



CONSTITUTION & BYLAWS
OF
HAIR-MATTHEWS AMERICAN LEGION POST NUMBER 32, INC.
DEPARTMENT OF NORTH CAROLINA

Adopted on January 16, 2019

CONSTITUTION OF HAIR-MATTHEWS AMERICAN LEGION POST NUMBER 32, INC.

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 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 shall be Hair-Matthews American Legion Post Number 32, Inc. (hereinafter, the "Post").

Section 2. The Post is chartered in the Department of North Carolina.

ARTICLE II

Objective

Section 1. The objective and purpose of the Post shall be to promote the principles and policies of The American Legion, as set forth in the foregoing preamble, as well as, the Constitution of The American Legion ("National Constitution") and the Constitution of The American Legion, Department of North Carolina, Inc. ("Department Constitution").

Section 2. To promote membership in The American Legion Department of North Carolina.

Section 3. To serve as a training ground for the development of American Legion leaders.

ARTICLE III

Nature

Section 1. The Post is a civilian organization.

Section 2. Rank does not exist in The American Legion and no member shall be addressed by his military title in any meeting of the Post.

Section 3. This organization shall be absolutely non-political. It shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment. This provision shall not be construed to deny membership to any individual currently serving in public office.

Section 4. Each member shall perform his full duty as a citizen according to his own conscience and understanding.

Section 5. A member of The American Legion shall be known as a "Legionnaire."

ARTICLE IV

Membership

Section 1. Eligibility for membership in the Post shall be as prescribed by the National Constitution.

Section 2. There shall be no form or class of membership in the post except an active membership, or such that is recognized by the Department of North Carolina, and dues shall be paid annually or for life.

Section 3. Pursuant to the policies of The American Legion, no person may seek or retain membership in the Post if said person is a member of any other American Legion Post.

Section 4. Any member of the Post may be expelled or suspended for cause in accordance with the procedures set forth in the Post Bylaws and the Constitution and Bylaws of Department of North Carolina, The American Legion, Inc.

Section 5. Any member who has been expelled or suspended from the Post for any reason may be reinstated to membership by a two-thirds majority vote of the membership present at the Post meeting and payment of current dues for the year in which reinstatement occurs.

Section 6. No person who has been expelled by another American Legion Post shall be admitted to membership in the Post without the consent of the expelling post. Where such consent has been asked for and denied by the expelling post, the individual may appeal to the department executive committee having jurisdiction over the expelling post for permission to apply for membership in the Post. Said individual shall be ineligible for membership until such permission is granted.

Section 7. No person who is a member of an organization which has for its aim to overthrow the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or remain a member of The American Legion.

Section 8. In conformity with the National and Department Constitutions, the minimum membership of the Post shall be fifteen qualified persons.

ARTICLE V

Post Officers

Section 1. The officers of the Post shall be:

- Post Commander
- Post 1st Vice Commander
- Post 2nd Vice Commander
- Post Finance Officer
- Post Adjutant
- Post Sergeant-At-Arms
- Post Service Officer
- Post Historian
- Post Chaplain
- Post Judge Advocate
- At-Large Members (3)

Section 2. Unless otherwise provided for in the Post Bylaws, the administration of the Post shall be under the direction of the Post Executive Committee. The Executive Committee shall consist of the officers of the Post (as stated in Section 1) and shall meet at any time at the call of the Post Commander.

Section 3. The majority (51%) of the Post Executive Committee members shall constitute a quorum.

Section 4. All elected Post Officers shall be installed at the close of the May regular post meeting.

Section 5. All elected Post Officers shall serve until their successors are elected and installed.

ARTICLE VI

Finance

Section 1. The revenue of the Post can be derived from annual membership dues and from such other sources as may be approved by the Post membership.

Section 2. The amount of such membership dues shall be fixed and determined by the Post membership annually.

Section 3. The Post shall pay to the Department of North Carolina all National and Department annual membership dues for each paid-up member of the Post.

Section 4. All Post monies shall be disbursed by check. For amounts less than \$500.00, the check may be signed by either the Post Commander or Post Finance Officer. For amounts greater than or equal to \$500.00, the check shall be signed by any two of the following three officers: the Post Commander, Post 1st Vice Commander or Post Finance Officer.

