



CONSTITUTION OF

Guntersville Post 8

Marshall County

The American Legion

Department of Alabama, Inc.

Adopted by Two-Thirds Vote of the Post Membership at a regular General Membership meeting _____ . Copy mailed to Department of Alabama on _____ for approval.

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 associations in the great wars;

to inculcate a sense of individual obligation to the community, state and nation;

to combat the autocracy of both the classes and the masses;

to make right the master of might;

to promote peace and 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.

ARTICLE I

Name

The name of this organization shall be Guntersville Post No. 8, Marshall County, The American Legion, Department of Alabama, Inc.

ARTICLE II

Objectives

The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble, the National and Department Constitutions of the American Legion.

ARTICLE III

Nature

Section 1. This post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall be absolutely nonpolitical 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.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his military rank or title in any meeting of this post.

Section 4. This Corporation is not organized for financial gains.

Section 5. This Corporation shall not issue shares of stock.

Section 6. To carry out the objectives and purposes of this Corporation, the Corporation shall have the right to erect, rent, lease, purchase, maintain and equip suitable club rooms, lodge rooms, reading rooms or recreational halls; to provided books, periodicals and other literature and entertainment for the social advancement of it's members and their guests.

Section 7. This Corporation shall not engage in the business of selling or keeping for sale, or otherwise disposing of any liquors, liquids or beverages that are prohibited by the laws of the State of Alabama to be manufactured, sold or otherwise disposed on in said State. The Corporation shall not permit it's members to keep or store any such prohibited liquors or beverages at or near the premises of the Corporation for use or consumption by it's members or others, or for distribution of division among it's members or their guests. The Corporation shall not maintain any unlawful drinking place or any nuisance contrary to the laws of the State of Alabama, County of Marshall or City of Guntersville. The failure of the Corporation to observe the requirements of this Section will result in the forfeiture of it's Charter and rights as a Corporation.

ARTICLE IV

Membership

Section 1. Eligibility for membership in this Post shall be as prescribed by the National Constitution of the American Legion.

Section 2. Applications for membership shall be made in writing by the applicant under such regulations as may be prescribed by the Post Executive Committee. Applications for membership will require appropriate proof of eligibility and a photocopy of picture ID. Approved applications and documentation supporting such applications will be maintained as permanent record of this post.

Section 3. All applications for membership shall be acted upon at the next post meeting following the making of such application, and shall at such meeting, be accepted, rejected or referred for further investigation and consideration. If a two-thirds majority of the members cast their vote against the acceptance of said application, then such application shall be recorded as rejected.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath, in writing, and a fair trial had upon the same. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of the American Legion.

Section 5. Any member who has been expelled or suspended from this post for any cause may be reinstated to membership by a two-thirds vote of the membership present in post meeting, and the payment of current dues for the year in which the reinstatement occurs and payment for any debts owed to the Post.

Section 6. No person who has been expelled by another Post shall be admitted to membership in this Post, without the consent of the expelling Post. When such consent has been asked for and denied by that Post, the individual may then appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this post and shall be ineligible for membership until such permission is granted.

Section 7. All applications for membership will be processed in accordance with National and Departmental bylaws.

Section 8. The American Legion National and Department dues for membership in Post No. 8 shall be paid by this Post for certain veterans as follows:

- (1) Medal of Honor Winners.
- (2) Members 70 years of age or older, who have been a member in good standing of this Post for at least 15 years.
- (3) Those veterans who have a 100% service connected disability from the VA who qualify for membership under Article IV, Section I, above.

ARTICLE V

Charter Membership

All members who joined Guntersville Post No. 8 of the American Legion, Department of Alabama, Inc., on or before 27 September, 1921, shall be known as Charter Members.

ARTICLE VI

Officers

Section 1. The administrative affairs of this Post of the American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee which shall consist of all Elected and Appointed Officers of this Post, the Immediate Past Commander and one Executive Committeeman. The term of office of members of the Executive Committee shall be for one year. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require. No officer may occupy two offices concurrently.

Section 2. The elected officers of this Post shall consist of the following officers who shall be nominated from the floor at the meeting preceding the annual election:

Commander
Senior Vice Commander
Junior Vice Commander
Adjutant
Finance Officer
Post Chaplain
Sergeant-at-Arms
Trustee
Executive Committeeman

Section 3. The term of office for Post Officers shall be one (1) year, with the exception of one Trustee who shall be elected for a three-year term of office. Trustees will advance in one-year increments automatically to One Year Trustee. Officers shall hold office until their successor(s) are duly installed. Any officer may be removed for inefficiency or malfeasance by the Executive Committee, a two-third vote of said committee being necessary to effect such removal.

