstated, he/she shall be required to make payment of any arrears in his/her dues at the time of expulsion or suspension, plus any other regular dues which may have become payable in the interval between his/he expulsion or suspensions and his/her reinstatement.

ARTICLE II ELECTIONS

Section 1. Annual elections of Post Officers for the coming year shall take place at a regular monthly meeting of Post 0291. All officers of the Post for the ensuing year shall be elected and certified to the Department Adjutant not later than five days prior to the announced dates of the Department Convention. Post members must be present or give intent to accept nomination for all officer positions.

Section 2. A Nominating Committee shall be appointed by the Post Commander at least forty-five (45) days prior to the annual election of officers. The Nominating Committee shall consist of a Chairman and two (2) Members whose duties shall be to seek out and interview members of Post 0291 in an attempt to have the most qualified member nominated for the elected officers of the Post.

Section 3. At the election of officers each year, nomination of members to fill each elected position shall be made from the floor. The Chairman of the Nominating Committee shall nominate their recommended member and any member present at the meeting may make additional nominations. No individual may be nominated for any elected office when that individual is absent during the nomination unless he/she has first submitted in writing, to the Post Commander or Post Adjutant, a notice of intent to accept the position for which he/she will be nominated.

Section 4. If more than one member is nominated for any elected position, the members present shall cast a secret written ballot for the member of the choice. A simple majority of all votes cast is sufficient to elect any nominee. If no nominee receives the required majority votes, the name of the nominee receiving the lowest number of votes shall be withdrawn from consideration and the remaining nominee shall be balloted upon again. This procedure shall be followed until one nominee receives the majority of all votes cast. The Post Adjutant submits the election results to the Department of Tennessee Headquarters so as to arrive prior to the Department Convention and shall submit a report of all elected officers for the coming year via *POST OFFICER CERTIFICATION* form.

Section 5. The newly elected officers of Post 0291 shall be installed as soon after they are elected as is possible. The elected Commander will take his/her position immediately following the District Convention. The installation of the newly elected officers shall be accomplished by any one of the individuals authorized by the Constitution of the Department of Tennessee.

Section 6. All vacancies existing in an elective office of the Post, from any cause other than the expiration of the term of office, shall be filled by a majority vote of the members of the Post Executive Board on recommendation by the Commander at a meeting held as soon after the vacancy occurs as is possible provided a quorum is present at said meeting. Vacancies in any appointed office shall be filled by appointment by the Post Commander. Persons so elected/appointed shall hold office for the unexpired term of office whom he/she succeeds. A vacancy shall exist when an elected or appointed officer is absent from his/her post, or fails to perform the duties of their elected or appointed office for a continuous period of time which is considered, by the Post Officer Board, to be detrimental to the operations of the Post. Being absent from three (3) consecutive regular meetings of the post, without being properly excused shall be considered as being detrimental to the best interest of Post 0291 and may be removed permanently.

Section 7. Any officer of the post, elected or appointed, may be removed from the office for cause, by a two-thirds (2/3) majority vote of the members at any meeting of the post membership, providing a quorum is present and provided that the officer notified, in writing, at least seventy-two (72) hours prior to such meeting and is given an opportunity to show cause for his/her actions. Failure to

attend three consecutive meetings of the post membership or of any committee or board of which the office is a member, without being properly excused, shall be just cause for removal. Members have (15) fifteen days to appeal.

Section 8. Upon the death, disability, resignation or removal from office of the Post Commander, the First Vice-Commander shall temporarily assume the position of Post Commander. Also, upon the death, disability, resignation or removal from office of the Post First Vice-Commander, the Sergeant at Arms shall temporarily assume the position of the Post First Vice-Commander. The Post Officer Board shall meet within ten (10) days of such an event to select a replacement in accordance with Section 6 of this Article. The Post Commander shall make appointments to all other vacancies, with approval by the Post Officer Board.

ARTICLE III GOVERNMENT AND MANAGEMENT OF POST AFFAIRS

Section 1. The administration, government, and management of the Legion Programs of this post, between regular meetings of the members, is entrusted to the Post Officer Board. The Post Adjutant will accurately record the actions of the Board, including the minutes of their meetings and shall conduct their correspondence and maintain their records as required.