ARTICLE VII ***Charter Members***

Section 1. Members who joined the Post prior to 1989 (or members who joined the Post prior to the issuance of the charter) shall be known as charter members.

ARTICLE VIII ***American Legion Auxiliary***

Section 1. The Post recognizes an organization known as Hair Matthews American Legion Auxiliary Unit 32, Inc., if organized or when organized.

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

ARTICLE IX ***Sons of The American Legion***

Section 1. The Post recognizes an organization known as Hair-Matthews Squadron 32, Sons of The American Legion, Department of North Carolina, if organized or when organized.

Section 2. Membership in the Post's Sons of the American Legion squadron shall be as prescribed by the National Constitution of the Sons of the American Legion.

ARTICLE X ***American Legion Riders***

Section 1. The Post recognizes an organization known as Hair-Matthews Chapter 32, American Legion Riders, Department of North Carolina, if organized or when organized.

Section 2. Membership in the Post's American Legion Riders chapter shall be as prescribed by the National Constitution of The American Legion Riders.

ARTICLE XI

American Legion Cruisers

Section 1. The Post recognizes an organization known as Hair-Matthews Chapter 32, American Legion Cruisers, Department of North Carolina, if organized or when organized.

Section 2. Membership in the Post's American Legion Cruisers chapter shall be as prescribed by the National Constitution of The American Legion Cruisers.

ARTICLE XII

Venturing Crew

Section 1. The Post recognizes an organization known as Hair-Matthews Chapter 32, BSA Venturing Crew, Department of North Carolina, if organized or when organized.

Section 2. Membership in the Venturing Crew chapter shall be as prescribed by the Boys Scouts of America and Venturing BSA.

ARTICLE XIII

Ratification

Section 1. All acts performed under prior existing Constitutions are hereby ratified and confirmed.

ARTICLE XIV

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 North Carolina, The American Legion, Inc. 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 the May regular Post meeting provided that notice was given at the prior regular Post meeting and upon the affirmative vote of two-thirds of the members of the Post attending such regular meeting.

Section 3. An amended Constitution shall become effective immediately upon its adoption by the Post membership.

Section 4. All proposed amendments shall first be submitted in writing to the Post Judge Advocate for comment, review and approval. If approved, the proposed amendment shall be read at the next regular Post meeting. Upon conclusion of the reading, the Post Judge Advocate shall move that the proposed amendment be voted upon at the May regular Post meeting. Notice shall be given to Post members, either through electronic or written communication at least twenty (20) days prior to the date of the meeting determined by the Post Judge Advocate, setting forth the proposed amendment and specifically stating that the proposed amendment will be voted on at the upcoming meeting. In the event that the Post Judge Advocate is not available, this process shall be conducted by the Post Adjutant.

ARTICLE XVI MASCULINE AND FEMININE GENDERS

Section 1. Wherever in this Constitution and in the By-Laws reference is made to the words "him", "he", "his" and similar references shall be deemed to include, as appropriate, "her", "she", "hers", and similar references, to the end that all distinction between the male and female sexes, for purposes of this Constitution and By-Laws, shall be deemed eliminated.

This revised Constitution of Hair-Matthews American Legion Post Number 32 Post, Department of North Carolina, The American Legion, Inc. has been prepared and reviewed by a committee utilizing the Officers Guide and prior Post Constitutions as reference.

Ratified: _____

Attested by: Adopted by Vote of the Post Members, on January 16, 2019 and included, in its entirety, in the official minutes of that meeting of the Post.

Attested: _____

Post Adjutant

Post Commander

Date: _____

7-2-19

7-2-19

Department Approval: _____, 2019

Department Judge Advocate

BYLAWS OF HAIR-MATTHEWS AMERICAN LEGION

POST NUMBER 32, INC.

ARTICLE I

Name, Object & Purpose

Section 1. Name. The name of this organization shall be Hair-Matthews American Legion Post Number 32, Department of North Carolina, The American Legion, Inc. (hereinafter, the "Post").