Section 4. The following officers shall be appointed by the incoming Commander and shall be installed concurrently with the elected officers of this Post. These appointed officers are members of the Post Executive Committee and have a voice but not a vote on said committee:

Judge Advocate
Service Officer
Post Historian

Section 5. Nominations of offices will be held in April, election of officers will be held in May and installation of officers in June of each year.

Section 6. Every member of this Post, in good standing, shall be eligible to hold office in this Post, unless otherwise provided for in the National, Department Constitution or Post By-laws.

Section 7. The duties of the Officers and Executive Committeemen shall be those as usually appertaining to such officers, committeemen or committees, and as further provided for in the by-laws.

Section 8. All Officers have the responsibility to acquaint themselves with and carry out to the fullest extent, the duties pertaining to their office and committees in which that office is responsible.

ARTICLE VII

Finance

Section 1. The primary revenue of this Post shall be derived from annual membership dues and from such other sources as may be approved by the Post Executive Committee.

Section 2. The amount of Post membership dues shall be fixed and determined by this Post.

Section 3. This Post shall pay to Department Headquarters the National and Departmental Annual Membership due for every member of this post. Payment of all dues will be in compliance with National and Department Constitution and Bylaws.

Section 4. There shall be a complete audit of the finances and accounts annually at the end of the fiscal year. This audit will be conducted by the Post Trustees and can be compiled by the quarterly trustee audits required by the bylaws of each Post Account. In the event there is any question arising from the audit, the General Membership can elect to have an audit performed by a competent accountant.

ARTICLE VIII

Auxiliary

Section 1. This Post recognizes American Legion Auxiliary, Unit 8, Department of Alabama, Inc.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

ARTICLE IX

Sons of the American Legion

Section 1. This Post recognizes a Sons of the American Legion organization to be known as Squadron 8 of Guntersville Post 8, Marshall County, The American Legion, Department of Alabama, Inc.

Section 2. Membership in the Sons of the American Legion shall be as prescribed by, the National Constitution of the Sons of the American Legion.

ARTICLE X

American Legion Riders

Section 1. This Post recognizes an American Legion Riders organization to be known as Post 8, American Legion Riders of Post 8, Marshall County, The American Legion, Department of Alabama, Inc.

Section 2. Membership in the American Legion Riders shall be as prescribed by Resolution 35 and the National Constitution of the American Legion.

ARTICLE XI

Amendments

Section 1. This Constitution is hereby adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Alabama, The American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof, shall be regarded as automatically repealing or modifying the provisions of the Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Post General Membership Meeting by a vote of two-thirds majority of the members of said post present and voting at such regular meeting; provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post and providing, further, that written notice by posting the proposed changes to the Member's Bulletin Board shall have been given to all members at least twenty one (21) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

The Post Constitution was adopted on _____, by the General Membership by two-thirds vote and sent to Department for approval on _____.

All members were notified of proposed amendments twenty-one (21) days in advance of the General Membership Meeting and the proposed amendments were read in their entirety at our _____ General Membership meeting. All proper notifications and bulletin board postings of the proposed amendments were made available to the membership in accordance with our Post Constitution and By-laws.

Signed: _____ Date: _____
Commander: Reno McDonald

Signed: _____ Date: _____
Constitution and Bylaws Committee Chairman: Rebecca Wood

Signed: _____ Date: _____
Constitution and Bylaws Committee Member: Curtis Johnson

Signed: _____ Date: _____
Constitution and By-laws Committee Member: Robert Hurst

Signed: _____ Date: _____
Constitution and By-laws Committee Member: James Stephens

Signed: _____ Date: _____
Constitution and By-laws Committee Member: Patrick Allen



BY-LAWS
OF
**GUNTERSVILLE AMERICAN LEGION
POST 8
MARSHALL COUNTY**

**THE AMERICAN LEGION
DEPARTMENT OF ALABAMA**

ARTICLE I

Name

Section 1: The Post existing under these Bylaws is to be known as Guntersville Post No. 8, Marshall County, The American Legion, Department of Alabama.

Section 2: The objectives of this Post are as set forth in the Constitution.