Section 2. The administration of all Post properties, equipment, buildings, meeting room, bar room, kitchen, etc. and such other properties, equipment and buildings presently owned, or subsequently acquired, by American Legion Post 0291, shall be vested in a Post Officer Board. The Finance Officer's duties shall be to furnish advice on matters to the financial responsibility and availability of funds of Post 0291 for the proper maintenance of Post property and facilities.

ARTICLE IV POST EXECUTIVE BOARD

Section 1. Post Executive Board meet, for organizational and such other business as may properly come before it, within ten (10) days after the installation of the newly elected officers. Thereafter, the Post Executive Board shall meet as often as the Post Commander may deem necessary. The Post Commander shall be required to call a meeting of the Post Executive Board upon the written request of three (3) or more voting members of the Post Executive Board or upon the written request of at least ten or more members of this post. Three voting members of the Post Executive Board, in attendance at any meeting, shall constitute a quorum thereof for the proper conduct of business.

Section 2. In general, the Post Executive Board shall have charge of and be responsible for the administration and management of all American Legion programs of the post between meetings of the post members. The Post Executive Board shall also have the authority to authorize and approve emergency expenditures of Post funds, for Post programs, not to exceed \$500 (five hundred

dollars) when such expenditures are deemed to be an emergency or in the best interest of Post 0291. Any expenditure of funds exceeding this amount may be made only where an extreme emergency exists and time will not allow normal procedures to apply. Authorization for expenditures of funds in excess of \$500 (five hundred dollars), which are not considered to be an emergency, must first be submitted to the Finance Committee for their recommendation and must be approved by the members of Post 0291 at a regular or special meeting called for that purpose. They shall ensure that sufficient property and liability insurance is purchased (providing funds are available and are budgeted for this purpose) to prevent any unforeseen disaster occurring on post premises. Anyone handling post funds will be required to attain Surety Bonding.

Section 3. When renting, leasing or allowing the use of any portion of Post property and/or buildings, care should be taken to ensure that no such portion is rented, leased or allowed to be used at any time when such use would prevent Post 0291, Auxiliary Unit 0291, Sons of the American Legion Post 0291, from using the same area for its own meetings or programs.

Note: Auxiliary Unit 0291 and Sons of the American Legion Post 0291 will not be charged for use of any Post Facility while they are conducting or participating in any of their functions and/or programs except that the cost of any ongoing use of Post Facilities for their fund-raising activities will be dependent on a mutual agreement between them and the Post Executive Board.

Section 4. No property or equipment, listed on Post Inventory or Equipment, shall be sold or otherwise disposed of without approved vote of the membership and upon ten days written notice of such proposed action to the entire membership of said post. Equipment, not on the inventory and considered to be of no value of Post 0291 may be disposed of when so recommended by the Post Executive Board. No property or equipment shall be purchased or otherwise acquired without the recommendation of the Post Executive Board and approved by a vote of Post 0291 members. Any transactions regarding the purchase and/or disposal of any Post property and/or equipment shall be reduced to writing and shall be made a permanent part of the annual inventory taken in accordance with Section 7 of this Article.

Section 5. An annual inventory of all post property and equipment, including its current status and condition, shall be taken at the direction of the Post Executive Board and shall be maintained in the permanent files of the post.

Section 6. The Post Executive Board will nominate a House Manager. The Post Executive Board shall establish all policies and procedures regarding the House Manager. The Post Executive Board shall have the authority to acquire and/or discharge the House Manager. The House Manager shall manage the Post Club Room under a mutually acceptable signed agreement, which much include, and as a minimum, an outline of all duties and responsibilities and authority of a Club

Room Manager. The Post Executive Board shall require the Club Room Manager to acquire and/or discharge all Volunteers necessary to properly work in the Post Club Room, subject to their approval. The House Manager shall oversee the operation of the Post's Social Quarters and provide entertainment for Post members.

ARTICLE V APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year, shall appoint the following standing committees. Such committees shall consist of a Chairman and sufficient number of members to carry out the programs as designated by the Commander and/or Department and National Headquarters.

