

Constitution of Leo Carey Post No. 56

Department of Minnesota

Albert Lea, Minnesota 56007

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our 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 the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I - NAME

Section 1. The name of this organization shall be Leo Carey Post 56, The American Legion, Department of Minnesota.

ARTICLE II - OBJECTS

Section 1. The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Departmental 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 their military title in any meeting of this Post.

ARTICLE IV - MEMBERSHIP

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

Section 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

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 majority of the members present cast their vote against the acceptance of said application, then such application shall be recorded as rejected. A rejected applicant shall not again be considered until after the expiration of six months from the date of the rejection.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are rendered under oath in writing, and a fair trial had upon the same.

Section 5. A 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.

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, except that where such consent has been asked for and denied by such Post, they then may 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.

ARTICLE V - OFFICERS

Section 1. The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee, which shall consist of twelve (12) members in addition to the officers of the Post. The term of office of members of the Executive Committee shall be as prescribed by this post in its By-Laws for one year. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of this Post shall be a commander, a 1st vice-commander, a 2nd vice commander, an adjutant, the immediate past commander, a finance officer, a post historian, a post chaplain, a post service officer and a sergeant-at-arms, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

Section 3. All officers and executive committee members shall be elected as prescribed in post By-Laws annually, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committee member may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal.

Section 4. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 5. The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the By-Laws.

ARTICLE VI - FINANCE

Section 1. The revenue of this post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the post Executive Committee.

Section 2. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by the post Executive Committee.

Section 3. The post shall pay to departmental headquarters the National and Departmental annual membership dues for every member of the post.

ARTICLE VII - AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of the Leo Carey Post No. 56, The American Legion.

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

ARTICLE VIII - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Department Constitution of the Department of Minnesota, 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 this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular post meeting by vote of two-thirds of the members of said post attending such regular meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post, and providing, further, written notice shall have been given to all members at least thirty (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 Constitution is to be voted upon.

Amendments consolidated on this 18th day of March, 2024.

Certified by: Tom Norby, Post Adjutant

Ole Olson, Post Commander