ARTICLE II

Management

Section 1: The government and management, unless otherwise provided by the Post Constitution and Bylaws, of this Post is to be entrusted to an Executive Committee, however, the final and ruling voice of authority in all management affairs pertaining to this Post shall be the general membership. No committee or officer shall at any time, overrule the majority vote of the general membership.

Section 2: The Post Executive Committee shall hire such employees as may be necessary to manage the Post Canteen operations. They shall establish and approve all wages and salary variations.

Section 3: The Post Canteen shall operate in accordance with the Post Canteen Operating and Accounting Procedures and the Post House Rules, as approved by the General Membership.

ARTICLE III

Post Executive Committee

Section 1: The members of the Post Executive Committee shall assume office immediately after the installation of officer's ceremony. The Post Executive Committee shall meet for organization and such other business as may come before it prior to the next general membership meeting. All officer's duties will be reviewed at such meeting. Thereafter the Post Executive Committee shall meet at the call of the Post Commander at least once a 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 two or more members of said Post Executive committee. Five members of the Committee shall constitute a quorum thereof. The Commander shall make every effort to notify all members of the Executive Committee in the event of special meetings.

Section 2: The Post Executive Committee shall authorize and approve all expenditures; 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, in accordance with Article II, (Management). Section 1 of these by-laws.

Section 3: All vacancies in any elected office of the Post, or in any office of the Post, from any cause other than the expiration of the term, shall be filled in accordance with Article V, (Elections) Section 3, of these Bylaws.

Section 4: Minutes of all General Membership meetings will be posted on the bulletin board and maintained at the Post and read to the General Membership at the next General Membership meeting. Executive Committee meeting minutes will be read to the General Membership as may be pertinent. The original copy of all minutes of all meetings will be maintained in a binder in the order that the meeting occurred. This binder will be maintained at the Post and filed by fiscal year.

ARTICLE IV

Duties of Officers

Section 1. Post Commander: It shall be the duty of the Post Commander to preside at all meetings of this Post and to have general supervision over the business affairs of the post, and such officer 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 June meeting and a copy thereof immediately forwarded to the department adjutant with a list of the newly installed officers. The Commander shall perform such other duties as directed by the post.

Section 2. Senior Vice Commander: The Senior 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. He/She shall be Chairman of the Membership Committee and responsible for membership drives of this post.

Section 3. Junior Vice Commander: The Junior Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of the Post Commander and the Senior Vice Commander, or when called upon by the Post Commander. He/She shall be Chairman of all Committees for Americanism Programs.

Section 4. 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. He/She will issue all membership cards, keep an accurate and up-to-date file of Post members and maintain an up-to-date membership roster. He/She will have on file at the Post the membership roster, copies of all membership records and minutes of all meetings, which will be posted on the member's bulletin board. These files will be made available to the Post upon request. The Adjutant shall be bonded in accordance with Department Constitution and By-laws.

Section 5. Finance Officer: The finance officer of the post shall have charge of all finances and see that they are safely deposited in a local bank or banks as approved by the Executive Committee and shall report to the Post membership at each regular post meeting, 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. He/she will post the monthly financial report on the member's bulletin board. The Finance Officer shall sign all checks disbursing the monies of the post, and shall be bonded by such other surety bonds, to be paid for by the post, in such sum as shall be fixed by the post Executive Committee. He/She shall turn over all records once a quarter or at the call of the Commander to the Trustees for audit.

Section 6. Historian. The Post Commander will instruct the Historian in his/her duties.

Section 7. Chaplain. The Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine, but non-sectarian service in the even of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by National or Department Headquarters, from time to time.

Section 9. Sergeant-At-Arms. The Sergeant-At-Arms shall preserve order at all meetings, serve as Post color bearer and shall perform such other duties as may from time to time be assigned to him/her by the Post Executive Committee.

Section 10. Trustees. The Chairperson of the Trustees will be the One (1) Year Trustee. The Post Board of Trustees shall be charged with the enforcement and administration of established Post financial policy, assist in the preparation of the budget recommendations, and supervision of receiving and accounting for all Post funds, and such other functions as may be required as members of the Post Executive Committee. The Board of Trustees will audit the Post Financial Records quarterly or at the call of the Commander. The Board of Trustees shall administer the inventory and disposition of all the real property of this Post. The Board of Trustees shall be custodian of all property, whether, real, personal or mixed, belonging to this Post for the purpose of acting as agents of the Post in conveying property of the corporation as outlined in Article III of the Constitution of this Post and Article XIII, Section 11 and 12 of these By-Laws. They shall have no authority to convey any of said real property or interest therein, unless authority to do so is granted by the membership of the Post in the proper manner.