Section 2. Object and Purpose. The object and purpose of the Post shall be to promote the principles and policies of The American Legion, as set forth in the National Constitution, Department Constitution and Post Constitution.

Section 3. Authority. The corporate authority of the Post shall be exercised by the Executive Committee.

ARTICLE II

Membership

Section 1. Eligibility. Eligibility and procedure for membership in the Post is set forth in the Post Constitution.

Section 2. Classes. There shall be no form of class of membership in the Post except an active membership.

Section 3. Dues. The annual membership dues of this Post shall be determined annually by the membership during the May regular Post meeting. Dues shall be paid either annually or for life.

Section 4. Contact Information. Every member shall furnish the Post Adjutant with his or her contact information, including phone number, mailing address and electronic mail address. Unless specified in writing, members providing an electronic mail address consent to receive electronic mail communications from the Post.

Section 5. Discharge Papers. Every member shall retain their individual copy of their DD Form 214 or such other form adopted by the Department of Defense demonstrating a discharge from honorable military service. Said discharge papers shall be produced to the Post Adjutant or Post Judge Advocate upon demand for inspection and verification.

ARTICLE III

Meetings

Section 1. Regular Meetings. The regular meetings of the Post shall be held on the third Wednesday of each month at 7:00pm. The date of any regular meeting, when necessary, may be changed by order of the Post Commander, provided that members receive electronic or written notice of the change in meeting. Should the Commander deem it necessary to cancel a meeting due to weather or other emergency, he may do so without regard to the above notice requirements.

Section 2. Special Meetings. 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 and for any proper purpose. The Post Adjutant shall call a special meeting upon the written request of not less than ten (10) members of the Post.

Section 3. Quorum. Unless otherwise provided by these Bylaws, those members present shall constitute a quorum for the transaction of business at all meetings of the Post.

Section 4. Notice. Unless otherwise provided by these Bylaws, at least three (3) days notice of the date, time, and place of any meeting shall be given by electronic or written communication.

Section 5. Order of Business. At any regular or special meeting of the Post, the order of business shall be determined by procedures outlined in The American Legion Officers Guide.

Section 6. Rules of Meeting. All proceedings of the Post shall be conducted pursuant to the most recent edition of Roberts Rules of Order, modified from time to time by the membership.

Section 7. Voting. All members of the Post on the date of the giving of notice of a meeting are entitled to vote on all matters. Voting shall be accomplished pursuant to Roberts Rules of Order.

ARTICLE IV

Executive Committee

Section 1. Meetings. The Post Executive Committee shall meet for organization and such other business as shall come before it on the second Monday of each month. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of the Post Executive Committee.

Section 2. Purpose. The Executive Committee shall:

- A. Handle all affairs with regard to any real property owned or maintained by the Post
- B. Handle any matters pertaining to the use and possession of property owned by the Post
- C. Fix and collect rents
- D. Hire employees, as necessary
- E. Authorize and approve all expenditures
- F. Require adequate bonds from all persons having custody of Post funds
- G. Hear reports of the Post committee chairs
- H. Have charge of and be responsible for the administration and management of the affairs of the Post

Section 3. Number. The Executive Committee shall consist of the thirteen (13) officers of the Post as stated in the Constitution, Section 1.

Section 4. Quorum. The majority (51%) of the Post Executive Committee members shall constitute a quorum.

Section 5. Voting. Issues before the Committee shall be decided by a majority vote of the Executive Committee members present and voting.

Section 6. Public Nature. The Executive Committee Meeting is open to all Post members in good standing. Only Executive Committee members, as defined in the Post Constitution and these Bylaws, will have a vote on the Committee. Only Executive Committee members shall have a voice at the Executive Committee meeting, with the exception that any member expressly requested to present an issue shall be permitted to speak on and engage in discussion regarding that particular issue.

Section 7. Minutes. The Post Adjutant shall record the minutes of the Executive Committee meeting and they shall be distributed prior to the next Executive Committee meeting for vote. The minutes shall be deemed approved by the membership as distributed unless a majority of the members present at the regular meeting request further discussion.

