

# American Legion Post 48 Chesnee SC By Laws

## **Article I—Name and Membership**

Section 1. The Post existing under these By-Laws is to be known as American Legion Post 48 Chesnee, American Legion Department of South Carolina.

Section 2. The objects of this Post are as set forth in these By Laws.

Section 3. The membership of Post 48 Chesnee is the dues paying members of The American Legion indicating Post 48 Chesnee as their Post affiliation. Said members are entitled to all its privileges, rights, and liabilities; however, upon ceasing to be members in good standing therein for whatever reason their membership in this Post shall end and they shall have no further rights or privileges in the Post or its property.

Section 4. Each member of this Post shall have equal rights including the right to enjoy all the privileges of the club-house or home or other place of recreation that the Post might own from time to time, the right to be present and to vote at each and every meeting of the members upon all questions presented for decision and each such member shall have one vote on each question.

## **Article II—Officers and Management**

Section 1. The elected officers of this Post are Commander, Vice Commander, Adjutant, Finance Officer<sup>1</sup>, Historian, Chaplain, and Sergeant-at-Arms.

Section 2. ] The government and management of the Post are entrusted to an Executive Committee of 12 to 14 members to be known as the Executive Committee. {8/11/2022}

Section 3. In electing Post Officers, the following schedule will be followed:

(a) At the March meeting of the Post, a nominating committee will be elected by the Post membership or by the Post Executive Committee. The Post Commander shall not appoint nor be a member of the committee.

(b) This committee shall make its formal report to the Post at the April meeting.

(c ) Post Officers will be elected at the May meeting with the Post Commander calling for additional nominations from the floor at the Post meeting.

(d) Post Officers will be installed at the June meeting.

(e) The names of the newly elected officers shall be reported to Department Headquarters immediately following the election or by July 1st on forms provided by the Department.

(f) All elections of officers and Executive Committeemen shall be by paper ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

Section 4. 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 a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee

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<sup>1</sup> The Adjutant and Finance Officer may be held by the same person.

or officer who they are replacing. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

### **Article III—Post Executive Committee**

Section 1. The members of the Executive Committee are: Post Commander, Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Chairpersons of the Building Committee, Membership Committee, Range Committee, Turkey Shoot Committee, if available a Past Commander of the Post, and 3 to 4 members elected from the general membership; if a past Post Commander is not available, then 4 – 5 members elected from the general membership. {8/11/2022}

Section 2. 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 10 days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the commander at least every month and as often as said commander may deem necessary. 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, 51% of the members of the committee shall constitute a quorum thereof.

Section 3. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all major expenditures not to exceed \$400.00; expenditures above \$400 must be voted on at any regular member meeting; shall require adequate bonds from all persons having the custody of Post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

### **Article IV—Duties of Officers**

Section 1. Duties of 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. The Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the ensuing year, which shall be read at the annual installation meeting and a copy thereof immediately forwarded to the Department adjutant. The Commander shall perform such other duties as directed by the Post.

Section 2. Duties of Vice-Commander. The vice-commander shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the Post commander.

Section 3. Duties of Post Adjutant. The adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the commander handle all correspondence of the Post.

Section 4. Duties of the 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 once a month to the Executive Committee the condition of

the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Finance Officer shall sign all checks disbursing the monies of the Post, and shall furnish such surety bonds in such sum as shall be fixed by the Post Executive Committee.

Section 5. Duties of Post Historian. The Post historian shall be charged with the individual records and incidents of the Post and Post members, and shall perform such other duties as may properly pertain to the office as may be determined by the Post or the Executive Committee.

Section 6. Duties of Post Chaplain. The Post chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the national or Department headquarters from time to time.

Section 7. Duties of Sergeant-at-Arms. The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as may be from time to time assigned by the Post Executive Committee.

Section 8. The duties of the Executive Committeemen. These members are expected to attend all meetings of the Executive Committee; vote on all matters before the Executive Committee; provide any assistance requested by the Post Commander. {8/11/2022}

#### **Article V—Delegates**

Section 1. Delegates and alternates to a Department convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least 20 days prior to the date of such convention.

