

# ***PROPOSED***

## REVISED AND AMMENDED CONSTITUTION OF LINCOLN AMERICAN LEGION POST 3 LINCOLN, NEBRASKA

### CONFORMANCE WITH NATIONAL CONSTITUTION

Any and all provisions or prohibitions affecting Lincoln American Legion Post 3 or its members contained in the National Constitution of The American Legion, as the same may from time to time be amended, are by reference made a part of this Constitution.

### PREAMBLE

For God and Country, we associate ourselves 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 all wars; to inculcate a sense of individual obligation to 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 ONE

#### NAME

Section 1. The name of this post shall be **Lincoln American Legion Post 3**, Department of Nebraska, hereinafter referred to as Lincoln Post 3 or Post 3.

### ARTICLE TWO

#### NATURE AND OBJECTIVES

Section 1. Lincoln Post 3 shall be a civilian organization, and membership therein shall not affect nor increase liability for military or police service. Rank does not exist in the American Legion, and no member shall be addressed by his or her military or naval title in any meeting of the American Legion.

Section 2. Post 3 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 person seeking public office.

Section 3. Post 3 shall be a service organization for veterans and their families and shall, to the extent that it is able,

- (a) actively engage in the rehabilitation of all disabled veterans,
- (b) take care of the dependents of deceased veterans, and
- (c) assist those who are unable to provide for their families.

Furthermore, Post 3 shall participate in educational programs for our youth and serve our community, state, and nation.

## ARTICLE THREE

### ELIGIBILITY

Section 1. Eligibility requirements for membership in Lincoln Post 3 shall be as provided in the National Constitution of the American Legion.

Section 2. (a) There shall be no form or class of membership in Post 3 except an active membership. Dues shall be paid annually or by having purchased an approved permanent membership plan (the retired Department Permanent Membership Plan or the National Paid-Up-For-Life (PUFL) Plan).

(b) A member who has been honored by receiving a Life Membership from Post 3 will have his or her dues paid annually by the post.

Section 3. (a) Annual membership in Post 3 shall be for the calendar year January 1 to December 31.

(b) Suspensions for the delinquent payment of dues and reinstatements shall be governed by the National Constitution and Bylaws.

Section 4. No member of Post 3 shall hold membership in any other post.

## ARTICLE FOUR

### OFFICERS

Section 1. Administration and Executive Committee: The administrative affairs of Lincoln Post 3 shall be accomplished under the supervision of an Executive Committee which shall consist of 3 members of the post and the Commander, Vice Commanders, Finance Officer, Adjutant (if not a salaried employee), Chaplain, and Immediate Past Commander.

Section 2. Officers: (a) The elected officers of Post 3 shall be a Commander, First Vice Commander, Second Vice Commander, and 3 At-Large Executive Committee Members.

(b) The appointed officers of this post shall be an Adjutant, Finance Officer, Chaplain, Judge Advocate, Historian, Sergeant-at-Arms, and Post Service Officer.

Section 3. Election of Officers: (a) The elected officers and members of the Executive Committee shall be elected in the manner prescribed in the Bylaws on the day of the regular meeting next preceding the Annual Department Convention, and shall take office at the first regular meeting following the Department Convention of each year.

(b) (i) The Adjutant, Chaplain, Judge Advocate, Historian, Sergeant-at-Arms, and Post Service Officer shall be appointed by the Commander subject to the approval of the Executive Committee.

(ii) The appointive officers shall not have a vote at the Executive Committee meetings.

(c) All officers shall hold office for one year or until their successors are duly selected and qualified.

(d) Vacancies in any elected office shall be filled as provided in the Bylaws.

(e) Insofar as Lincoln Post 3 is the only post constituting District 15 of the American Legion, Department of Nebraska, a District 15 Commander and District 15 Vice Commander shall be elected for 2-year terms in accordance with the Constitution and Bylaws of the Department of Nebraska and the Constitution and Bylaws of Post 3.

Section 4. Every member of Post 3 in good standing shall be eligible to hold office in the post.

Section 5. The duties of officers and Executive Committee-persons shall be those usually appertaining to such officers or committee-persons and as provided in the By-laws.

Section 6. No officer of Post 3 shall during his or her term of office endorse publicly in his or her official capacity any political candidate or party or any policy of any candidate or party until such policy has been endorsed by the post.

Section 7. No employee of Post 3 shall during his or her term of employment, directly or indirectly, attempt to influence the nomination or election of any individual to an office in this post. Further, no employee shall recommend an individual to an appointive position of Post 3 unless requested to do so by the Post Commander or Executive Committee. Failure to adhere strictly to these provisions may result in termination of employment.

## ARTICLE FIVE

### DISCIPLINE

Section 1. The Post Executive Committee, after receiving a written notice and conducting a hearing, may --- for good cause having been shown --- by a two-thirds vote recommend to the post the removal of any officer or member of the Executive Committee. Such recommendation shall be made at a regular business meeting of the post, and a two-thirds vote of the members present shall be required for its adoption.

Section 2. The discipline of members of this post shall be governed by the provisions of Article XIII of the Department of Nebraska Constitution and Article XI of the Department of Nebraska Bylaws.

## ARTICLE SIX

### FINANCE

Section 1. (a) The revenue of Lincoln Post 3 shall be derived from the payment of annual dues by regular members, from the payment of annual dues by the Department for residual members of the Department's Permanent Membership Plan, from the payment of annual dues by the national organization for members enrolled as Paid-Up-for-Life (PUFL) members, and from such other sources as may be approved by the Executive Committee.

(b) The fiscal year for the operation of American Legion Post 3 shall be from August 1 to July 31 of the succeeding year.

Section 2. The amount of annual membership dues shall be determined and fixed by the membership.

Section 3. The Commander, Adjutant, and Post Finance Officer shall be required to give good and sufficient bond in such amount as may be determined by the Executive Committee.

## ARTICLE SEVEN

### AUXILIARIES

Section 1. The eligibility requirements for membership in the American Legion Auxiliary, Sons of the American Legion, and American Legion Riders shall be as provided in the National Constitution of the American Legion.

## ARTICLE EIGHT

### AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution and the Department of Nebraska Constitution of the American Legion. Any amendment to said National and Department Constitutions which is in conflict with any provisions hereof shall be regarded as automatically modifying the provisions of this Constitution to the extent of such conflict.

Section 2. (a) This Constitution may be amended at any regular meeting of the post by a two-thirds vote of the members of said post in attendance provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting and then submitted to the Constitution, Bylaws, and Resolutions Committee of Post 3 for its recommendation to the Executive Committee.

(b) The Post Executive Committee shall then, either with or without their recommendation, report such amendment back to the next regular post meeting for approval or disapproval.