Membership	Entertainment	Finance
Legal	Publicity	Veteran Affairs and Rehab
Americanism	Athletic	Scholarship
Children/Youth	Audit	Education/Schools
Sons of the American Legion	Defense and Disaster Relief	Visitation

Section 2. The Post Commander may appoint other such committees, as he deems necessary for the proper operation of Post 0291. However, no additional committees may be appointed whose duties overlap or replace those specifically outlined in these bylaws.

ARTICLE VI DUTIES OF OFFICERS AND COMMITTEES

Section 1. It shall be the duty of the **Post Commander** to preside at all meetings of the post and to have general supervision over the administrative affairs of the post. He/She shall be the chairperson of the Post Executive Board. He shall approve all orders directing the disbursement of post funds and he, or another individual designated by the membership, shall approve all checks for disbursement of post funds which are in excess of \$150 (one hundred fifty dollars). He/she shall make an annual report, at the conclusion of his/her term of office covering the administrative affairs of the post for the previous year and shall make recommendations for the ensuing year. Such reports shall be read at the first meeting of members for the new year. A copy of such report shall be appended to the minutes of the post meeting and another copy forwarded to the Department of Adjutant for permanent retention in department files. He shall perform such other duties as are normally attributed to the President of a similar type civilian organization or as directed by the membership of the Post. All Officers and Committee Chairpersons will provide a written report to the Post Adjutant at each scheduled regular meeting. The commander shall conduct meetings using rules of procedure set forth in Robert's Rules of Order.

Section 2. The **first vice-commander**, shall assume and discharge the duties of the

Post Commander in the absence or disability of the Post Commander, or when called upon by the Post Commander to do so. Him/her primary duties shall be membership procurement and retention and as such, he/she shall be the Chairman of the Membership Committee. He/she shall perform such other duties as may be assigned him/her by the Post Commander.

Section 3. The **finance officer** of the post shall have charge of all finances and funds of the post and to see that they are safely deposited in a local bank or other funding institution which has been approved by the Post Executive Board. The committee shall make a written, itemized report at each regular meeting of the post members and such report shall be appended to and made a permanent part of the minutes of such meetings. The committee shall sign all checks disbursing the funds of the post. Checks for disbursements of Post funds in excess of \$150 must be co-signed by a trustee and another individual designated by the members of Post 0291. **He/she shall be bonded with such surety bonds in such sum as shall be fixed by the Post Executive Board, with the costs of such bonds being paid from post funds.** As Post Finance Officer, he/she shall be appointed to and shall serve as Chairperson of the Finance Committee. They shall perform such other duties as may be assigned to him/her by the Post Commander.

Section 5. The **post chaplain** shall be charged with the spiritual welfare of post members and their families and will offer divine but non-sectarian services in the event of dedications, funerals, public functions, etc. He/she shall adhere to such ceremonial rituals as are recommended, from time to time, by the National or Department Headquarters.

Section 6. 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/her by the Post Commander.

Section 7. A minimum of three officer members shall serve on the **Post Executive Board** of Post 291. The Commander, Post Adjutant, and three eligible members shall make up the Post Executive Board so as to make an odd number. They shall perform such other duties as may be, from time to time, assigned them by the Post Commander. Robert's Rules of Order shall supplement the Constitution and Bylaws in any are not covered by the C&B.

Section 8. The **Post Adjutant** shall act as the Secretary of the Post and as such shall have charge of and keep a full and complete record of all actions at the meetings of post members. He/she shall maintain all administrative records for the post and shall make all reports required of him/her by the Department or National Headquarters. He/she shall sign, along with the post commander, all documents, records, etc which normally require the legal signature of the Secretary of a civilian organization. He/she shall be appointed as a member of the Membership Committee and shall maintain an accurate record of all membership of the Post and shall furnish reports on such at all meetings of the post members.

He/she shall be a voting member of the Post Officer Board and shall keep a true and accurate record of actions taken at all their meetings. He/she shall process and/or handle their correspondence as required of him/her. He/she shall procure and maintain the Seal of Post 0291 and shall use it when legally required on all documents of the Post.