Section 11. Judge Advocate. The judge advocate shall give professional advice in the conduct of Post business and shall be the guardian of the Constitutional form of Post government. He/She shall supervise and be responsible for all legal matters as pertains to this post. He shall interpret the Constitution and By-Laws of the Post, and may at any time be called upon by the Commander and other officers and members of the Post to rule on the legality of their actions and decisions insofar as they affect the good of the American Legion

Section 12. Service Officer. The Service Officer shall keep himself informed of the rights of all veterans and shall advise and assist any veteran, his widow or other family members in accruing any benefit due such individual. He/She shall be in charge of the welfare of all members and their families of this Post. The Service Officer shall serve as Chairperson of the following standing committees:

Rehabilitation and Service Committee
Children and Youth Committee

ARTICLE V

Elections

Section 1. ELECTION OF OFFICERS:

- a. Nominations for office will be called for and accepted from the floor at the regularly scheduled meeting held in April.
- b. In the absence of a prospective officer who cannot attend the April meeting, a letter of acceptance of office must be in the office of the Commander prior to nomination.
- c. The Adjutant will verify eligibility of all candidates prior to election.

- d. No employee of this Post, who handles Post funds as part of his/her employment, will be eligible to hold an elective office of this Post. Any employee who handles Post funds, that desires to hold an elective office and is elected, once such office is assumed his/her resignation is automatically tendered.
- e. No member of the Post may assume an elected office if he or she has a family member who is an employee of Post 8. In the event such a member is elected to office, either he/she must decline the position or the family member must tender he/her resignation from employment.
- f. Election of officers will be conducted from 12:00 PM until 7:00 PM at the regularly scheduled meeting held in May.
- g. Election procedures will be as prescribed in Robert's Rules of Order unless otherwise stipulated at the general membership meeting immediately preceding the election.
- h. Poll workers will be appointed by the Commander, and will not include any nominee for office.
- i. Current year membership cards must be presented by members and a roster signed by all members desiring to vote. A roster of all members paid to date will be provided to the Election Committee on Election Day prior to 12:00 pm. In the event a member has lost or misplaced his or her card this roster will suffice in determining a member's eligibility to vote. A member who is delinquent in paying his or her dues but has paid the dues for the prior year can pay his dues on Election Day and will be eligible to vote. A member who is more than one year delinquent and pays his or her dues must have his or her application for membership approved by the General Membership for reinstatement and will not be eligible to vote.
- j. Ballots and voting records will be maintained for a period of 90 days or in accordance with instructions from general membership meeting after the election results are determined.

Section 2. Installation of Officers:

- a. Installation of officers shall be at the discretion of the incoming Commander as long as it is scheduled prior to the Department of Alabama Convention.
- b. Installing officer will be as prescribed in Department and National By-Laws. Ceremony will be conducted in accordance with the Post Commander's Handbook.

Section 3. Vacancies: Vacancies that occur in office after the regularly scheduled annual election will be filled by the Post Commander declaring the position vacant, opening the floor for nominations and voting at the next General Membership meeting and the member elected to the office at that time will fulfill the obligations the office entails. The Commander has the authority to appoint a member to fill the vacant position for a period of thirty (30) days or until the next regularly scheduled General Membership meeting. A vacancy shall exist upon the death of an officer; when an officer resigns; or is absent from his post for three (3) consecutive regularly scheduled meetings (General Membership and Executive Committee). No officer of this Post will be excused for more than three (3) consecutive regularly scheduled meetings. After missing three (3) consecutive regularly scheduled meetings he/she has the right to appear at the next regularly scheduled General Membership meeting and give an explanation of his/her absence and action will be taken to retain the officer or declare the position vacant by majority vote of the

members present and voting at the meeting. If he/she elects not to appear the Commander will declare the position vacant.

Article VI

Rules of Order

All proceedings of this post shall be conducted under and pursuant to Roberts' Rules of Order, newly revised, except as herein otherwise provided.

Article VII

Standing Committees

Section 1. Appointment of Committees: Each year upon taking office, the Post Commander will appoint the following standing committees: Audit, Membership, Americanism and Building. The following special committees may be appointed: Entertainment, Children and Youth, Legal, Public Relations, Rehabilitation and Service, Visiting, Athletics, Disaster and Relief, and Defense and other such committees as may be required. Committee responsibilities will be in accordance with state and national by-laws when appointed.

