

CONSTITUTION AND BI-LAWS  
Orville Jackson Post 127  
The American Legion Department of Idaho  
February 11, 2019

**CONSTITUTION**

**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 Americanism; To preserve the memories and the 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 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 is Orville Jackson Post No. 127, The American Legion, Department of Idaho, Eagle, Idaho, herein referred to as "Post".

**ARTICLE II-OBJECTS**

**Section 1.** The objects and purposes of this Post are to promote the principles and policies set forth in the foregoing Preamble, and 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 non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of

Committee of the department of the expelling post for permission to apply for membership in another post and shall be ineligible for membership until such permission is granted.

## **ARTICLE V-OFFICERS**

**Section 1.** The general affairs of this Post of the American Legion shall, except as may be otherwise provided in the By-Laws, be under the supervision of an Executive Committee which shall consist of three (3) members in addition to the officers of the Post. 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 the COMMANDER, FIRST VICE-COMMANDER, SECOND VICE-COMMANDER, ADJUTANT, FINANCE OFFICER, HISTORIAN, CHAPLAIN, SERVICE OFFICER, JUDGE ADVOCATE, and SERGEANT-AT-ARMS. All of the above-named officers shall be a member of the Executive Committee, as described in Section 1 of this article, and have full voting rights. The above officers shall be duly elected by the Post membership at the meeting on election day, except the Adjutant, Service Officer and the Judge Advocate, who shall be appointed by the Commander immediately upon taking office. The offices of Adjutant and Finance Officer may be combined.

**Section 3.** All officers and executive committeemen shall be elected annually, and they shall hold office until their successors are duly installed or as otherwise provided. The Executive Committee, by majority vote of members present at a duly constituted Executive Committee meeting, may fill officer vacancies for the remainder of the term. Any officer or executive committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to affect 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 the officers and executive committeemen shall be those usually pertaining to such officers or committeemen 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 other sources as may be approved by the Post Executive Committee.

## ARTICLE I - NAME

**Section 1.** The name of this organization is Orville Jackson Post No. 127, The American Legion, Department of Idaho.

**Section 2.** The objects are as set forth in the Constitution.

## ARTICLE II - MANAGEMENT

**Section 1.** The government and management of the general affairs of this Post is entrusted to the Post Executive Committee.

**Section 2.** The government and management of the property and business affairs of this Post is entrusted to the Board of Trustees.

## ARTICLE III - EXECUTIVE COMMITTEE

**Section 1.** The Executive Committee shall consist of three (3) members in addition to the officers of this Post. The three (3) Executive Committee members shall serve a term of one (1) year as stated in Article V of the Constitution. The officers of this Post shall be elected and/or selected annually and shall be installed as stated in Article V of the Constitution.

**Section 2.** The Commander, Vice Commanders and Adjutant shall be Chairman, Vice Chairmen and Secretary respectively of the Executive Committee.

**Section 3.** All vacancies existing in the Executive Committee, or in any office of this Post from any cause other than expiration of 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 member of the Committee or officer whom he/she succeeds. A vacancy shall exist when (a) no member runs for the position. (b) the officer resigns the position, or (c) a member or officer is absent from his post for a continuous period considered detrimental to the interest of this Post by the Executive Committee.

**Section 4.** The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander, or any Vice Commander in the absence of the Commander, within ten (10) days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander, or any Vice Commander in the absence of the Commander, at least every three (3) months and as often as said Commander may

Commander shall not be eligible to serve as President. The Secretary-Treasurer of the Board of Trustees shall be the Finance Officer of this Post.

Section 4. A quorum shall be three (3) members present, joining via electronic communication or by proxy duly executed in writing. Board member proxies must be delivered to the presiding board member before the start of any Board of Trustees meeting.

Section 5. The Board of Trustees shall provide an annual financial report at the first post general meeting following post elections. The report shall include expenditures, income, money placements and any other related financial information.

## ARTICLE V - 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 general affairs of the Post and said officer shall be Chief Executive Officer of the Post. He shall approve all orders directing disbursement of general funds and shall make an annual report covering the general affairs of the Post for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. He shall perform such other duties as directed by the Post.

**Section 2. DUTIES OF THE 1<sup>st</sup> VICE-COMMANDER:** The 1<sup>st</sup> Vice-Commander shall assume and discharge the duties of the Commander in the absence or disability of the Commander, or when called upon by the Post Commander; shall be the Membership Chairman, and it shall be his duty to handle all affairs in regard to membership of this Post; and other duties as assigned by the Post Commander.

**Section 3. DUTIES OF THE 2<sup>nd</sup> VICE COMMANDER:** The 2<sup>nd</sup> Vice Commander shall assume and discharge the duties of the Commander in the absence or disability of the Commander and 1<sup>st</sup> Vice-Commander, or when called upon by the Post Commander; shall be the Activities Chairman, and it shall be his duty to handle all affairs in regard to activities of this Post; and other duties as assigned by the Post Commander.

**Section 4. 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 such reports of membership annually or when called upon at a meeting,

## ARTICLE VI-DELEGATES

**Section 1.** Delegates and alternates to the Department Convention shall be elected by ballot or voice vote by the membership at a regular meeting of this Post to be held at least 20 days prior to the date of such Convention.

**Section 2.** All delegate and registration fees for the delegates and representatives shall be paid by this Post.

## ARTICLE VII -APPOINTMENTS

**Section 1.** The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: Membership, Americanism, Ceremonials, Children and Youth, Memorial, Entertainment, Public Relations, Veterans affairs and Rehabilitation, Sons of the American Legion and Visiting or VAVS. Such standing committees shall consist of such members, and the chairman thereof, as shall be designated by the Post Commander.

**Section 2.** Membership Committee. 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 1<sup>st</sup> Vice-Commander shall chair this committee.

**Section 3.** Americanism Committee. The Americanism Committee shall 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 by education of the general public in American ideals through public forums, and activities for community and civic betterment.

**Section 4.** Ceremonials Committee. The principal duty of the Ceremonials Committee must also concern itself with proper presentation of other rituals outlined in the Manual of Ceremonies - burial detail and the wearing of Legion regalia.

**Section 5.** Children and Youth. 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."

coordinate Legion efforts with Local Civil Defense Council on matters pertaining to national, civilian and home defenses. it shall 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.

**Section 15.** Sons of The American Legion Committee. This committee is charged with the supervision over the operations of the Post's squadron of the Sons of The American Legion.

**Section 16.** Visiting or VAVS Committee. This committee is charged with the visiting and comforting of members and their families when sick or bereaved and visiting ex-service personnel in nearby hospitals.

### **ARTICLE VIII.- 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 IX - MEETINGS**

**Section 1.** The regular meetings of the Post shall be held such place and on such day and time of the month as may be designated by the Executive Committee provide,d, upon changing a previously declared place, day and time, members have been provided notice of place, day and time at least ten (10) day in advance of said meeting, at which may be transacted such business as may properly be brought up for action; such meetings may be converted to 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 the power to call a special meeting of the Post at any time.

**Section 3.** Upon written request of three members, the Executive Committee shall call a special meeting of the Post.

**Section 4.** Eight (8) members shall constitute a quorum.

### **ARTICLE X - NOTICES**

**Section 1.** Every member shall furnish the Post Adjutant with his or her contact context requires.

Michael C. Hubbard 12 FEB 19

Michael C Hubbard, Commander

Date

Yvonne C Perez 12 FEB 2019

Yvonne C Perez, Adjutant

Date

Allen R Arnold 03/05/2019

ALLEN R ARNOLD  
JUDGE ADVOCATE,  
DEPARTMENT OF IDAHO