

BY-LAWS OF MECSEY-BISHOP POST #456

ARTICLE 1.

Section 1. The post existing under these by-laws is to be known as Mecsey-Bishop Post No. 456, The American Legion, Department of New Jersey.

Section 2. The objects of this post are set forth in the constitution.

ARTICLE 2.

Section 1. The administrative affairs of this post are entrusted to an executive committee of elected officers, which are Commander, two (2) Vice Commanders (of equal rank), Historian, Finance Officer, Sgt.-at-Arms and Chaplain, and the following appointed officers, adjutant and service officer and all past commanders.

Section 2. The executive committee of this post, excepting the position of adjutant and service officer shall be elected annually on the last regular post meeting preceding the department convention and take office at the meeting next following that of the election.

The newly elected commander will appoint a member to the position of adjutant and service officer.

All elections of officers and executive committeemen shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective offices for which they are candidates.

Section 3. All vacancies existing in the executive committee, or in any office of the post, for any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, subject to the approval of the membership, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whom he succeeds. A vacancy shall exist when a member or officer is absent from his post for a continuous period considered detrimental to the interest of the post by the executive committee.

ARTICLE 3.

Section 1. 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 ten (10) days after the installation of the new officers. Thereafter the post executive committee shall meet at the call of the post commander at least every three months 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 (3) or more members of said post executive committee. A majority of the members of the committee shall constitute a quorum thereof.

Section 2. The post executive committee shall hire such employees as may be necessary; shall require adequate bonds from all persons having the custody of post

funds; shall hear the reports of post committee chairmen; and generally, shall have charge of and be responsible for the management and affairs of this post.

ARTICLE 4.

Section 1. It shall be the duty of the post commander to preside at all meetings of the post and to have general supervision over the affairs of the post, and he shall be the chief executive officer of the post. He shall approve all orders directing the disbursement of funds and shall make annual report covering the business of the post for the year, and recommendations 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. A 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. The adjutant shall have charge of and keep a full record of all proceedings of all meetings, keep such records as the department and national organizations shall 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. The finance officer of the post shall have charge of all finances and see that they are deposited in some local banks and report once a month to the

executive committee the conditions of the finances of the post, with such recommendations as he may deem expedient or necessary for raising funds with which to carry on the activities of the post. He shall sign all checks disbursing the moneys of the post and shall furnish such surety bond in such sum as shall be fixed by the post executive committee.

Section 5. 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 executive committee.

Section 6. The post chaplain shall 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 department of headquarters from time to time.

Section 7. The Sgt.-at-Arms shall preserve orders at all meetings and shall perform such other duties as may be from time to time assigned to him by the post executive committee.

ARTICLE 5.

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 twenty (20) days prior to the date of such convention.

ARTICLE 6.

Section 1. The post commander, immediately upon taking office each year, shall appoint the following standing committees as deemed necessary: membership, house finance, legal, publicity, service, visiting, Americanism, athletic and child welfare.

Section 2. The membership committee shall have charge of all matters pertaining to the membership of the post including the procuring of new members, reinstatement and eligibility of members.

Section 3. The house and entertainment committee shall have charge of all matters pertaining to the post quarters, promotion of club advantages and arrangements for social activities.

Section 4. The finance committee shall be charged with the administration of financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all post funds.

Section 5. The legal committee shall be charged with the legal supervision of post affairs and audit of post financial accounts.

Section 6. The publicity committee shall be charged with the promotion of public support of the legions program by the establishment of proper contact with the

American Legion Magazine Department and National Legion News Service and by local publicity of post program and activities.

Section 7. The rehabilitation and service committee shall supervise all matters pertaining to service comrades in the prosecution of all just claims against the United States or state governments, employment, relief, etc.

Section 8. The visiting committee is charged with the visiting and confronting of members and their families when sick or bereaved and with visiting ex-service men in nearby hospitals.

Section 9. 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 in American forums, etc., and activities for community and civic betterment.

Section 10. The athletic committee shall be charged with the promotion of physical development and clean sports by the organization of post athletic teams, recreation, etc. And by co-operation and support in the general recreational and athletic program of the community.

Section 11. Sons of the American Legion Committee shall have over-seeship of the operations of the post's squadron of the Sons of the American Legion.

Section 12. Shall be charged with aid and service to children of veterans co-operating 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 fulfilment of the Legions 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.”

ARTICLE 7.

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 same 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 8.

Section 1. The regular meeting of the post shall be held at the club room on first and second Tuesdays 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 written request of ten (10) members, the committee shall call a special meeting of the post.

Section 4. Ten (10) members shall constitute a quorum.

ARTICLE 9.

Section 1. Every member shall furnish the post adjutant with his or her address for filing purposes.

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

ARTICLE 10.

Section 1. All proceedings of this post shall be conducted under and pursuant to Roberts Rules of order except as herein otherwise provided.

ARTICLE 11.

Section 1. This post shall incur, or cause to be incurred, no liability nor obligations whatever which shall subject liability to any other post, subdivision, group of men, members of the American Legion, or other individuals, corporations, or organizations.

ARTICLE 12.

Section 1. These by-laws may be amended at any regular meeting by a vote of 2/3rds of the members of said post attending such regular meeting providing that the proposed amendment shall have been submitted in writing and read at the next regular meeting. Provided, further, that written notice shall have been given to all members at least five (5) 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.

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ADDENDA

November 2024

ADDENDUM 1.

No part of the net earnings of the organization shall inure to the benefit of any private shareholder or individual.

ADDENDUM 2.

After dissolution of the corporation and after paying or making provision for the payment of all the liabilities of the corporation, the board of trustees shall dispose of the remaining assets of the corporation exclusively for one or more exempt purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 (or

the corresponding provision of any future federal tax code), or shall distribute the same to the federal government, or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the order of the Superior Court of the State of New Jersey in the judicial district where the principal office of the corporation is then located, exclusively for such purpose or to such organizations organized and operated exclusively for such purposes as said court shall determine.

ADDENDUM 3.

This organization shall be absolutely NON-POLITICAL AND NON-SECTARIAN and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any persons seeking public office or preferment. No candidate for, or incumbent of, a remunerative elective office shall hold any elective office in the Post of the American Legion, and the declaration of candidacy for such elective public office by any person who is an elective officer of this Post of the American Legion shall operate automatically to temporarily vacate his or her office in this Post, and the same shall be filled as herein provided.

ADDENDUM 4.

Effective 18 February 2025, monthly building meetings of Post 456 will begin at 6:30 PM, followed by the Legion meeting at 7:00.