Section 2. Audit Committee: The Audit Committee will consist of the Trustees with the One (1) Year Trustee being the chairman. The Post Finance Officer will be a member of the audit committee in an advisory capacity only, and may be present at all audits of the financial records of the post. The Post Commander may appoint additional members of the Post to the audit committee as needed.

Article VIII

General Membership Meetings

Section 1. Regular Meetings. All regularly scheduled meetings of this Post shall be held at the Post Home and convene at 7:00 p.m. Such regular meeting shall be held the third Tuesday of each month, at which may be transacted such business as may properly be brought up for action.

Section 2. Special Meetings. The Post Commander or a majority of the Executive Committee shall have the power to call a special meeting, for a specific purpose, of the post at any time. Upon the written request of 10 members, stating the purpose in which the meeting is requested, the committee shall call a special meeting of the Post. All members will be notified at least seven (7) days in advance. No other business other than the purpose for which the meeting has been called will be addressed.

Section 3. Quorum. Ten (10) members shall constitute a quorum.

Article IX

Dues

The annual dues for membership in this Post shall be determined by the Executive Committee and adopted by a majority vote of the general membership present and voting during a regularly scheduled meeting.

Article X

Delegates

Delegates and alternates to the Department of Alabama Annual Convention shall be designated by the Post Executive Committee. Registration fees for all delegates shall be paid by this Post, from the Adjutants office, and shall be make a part of the Annual Post Budget. Delegates fees will be paid on conditions set by the General Membership.

Article XI

Notices

Every member of the Post shall furnish the Post Adjutant with his/her correct address for mailing.

Article XII

Resolutions

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 a copy of same shall be forwarded to the Department of Alabama, for its approval before any publicity is given, or any action taken, other than mere passage by the members of this Post.

Article XIII

Finances

Section 1. Finance Committee: The Finance Committee shall be composed of the Post Commander, Finance Officer, Adjutant and the Trustees. The Finance Officer shall be Chairman of this committee. The Finance Committee will establish a budget for the post and the Commander will present it to the general membership for approval at the regularly scheduled meeting in July of each year.

Section 2. Bonding: All officers, members, and employees of this Post who handle or has access to Post funds shall be bonded for a minimum amount of Five Thousand Dollar and no cents (\$5,000.00) or an amount as deemed appropriate by the Post Executive Committee. Bonding of Post officer, members and/or employees will at all times be in accordance with Departmental and National Constitution and By-Laws.

Section 3. Post Financial Records: The Finance Officer will maintain the Post Financial Records in accordance with acceptable records keeping practices adopted by the Finance Committee and approved by the Executive Committee. All financial records handled by the Finance Officer or Adjutant will be turned over to the Audit Committee quarterly or at the call of the Commander for audit. Upon completion of the Audit, the Post Financial Records will be properly stored by the Audit Committee at the Post in a neat and organized manner by fiscal year.

Section 4. Accounts: Financial accounts listed below may be established and maintained, but not necessarily limited to the following:

General Fund Account
Adjutant (Department Dues) Account
Club Revolving Fund Account

Section 5. Fund Raisers: All fund raising projects or promotions shall be approved by the Executive Committee.

Section 6. Loans: No loans will be made from Post funds.

Section 7. Donations: Contributions or donations not otherwise provided for or exceeding the amount budgeted for in the annual budget cannot be made without majority vote of the General Membership present and voting at any regularly scheduled meeting.

Section 8. Contracts: No contracts binding upon this Post, except as may otherwise be provided in these By-Laws, in any amount, for any purpose, may be made by any officer, committee or member without first securing authorization from the General Membership by majority vote of members present and voting in a regularly scheduled meeting.

Section 9. Issuing of Checks: The Post Finance Officer shall have sole custody of the General Fund Account check books. The Adjutant shall have sole custody of the Adjutant (Department Dues) Account checkbook. The Club Revolving Fund Account checkbook shall be in the joint custody of the Finance Officer and one other such officer to be designated by the Executive Committee. The Club Revolving Fund Account checkbook will be maintained at the Post and is not to be removed from the premises. All checks disbursing funds will be as authorized by these By-laws. All accounts will be set up with three officers authorized to sign checks. All checks shall require only one signature. In the event the absence of the Post Finance Officer or Adjutant, the Post Commander shall be authorized to issue such checks, which must be countersigned by another officer authorized to issue such checks.