Section 9. The **post historian** shall collect, for permanent preservation, matters of historical interest and value to the members of Post 0291 and to posterity and shall prepare and maintain a scrapbook, and/or history book containing these collected items. He/she shall perform such other duties as may properly pertain to the office as may be determined by the Post Commander.

Section 10. The **Post Service Officer** shall assist or advise Post Veterans regarding matters pertaining to their hospitalization, compensation and otherwise look after the welfare of the Veteran as directed by the Post Commander. He/she shall administer the assistance program provided through the States Veteran's Department and National Headquarters.

Section 11. The **Post Judge Advocate** shall advise the Post Commander and other officers of the Post on matters pertaining to the legality of actions taken by the Post. He/she shall perform such other duties as may, from time to time, be assigned to him/her by the Post Commander.

Section 12. The **Membership Committee** shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatements, and eligibility of members. The First Vice-Commander shall be appointed as Chairperson of this committee and the Post Adjutant shall be appointed as one of the members.

Section 13. The **Finance Committee** shall be charged with the administration of the financial policies of the post and shall be responsible for the preparation of budget recommendations and supervision of receiving, disbursing and accounting of all post funds. The Post Finance Officer shall be appointed as Chairperson of this committee.

Section 14. The **Publicity Committee** shall be charged with the promotion of public support of the Legion programs by the establishment of proper contact with the American Legion Magazine, Department and National news service and by local publicity of Post Programs and activities via television, radio and/or local new media.

Section 15. The **Visitation Committee** is charged with visiting and comforting of members and their families when sick or bereaved, and with visiting with ex-service men/women in nearby hospital, clinics and nursing homes. The Post Chaplain shall be appointed as Chairperson of this committee.

Section 16. The **Americanism Committee** shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of the

patriotic occasions; the Americanization of the general public in American ideals through public forums, etc., and activities for community and civic betterment. The committee shall administer the School Awards Program (excluding the Scholarship Award Program).

Section 17. The ***Athletic Committee*** shall be charged with the promotion of physical development and clean sports by the organization of Post athletic teams, recreation, etc. and by cooperation and support in the general recreational and athletic programs of the community.

Section 18. The ***Sons of the American Legion*** Committee shall have overseership of the operations of the Post Squadron of the Sons of the American Legion.

Section 19. The ***Scholarship Awards Committee*** shall administer the Scholarship Awards Program. The First Vice-Commander shall be appointed Chairperson of this committee.

Section 20. The ***Children/Youth Committee*** shall be charged with the aid and service to the children of veterans by cooperating with other established agencies in the community; laboring for the betterment of the child conditions and coordinating service and agencies in the community for the above purpose. The Committee shall act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's Pledge that "no child of a World War Veteran shall be in need for the necessities of life" and "a square meal for every child."

Section 21. The ***Defense and Disaster Relief Committee*** shall work with and coordinate Legion efforts with the Local Civil Defense Council on matters pertaining to national, civilian and home defense. The Committee shall strive to 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. They shall work with the constituted authorities on disaster relief.

Section 22. The ***Audit Committee*** shall perform annual audits of all post financial accounts and records within thirty (30) days after the end of each fiscal year and a report shall be made, in writing, at the first regular meeting of the Post membership following such an audit. A copy of the report shall be appended to the minutes of the meeting and will be made a permanent part of said minutes.

Section 23. ***Veteran Affairs and Rehabilitation Committee*** shall assist veteran members and transitioning veterans regarding veteran benefits.

ARTICLE VII FINANCES

Section 1. All Post funds shall be deposited in the name of and to the American Legion Post 0291, in such approved banking or saving institution as may be designated by the Post membership. The Post Finance Committee shall have custody of all post funds and shall be accountable for such funds at all times. The

Post Finance Committee shall maintain an accounting system which is in conformance with established accounting procedures and/or directed by National and Department directives.

Section 2. For the purpose of these bylaws, Post Funds shall be deposited as all Monies transferred, by any means, to the custody of the Post Finance Officer, for deposit in the Post account for use in carrying out the post programs and for the proper upkeep of all Post properties and equipment.

