



Constitution and By-Laws
of
Paul E. Bolding Post #7, Inc.

THE AMERICAN LEGION
DEPARTMENT OF GEORGIA

THE AMERICAN LEGION
CONSTITUTION OF
PAUL E. BOLDING POST NO. 7, INC.
DEPARTMENT OF GEORGIA

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our association in all wars; to inculcate a sense of individual obligation to the community, state and nation; To combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and 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 will be Paul E. Bolding POST NO. 7, Inc., THE AMERICAN LEGION, DEPARTMENT OF GEORGIA.

ARTICLE II – OBJECTS

The objectives and purposes of this Post will be to promote the principles and policies 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 the military or police service.

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

Section 3. Rank does not exist in The American Legion; no member will be addressed by their military or naval title in any meeting of this Post.

Commented [SS1]: Changed "his" to "their"

SECTION IV – MEMBERSHIP

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

Section 2. Applications for membership will 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 will be acted upon at the next Post meeting following the making of such application, and will, 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 will be recorded as rejected.

Commented [SS2]: Removed ellipses.

Section 4. Any member of this Post may be expelled for Cause by two-thirds (2/3) vote of the members present at the regular meeting of the Post after charges are preferred under oath in writing, and a fair trial had upon the same in accordance with procedure prescribed by National and adopted by the Department Executive Committee.

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 (2/3) vote of the membership present in a 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 a Post will 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, the person may then appeal to the Executive Committee of the expelling Post for permission to apply for membership in this Post, and will be ineligible for membership until such permission is granted.

ARTICLE V – OFFICERS AND COMMITTEES

Section 1. The administrative affairs of this Post of The American Legion will, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee which will consist of six (6) members in addition to the elected officers of the Post. The term of office of members of the Executive Committee will be for one (1) year. This Post, by its By-Laws, may provide for such standing committees as the business of the organization may require.

Section 2. The officers of this Post will consist of a Commander, a Senior Vice-Commander, four (4) Junior Vice-Commanders, a Chaplain, a Historian, a Finance Officer, a Service Officer, and Sgt. At Arms, which will be nominated from the floor at the meeting preceding the annual election. An Adjutant, a Judge Advocate and other officers will be appointed by the Commander and approved by the Executive Committee.

Section 3. All officers and Executive Committee members will be elected annually, and they will 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 (2/3) vote of said committee being necessary to affect such removal.

Commented [SS3]: Changed "Committeeperson" to "Committee Members"

Commented [SS4]: Changed "Committeemen" to "Committee Member"

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

Section 5. The duties of officers and the Executive Committee members will be those usually pertaining to such officers of committee members as further provided in the By-Laws.

Commented [SS5]: Changed "Committeeperson" to "Committee Member"

ARTICLE VI – FINANCE

Section 1. The revenue of this Post will be derived from the membership or initiation fees, from annual membership dues and from such sources as may be recommended by the Post Executive Committee.

Section 2. The amount of such membership or initiation fees and the amount of such annual Post dues will be fixed and determined by this Post, for the ensuing year.

Section 3. The Post will pay to the Department of Georgia Headquarters the National and Departmental annual per capita dues for each membership transmitted to the Department.

ARTICLE VII – CHARTER MEMBERS

Members who joined this Post prior to the issuance of the charter will be known as charter members.

(NOTE: The matter of charter members for the permanent charter is left to the decision of the Post members.)

ARTICLE VIII – AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as Auxiliary Unit of Post No. 7, Inc., The American Legion, Department of Georgia.

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

ARTICLE IX – 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 Georgia, The American Legion. Any amendments to said National Constitution or Department Constitution which is in conflict with any provisions hereof will 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 meeting by a vote of two-thirds (2/3) of the members of said Post attending and regular Post meeting, providing that the proposed amendment will have been submitted in writing and read at the next preceding regular meeting of said Post meeting, and providing, further, that written notice will have been given to all members at least ten (10) 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 AMERICAN LEGION
PAUL E. BOLDING POST NO. 7, INC.
DEPARTMENT OF GEORGIA
BY-LAWS

ARTICLE I

Section 1. The Post existing under these By-Laws is to be known as the Paul E. Bolding Post No. 7, Inc., THE AMERICAN LEGION, DEPARTMENT OF GEORGIA.