#### **Article VI—Appointments**

Section 1. The Post commander, as soon as possible, upon taking office each year, shall appoint Chairpersons of the following standing committees: Children and Youth, Finance, Graves Registration and Memorial, Membership, Public Relations, Veterans Service, Sons of The American Legion, Building Committee, Range Committee, and Turkey Shoot Committee. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post commander.

(a) Children and Youth Committee. Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war veteran shall be in need of the necessities of life" and "a square deal for every child." This committee selects the Post's representatives to Boys State and to the Law Cadet Academy.

(b) Finance Committee. The Finance Committee, in conjunction with the Finance Officer, shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds. This committee must audit the

Finance Officer's records annually and write a report of their findings to the Post Commander.

(c) Graves Registration and Memorial Committee. The duties of this committee involve recording of grave sites and complete information on veteran's burial in cemeteries assigned to the Post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries. This committee is vested with the Wreaths Across American annual program.

(d) Membership Committee. The Membership Committee, in conjunction with the Adjutant, shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

(e) Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, Department and national Legion news service and by local publicity of Post programs and activities. This committee supervises the Post web site with the Webmaster.

(f) Veterans Service Committee. The Veterans Service committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state government, employment, relief, etc.

(g) Sons of the American Legion Committee. This committee shall have supervision over the operations of the Post's squadron of the Sons of The American Legion.

(h) Building Committee. This committee is charged with the maintenance and rental of the Post Building; ensures that rental agreements are signed; and ensures that rental payments are made to the Finance Officer; ensures that the key is returned to the Building Committee Chairperson.

(i) Range Committee. This committee is charged with the operation and maintenance of the pistol range.

(j) Turkey Shoot Committee. The Turkey Shoot Committee will have the responsibility for the up keep of the Turkey Shoot Range. The repair or replacing target holders; the ordering of Turkey Shoot Targets and Chigger Shoot Targets; the ordering of shotgun shells; the scheduling of Turkey Shoots; mowing the grass on the Turkey Shoot Range when needed.

Section 2. At the April meeting (Article II, Section 6) the current Vice Commander shall have prepared a collection of signup sheets, one for each Post Committee, displaying all committee names and showing committee responsibilities with space on the page for Post members to volunteer to serve on Post Committees. See Appendix A. These shall also be passed around at the May meeting. Post members should be urged to sign up for at least one committee. These signup pages will be presented to the elected Post Commander at the end of the May meeting.

## **Article VII—Resolutions**

Section 1. All resolutions of state or national scope presented to this Post by a member or reported to this Post by a committee shall merely embody the opinion of this Post on the subject and copy of same shall be forwarded to the Department headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

### **Article VIII—Meetings**

Section 1. The regular meeting of the Post shall be held at the Post building on the second Thursday of each month, at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post.

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

Section 3. Upon the written request of 25% of the current Post members, the Executive Committee shall call a special meeting of the Post.

Section 4. The members present shall constitute a quorum.

### **Article IX—Notices**

Section 1. Every member shall furnish the Post adjutant with an address for mailing.

Section 2. The Post adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

### **Article X—Rules of Order**

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

### **Article XI—Limitations of Liabilities**

Section 1. The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations or organizations.

Section 2. Should this Post at any time assume a debt in order to acquire property for the use of the members and for the purpose of providing a place of recreation, use and comfort of the members and guests of which this Post was organized, no such debt shall be incurred until a two-thirds majority of these members present at a regular meeting of the members have voted in favor of incurring said debt.

### **Article XII—Amendments**

Section 1. These By-Laws may be amended at any regular Post meeting by a vote of two-thirds of the members of said Post members attending such regular meeting; provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post; and, provided further, that written notice shall have been given to all members at least 30 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 By-Laws is to be voted upon.

Terry Brown  
Commander

Richard Hall  
Vice Commander

Clark Smith  
Adjutant

Finance Officer

Curtis E Daniel  
Chaplain

Jack D Smith, Jr  
Historian

Barry Fletcher  
Sergeant-at-Arms

Signed this \_\_\_\_\_ day of August \_\_\_\_\_, 2017

Approved at Member Meeting 10th day of August \_\_\_\_\_, 2017