Section 10. Disbursement of Funds: All disbursement of funds from the Post finances will be by check issued from the appropriate Post Fund Accounts. Check or other order for withdrawal or payment of any funds other than the annual budget, club business, or building maintenance and/or repairs will be as follows: Such disbursement has been reviewed by the Executive Committee and presented to the General Membership for majority vote of the members present and voting at the next regularly scheduled meeting.

Section 11. Disposal of Post Personal Property: The Board of Trustees shall have exclusive authority to dispose of any personal property of the Post, upon whatever terms they deem best and proper, in the event the actual cash value of the aggregate of the personal property is, in their unanimous opinion, less than one hundred (\$100.00) dollars. In the event the Board of Trustees cannot agree on the ceiling of the actual cash value of the personal property as aforesaid, or if in their unanimous opinion, the actual cash value exceeds one hundred (\$100.00), then the matter will be referred to the Executive Committee. The Executive Committee shall have the exclusive authority to dispose of said personal property upon such terms as they may deem best and proper when the actual cash value of the aggregate personal property is in the majority opinion of the Executive Committee to be a sum of five hundred (\$500.00) or less. If the actual cash value exceeds the sum of five hundred (\$500.00), then written notice shall be given to all members that a proposal to dispose of said personal property shall be voted on by majority vote of members present and voting at the next regularly scheduled meeting.

Section 12. Disposal of Post Real Property: Disposal of any real property in which the Post holds an interest will be as follows:

- a. The Post Trustees will review the proposal and forward their recommendation to the Executive Committee.
- b. Upon Executive Committee approval, the proposal will be forwarded to Department for Department Executive Committee's approval.
- c. Upon receipt of Department Executive Committee's approval, the Executive Committee will review the proposal and make their recommendation to the General Membership.
- d. Written Notice shall have been given to all members at least 90 days in advance of the date such proposal(s) is/are to be voted upon advising members of the proposal.
- e. The proposals must be read to the general membership at two regularly scheduled consecutive meetings prior to the meeting in which it is to be voted upon.
- f. A two-thirds majority of the members present and voting will be required for approval.

Section 13. Presenting Proposals Regarding Expenditures: Any member of the Post in good standing may present a proposal which will involve the expenditure of Post funds before the General Membership, providing a copy of the said proposal in writing to the Commander, in any regularly scheduled meeting. If the proposal is motioned and seconded and receives a majority of votes of members present and voting, the proposal goes to the Finance Committee for review. The Finance Committee will forward their recommendation to the Executive Committee. The Executive Committee will review the proposal and, if approved by that Committee, the proposal shall be carried out and the expenditure shall be implemented. However, if the proposal is not approved by the Executive Committee, then the proposal will be presented before the General Membership at the next regularly scheduled meeting, with the recommendations of the Executive Committee. A two-thirds majority vote of the members present and voting will be required for approval of the proposal.

Article XIV

Use of Post Home

Use of the Post home for any function, other than functions scheduled by the General Membership, Activities Committee, Ladies Auxiliary, SAL and ALR as long as such functions to not interfere with official Post business must be approved by the General Membership by majority vote of members present and voting at a regularly scheduled meeting.

Article XV

Limitations of Liabilities

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

Article XVI

Amendment of By-Laws

These By-Laws may be amended at any regular Post General Membership Meeting by a vote of two-thirds majority of members present and voting at said regular meeting, providing that the proposed amendment shall have been submitted in writing, and read at the preceding meeting, providing further, that written notice shall have been given to all members notifying said members of proposed changes to the bylaws by posting the proposed changes at the post in an obvious and convenient location so that all members may review any proposed amendments to the bylaws at least twenty-one (21) days in advance of the date when such amendment is to be voted upon.

The Constitution and Bylaws herein were adopted by two-thirds majority vote at the General Membership meeting of our Post on Tuesday, April 21, 2010.

The Post Constitution and Bylaws adopted on April 21, 2010, and sent to Department for approval, include the following Articles, amended by two-thirds majority vote at the April 21, 2010, General Membership Meeting.

Signed: _____ Date: _____
Commander: Reno McDonald

Signed: _____ Date: _____
Constitution and Bylaws Committee Chairman: Rebecca Wood

Signed: _____ Date: _____
Constitution and Bylaws Committee Member: Curtis Johnson

Signed: _____ Date: _____
Constitution and By-laws Committee Member: Robert Hurst

Signed: _____ Date: _____
Constitution and By-laws Committee Member: James Stephens

Signed: _____ Date: _____
Constitution and By-laws Committee Member: Patrick Allen