Section 2. The objects of this Post are set forth in the Constitution.

ARTICLE II – MANAGEMENT

Section 1. The government and management of the Post are entrusted to the Executive Committee as set up in the Post Constitution.

Section 2. The Executive Committee will consist of six (6) members in addition to the elected officers of the Post and together with the other officers of this Post will be elected annually at least fifteen (15) and not more than sixty (60) days prior to the date of the Department Convention. All elections of officers and executive committee members will be by ballot unless an alternative method is ratified by the Post membership prior to the election. The candidate or candidates receiving the highest number of votes will be elected to the respective office or offices for which they are candidates. Installation of officers will be after the Department Convention.

Section 3. All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of the term, will be filled by a majority vote of the remaining members of the committee, and a person so appointed will hold office for the unexpired term of the member of the committee or officer whom they succeed. A vacancy will exist when a member or officer is absent from their 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 Post Executive Committee will meet for organization and such business as may come before it at the call of the Post Commander within ten (10) days after the installation of new officers. Thereafter the Post Executive Committee will meet at the call of the Post Commander at least every three (3) months and as often as said Commander may deem necessary. Five (5) members of the Committee will constitute a quorum thereof.

Section 2. The Post Executive Committee will hire such employees as may be necessary; will authorize and approve all expenditures; will require adequate bonds for all persons having custody of Post

Commented [SS6]: Changed "committeemen" to "committee members"

Commented [SS7]: Changed "All elections of officers and executive committee members will be by ballot and the candidate or candidates receiving the highest number of votes will be elected to the respective office or offices for which they are candidates." to "All elections of officers and executive committee members will be by ballot, unless an alternative method is ratified by the Post membership prior to the election. The candidate or candidates receiving the highest number of votes will be elected to the respective office or offices for which they are candidates."

Commented [SS8]: Changed "he" to "they"

Commented [SS9]: Changed "his" to "their"

Commented [SS10]: Changed Nine (9) to Five (5).

Commented [SS11]: Added a period between necessary and Nine, making a new sentence.

funds; and generally, will have charge of and be responsible for the management of the affairs of the Post.

ARTICLE IV – DUTIES OF POST OFFICERS

Section 1. Duties of Post Commander: It will be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business affairs of the Post, and such officer will be Chief Executive Officer of the Post. The Post Commander will approve all orders directing the disbursement of funds and will make an annual report covering business of the Post for the year, and recommendations for the ensuing year, which will be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. He will perform other duties as directed by the Post.

Commented [SS12]: Changed "He" to "The Post Commander"

Section 2. Duties of the Senior Vice-Commander: The Senior Vice-Commander functions under the jurisdiction of the Commander in carrying out the policies of the Post. In the event the Commander is not available to preside over any function or meeting, the Senior Vice-Commander must assume the jurisdiction and duties of the Commander for the function of the meeting. The Senior Vice-Commander will be chairman of the Membership Committee and will perform such duties as are required by the Post, Department and National Constitution.

Commented [SS13]: Changed "he" to "the Senior Vice-Commander"

Section 3. Duties of the Junior Vice-Commander: The Junior Vice-Commander will perform the specific functions respectively as assigned by the Post Commander and such duties as are usually incident to the office.

Section 4. Duties of the Finance Officer: The Finance Officer will be in charge of all finances and see that they are safely deposited in some local bank or banks and will report once a month to the Executive Committee and the general membership the condition of the finances of the Post, with such recommendations as deemed expedient or necessary for raising funds with which to carry on the activities of the Post. The Finance Officer will ensure that two (2) signatures are required on checks for disbursing the monies of the Post. Checks shall not be issued to oneself or an immediate family member without the endorsement of a second authorized signatory. Such transactions require the approval and dual signatures of designated personnel or committee members prior to disbursement. Any accounts utilizing auto-pay functionality shall be documented and maintained by the Finance Officer. The Finance Officer shall maintain a comprehensive list of such accounts, and any additions to this list must be approved by the Executive Committee. The Finance Officer will furnish such surety bonds in such sums as will be fixed by the Post Executive Committee. The Commander, Financial Officer and Adjutant shall have signature authority on all accounts.