Section 3. All post funds, books, ledgers and/or records of the post shall be audited annually utilizing standards auditing procedures. Commercial auditors may be employed to assist in any audit, at the discretion of the Auditing Committee, providing funds are available for such use, and providing prior approval is obtained from the membership before funds are expended.

Section 4. At each business meeting of the post membership, the Post Finance Officer shall give a detailed and itemized written report of all income and disbursements made since the last business meeting, and shall provide the membership with a list of all bills which have not been authorized for payment.

A. Any Post Officer, Committee Chairperson, or any individual member of the post, submitting a report involving post funds, shall submit such report in writing.

B. All reports regarding post finances shall be appended to and shall be made a permanent part of the minutes of each meeting during which the report was submitted.

Section 5. Post funds shall be disbursed by check only. Checks in the amount of \$150 (one hundred fifty) or less shall require only the signature of the Post Finance Officer. Checks in any amount over \$150 (one hundred fifty) shall require the signature of the Post Finance Officer and a Trustee or other individual designated by the membership.

A. No post funds shall be disbursed without prior approval of the membership at the business meeting of the Post, except as provided elsewhere in these bylaws.

B. Expenditures of the Post funds shall not exceed the approval budget for the fiscal year. The fiscal year shall start on 1 July of each year and shall end on 30 June of the following year. Any request for expenditures of post funds not included in the budget, or excess of the approved budget, shall be presented to the Finance Committee for review and recommendations prior to being voted on by the membership.

Section 6. Between regular meeting of the Post Membership, the Post Executive Board and/or the Board of Trustees, shall have the authority to expand not more than \$500 from Post funds. This authorization shall be of an emergency nature

only and/or shall be limited to providing for emergency operations and/or maintenance of the Post properties, the Post programs and/or for expenditure of emergency funds not covered by these bylaws.

A. The Post Commander, the Post Finance Committee, and/or the Post Chaplain shall be authorized to expend Post Funds not to exceed \$100 (one hundred) for the purchase of items of relief for Post 0291 members and/or their immediate families who are in sickness or distress. Such funds shall be paid from Post Relief Fund established by National or Department directives. Expenditures of funds from the Post Relief Fund for individual American Legion members, who are not members of Post 0291, shall be at the discretion of the Post Commander, the Post Finance Officer or the Post Chaplain.

B. The Post Commander, the Finance Officer, and/or the Post Chaplain shall be authorized to expend Post funds not to exceed \$100 (one hundred) for the purpose of providing flowers, wreaths and/or other items of similar nature for Post 0291 members and/or their immediate families who are in the hospital or for their funerals.

C. No officer or members of Post 0291 shall have the authority to bind the post for debt or to purchase or sell post property without prior approval of the Post Membership. The Post shall not be liable for the unauthorized payment or purchase by anyone in the name of, or on behalf of Post 0291, unless prior approval is obtained from the Post membership.

D. The Post Commander, or his/her authorized alternate, and Delegates, or their authorized alternates, may attend Legion Conventions/Conference at the various levels, at Post expense, provided prior approval is obtained from the membership and provided monies for such expenditures are included in the annual budget. The Post Commander, or his/her authorized alternate, and Delegates, or their authorized alternates may be reimbursed for expenses at these Conventions/Conferences for actual costs involving actual travel to and from the Convention/Conferences; for hotel/motel accommodations, for registration fees and for entertainment expenses as approved by the membership. The Post Commander, or his/her alternate, and Delegates or their alternates shall furnish the Post Finance Officer with receipts for all such expenditures prior to his/her reimbursement. Upon prior written requests, the Post Finance Officer may make an advance payment of expenses not to exceed the estimated cost of attending the Convention/Conference but receipts for all expenses must still be furnished to the Post Finance Officer. The rate for reimbursement of travel mileage shall be established annually by the Membership.

Section 7. *All post members and volunteers whose duties require them to handle post funds or other monies involved in the operation of the post, shall be bonded with an approved indemnity company in an amount of at least twice the*

amount that each individual normally is required to handle. The cost of such bonds shall be paid from Post funds.

ARTICLE VIII

MEETINGS

Section 1. The regular meeting of the post membership shall be held on the last Saturday of each month at such times decided by the post members, at which shall be transacted such Legion business as may be properly brought up for action.