Commented [SS14]: Changed "as he may deem" to "as deemed"

Commented [SS15]: Changed "He" to "The Finance Officer"

Commented [SS16]: Added verbiage around issuing checks to oneself and around the use of auto payment.

Commented [SS17]: Changed "He" to "The Finance Officer"

Section 5. Duties of the Adjutant: The Adjutant will 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 the direction of the Commander handles all correspondence of this Post.

Section 6. Duties of the Post Judge Advocate: The Post Judge Advocate will be the legal advisor of the Post Commander, the Post and the Executive Committee on legal questions and upon all matters

involving interpretation of parliamentary procedure and will interpret this Post's Constitution and By-Laws and on such other matters as may be required by the Post Commander, the Post or the Executive Committee. Duties shall also include being in charge of the Post's annual financial audit.

Commented [SS18]: Removed ellipses

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

Section 8. Duties of the Post Historian: The Post Historian will be charged with the individual records and incidents of the Post and post members and will perform such duties as may properly pertain to the office as may be determined by the Post and the Executive Committee.

Section 9. Duties of the Post Service Officer: The main function of the Post Service Officer is to advise and assist veterans or other claimants in the preparation of basic VA forms and in developing necessary supporting documentation or evidence. When fully and properly completed, the forms and related evidence should be forwarded to the appropriate VA Representative, who is an accredited representative of The American Legion, for review and submission to the VA. In carrying out the duties and responsibilities of the Post Service Officer, it is essential that no action be taken which would delay or jeopardize the timely submission of a claim and that every effort is made to ensure that the individual's rights and benefits are protected. The Post Service Officer will provide any assistance to any needy individual or family, provided the needs are within the guidelines of the Post.

Commented [SS19]: Changed "guide lines" to "guidelines"

Section 10. Duties of the Sergeant-at-Arms: The Sergeant-at-Arms will assist the Commander in maintaining order and decorum at all meetings. The Sergeant-at-Arms will introduce visiting distinguished guests, will be the custodian of all paraphernalia and colors, and see that they are properly displayed. The Sergeant-at-Arms will perform such duties as prescribed by the Commander.

Commented [SS20]: Changed "He: to "The Sergeant-at-Arms"

Commented [SS21]: Changed "He: to "The Sergeant-at-Arms"

ARTICLE V – DELEGATES

Delegates and alternates to a Department convention will be elected in the same manner as the Post Officers at a regular meeting of the Post to be held at least fifteen (15) and not more than sixty (60) days prior to the date of such convention.

ARTICLE VI – APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year or at the next regular meeting after installation, may appoint the following standing committees.

Section 2. Americanism Committee. The Americanism Committee will be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions, encouragement of patriotic and civic phases of instruction in schools, Americanization of aliens, combating anti-American propaganda, youth activities by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 3. Children and Youth Committee. The Children and Youth Committee will 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 purposed. 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 World War veteran shall be in need of the necessities of life" and "A square deal for every child."

Section 4. Financial Committee. The Commander will appoint a Finance Committee to be composed of three (3) members. The Finance Committee will be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, and accounting of all Post funds.

Section 5. Facilities Committee. This is a standing committee selected by the Executive Committee and appointed by the Post Commander. They are responsible for ensuring the buildings and grounds are maintained and to develop recommended changes which will be presented to the Executive Committee for approval.

Section 6. Membership Committee. The Membership Committee will have charge of all matters pertaining to the membership of the Post, including the procurement of new members, and reinstatement and eligibility of members.