Section 2. The Post Commander shall have power to call a special meeting of the post membership at any time he deems necessary and in the best interest of the post. He shall also call a special meeting of the post membership whenever five members of the Post Executive Board or ten members of the Post, request in writing, such a meeting. Only that business for which the special meeting has been called will be discussed and/or acted upon during the special meeting.

Section 3. ***Five (5) eligible members in good standing in the Post shall constitute a quorum*** when in attendance at any regular or special meeting of the post membership.

Section 4. The following ***Order of Business*** shall be followed at all times at all regular meetings of the Post membership. The Post Commander shall direct the Order of Business for special meetings:

Call to Order

Opening Ceremonies

Roll Call of Officers (and count to determine quorum)

Introduction of Guests

Reading of the Minutes of Previous Meeting

Reading and Balloting of Membership Applications

Report of Officers and Committee

Report of all Officers

Report of all Committees

Sick Call Report

Post Service Officer's Report

Unfinished Business and Reading of Correspondence

New Business and Reading of Correspondence

Good of the Legion

Closing Ceremonies

Adjournment

Section 5. There shall be no meetings held on ANY national, state or local holidays. Meetings, which fall on such dates, will be rescheduled.

ARTICLE IX MISCELLANEOUS

Section 1. Each member of Post 0291 shall keep the Post Adjutant advised of his/her current address for mailing purposes. The Post Adjutant shall report all changes of address of members of Post 0291 to the proper Authorities as necessary.

Section 2. All officers of Post 0291, elected and appointed, as well as all members of a Committee, Board or other appointed unit, shall keep the Post Adjutant advised of his/her phone number so that they may be apprised of any meeting and/or changes in meeting times and dates of which they are required to attend.

Section 3. The Post Adjutant shall cause notice of the annual elections to be given to all members of the post at least thirty (30) days prior to the meeting at which the elections will be held. The Post Newsletter may be used for that purpose.

Section 4. Only members of Post 0291 and their immediate families are entitled to use the facilities of the post. Members and their families may bring guests into the post. However, the members are responsible for actions of their guests. The guest must leave the post premises whenever the member who brought them in leaves.

Section 5. Any member of Post 0291 having a complaint against the operations of the post facilities, or against any volunteer, or member of the post, or guest of a member of the post, shall submit such complaint in writing to the Post Officer Board. The Post Executive Board shall attempt to alleviate the condition, which prompted the complaint. However, if they are unable to do so, they shall submit the complaint along with a report of their action and their recommendations to the membership at the next regular meeting of the Post members for whatever action the members deem necessary.

ARTICLE X RULES OF ORDER

Section 1. All meetings and other proceedings of the post shall be conducted under and pursuant to Robert's Rules of Order, unless otherwise approved by the Members.

ARTICLE XI LIABILITY

Section 1. This post shall neither incur, nor cause to be incurred, any liability or obligation whatsoever which shall subject to the liability any other post, subdivision or organization.

ARTICLE XII AMENDMENTS

Section 1. These bylaws may be amended at any regular meeting of the post members by a vote of two-thirds (2/3) of the members of the post attending such meeting, provided there is a quorum present at such meeting. The proposed amendment must first have been submitted, in writing, and read at a previous regular meeting of post membership. Copies of the proposed amendments will be made available to those members requesting such a copy. A written notice of the amendment will be voted upon and shall be given to all members at least thirty (30) days in advance of the date of the meeting, notifying said members that at that meeting a proposal to amend the bylaws is to be voted upon. The Post Newsletter may be used for this purpose provided delivery is accomplished in sufficient time to meet this (30) thirty day requirement.

ARTICLE XIII REPEAL AND SAVING

Section 1. These bylaws supercede and take the place of all earlier bylaws and amendments thereto of the Scenic City Heroes Post 0291, Incorporated.

THESE BYLAWS ARE HEREBY APPROVED BY THE MEMBERSHIP OF AMERICAN LEGION POST 0291 AT A REGULAR MEETING OF THE POST MEMBERSHIP HELD ON _____ of _____ 2021.

Mateen El
POST COMMANDER

CARLA BELL
POST ADJUTANT