Section 7. Publicity Committee. The Publicity Committee will 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 services and by local publicity of Post programs and activities.

Section 8. Sons of the American Legion Committee. The Sons of the American Legion Committee will be the coordinator of the operation of the Post's Squadron of the Sons of the American Legion.

Section 9: American Legion Riders Committee. The American Legion Riders Committee will be the coordinator of the operation of the Post's Chapter of the American Legion Riders.

Commented [SS22]: Added Section. Updated subsequent section numbers.

Section 10. All members of all committees appointed by the Commander will be subject to removal at the pleasure of the Commander.

ARTICLE VII – HOUSE COMMITTEE

Section 1. There shall be a House Committee composed of the Commander and six (6) members, two (2) shall be appointed by incumbent Commander to serve a one-year term. There shall be one (1) member elected by the membership to serve a one-year term and two (2) members elected by the membership to serve a three (3) year term, which shall be staggered so that one member is elected each year. The Chairman shall be elected by the members of the committee.

Section 2. The House Committee shall be responsible, subject to the approval of Executive Committee, for Operation of the Post Home with prior approval of the Executive Committee. The "Post Home" is defined as the building, in its entirety, in which the business of the Post is conducted.

Commented [SS23]: Added definition of Post Home.

ARTICLE VIII – PARLIMENTARY PROCEDURE

Section 1. The rules of procedure as prescribed by the revised edition of Robert's Rules of Order shall be the accepted standard of parliamentary practice in all Post meetings so far as the same are consistent with this Constitution and By-Laws and with such other specific rules as may be adopted for each meeting.

Commented [SS24]: Added new article. Updated subsequent article numbers.

ARTICLE IX – RESOLUTIONS

All resolutions of state or national scope presented to this Post by a member or reported to this Post by a committee will merely embody the opinion of this Post on the subject and copy of the 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 X – MEETINGS

Section 1. The regular meeting of the members of this Post will be held on the fourth Monday of each month unless changed by a majority vote of members at a General Membership meeting, at which may transact such business as may properly be brought up for action; such meeting may be converted into an entertainment meeting, as may be deemed advisable by the General Membership of the Post.

Section 2. The Commander may call a special meeting of the Post, if required.

Section 3. Upon the written request of five (5) members in good standing, the Post Commander will call a special meeting of the Post.

Section 4. Eight (8) members in good standing of this Post will constitute a quorum at any regular or special meeting of the Post.

Section 5. All members will be notified in writing at least ten (10) days in advance of a special meeting of the Post.

Commented [SS25]: Changed "special called meeting" to "special meeting of the Post"

Section 6: Minutes and a record of attendance shall be kept of all meetings, including a copy of the Financial Report both regular and special, and a copy of such minutes and attendance records will be maintained by the Post Adjutant and kept on file. The previous minutes of a regular meeting or special meeting will be read, discussed, and voted on by members in attendance at the monthly membership meeting.

ARTICLE XI – LIMITATIONS OF LIABILITIES

The Post will incur, or cause to be incurred, no liability nor obligation whatsoever which will subject to liability any other Post, subdivision, group of people, members of The American Legion, or other individuals, corporations, or organizations.

The Post shall notify The American Legion, Department of Georgia prior to the purchase or selling of real property.

ARTICLE XII – AMENDMENT OF BY-LAWS

These By-Laws may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members of said Post attending any regular Post meeting, providing that the proposed amendment will have been submitted in writing and read at the next preceding meeting of said Post meeting, and providing, further, that written notice will have been given to all members at least ten (10) 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.

CERTIFICATE

We the undersigned do hereby certify that the written copy of the Constitution and By-Laws of Paul E. Bolding Post #7, Inc., The American Legion, Department of Georgia is a true and correct copy as amended and compiled and approved on this date, *Month, Day, Year*.

Commented [SS26]: Removed duplicate wording "Paul E. Bolding Post #7, Inc., The American Legion, Department of Georgia "

Attest: _____
Post Commander, Andre' Castleberry Post Adjutant, Sean Sullivan