Section 8. Duties. The Executive Committee shall authorize those expenditures necessary for the continued operation of the Post. The Finance Officer shall provide the general membership with a report of all expenditures made with the authorization of the Executive Committee at the regular membership meeting immediately following the expenditure. The Post Commander may expend up to \$500 per month for post maintenance, administration, and activities (including veterans assistance).

ARTICLE V

Officers

Section 1. Post Commander. It shall be the duty of the Post Commander to preside at all meetings of the Post. The Post Commander shall have general supervision over the business and affairs of the Post and will act as the chief executive officer of the Post. The Commander shall approve all orders directing the disbursement of funds. He will make a report covering the business of the Post for the preceding year, along with recommendations for the ensuing year, to be read at the annual election meeting, with a copy thereof being immediately forwarded to the Department Adjutant. The Post Commander shall perform such duties as listed in The American Legion Officers Guide or directed by the Post membership.

Section 2. First Vice Commander. The First Vice Commander shall have oversight of the Post's membership programs. The First Vice Commander shall assume and discharge the duties of the office Post Commander if said office becomes vacant, or when called upon by the Post Commander. The First Vice Commander shall perform such duties as may be assigned by the Post Commander, subject to the approval of the Post membership.

Section 3. Second Vice Commander. The Second Vice Commander shall have oversight of the Post's Americanism and other patriotic programs. The Second Vice Commander shall assume and discharge the duties of the office of the First Vice Commander if said office becomes vacant, or when called upon by the Post Commander. If the offices of both Post Commander and First Vice Commander are vacant, the Second Vice Commander shall assume and discharge the duties of the office of Post Commander. The Second Vice Commander shall perform such duties as may be assigned by the Post Commander, subject to the approval of the Post membership.

Section 4. Post Adjutant. The Adjutant shall have charge of and shall keep a full and correct record of all proceedings of all meetings. The Adjutant shall keep such records as the Department and National Organizations may require. The Adjutant shall perform such other duties as listed in The American Legion Officers Guide and, pursuant to the direction of the Commander, shall be responsible for all Post correspondence.

Section 5. Post Finance Officer. The Finance Officer shall have charge of all finances and see that they are safely deposited in a local bank or banks. He shall report once a month to the membership the condition of the finances of the Post and shall provide a report of those expenditures authorized by the Executive Committee. He shall perform such other duties as are usually incident to the office.

Section 6. Post Chaplain. The Chaplain is charged with the spiritual welfare of the Post and its members and may offer divine but non-sectarian services at dedications, funerals, public functions, etc. The Chaplain shall adhere to such ceremonial rituals as

are recommended by National or Department Headquarters. The Chaplain shall perform any other such duties as listed in The American Legion Officers Guide or as requested by the Post Commander.

Section 7. Post Judge Advocate. The Judge Advocate is responsible for the Post's legal affairs and, upon request, shall advise the Post Officers and members on the legal aspects of any matter properly brought before the Post. Upon taking office, the Judge Advocate shall review the Post's Constitution and Bylaws and recommend to the Post Commander any necessary changes or amendments. The Judge Advocate is responsible for interpreting the National, Department and Post Constitutions and Bylaws; any decision on the interpretation of the Post's Constitution or Bylaws shall be final. The Judge Advocate shall chair the Legal Committee and shall perform such other duties as listed in The American Legion Officers Guide or as directed by the Post Commander.

Section 8. Post Sergeant-At-Arms. The Sergeant-at-Arms will learn the identity of and introduce to the Post Commander all visiting comrades and guests of the Post. The Sergeant-at-Arms shall preserve order at all meetings. He shall perform such other duties as may be assigned by the Post Commander or described in The American Legion Officers Guide.

Section 9. Historian. The Historian shall be charged with preserving and compiling the Post's records and such other duties as may be determined by the membership or as listed in The American Legion Officers Guide.

Section 10. Service Officer. The Service Officer shall be responsible for informing members, non-member veterans and the community-at-large about the various rights and benefits granted under federal law. The Service Officer shall assist with filing a claim for benefits, by advising and counseling the claimant, assisting in the preparation of the proper forms and procuring supporting evidence. The Service Officer may be called upon to assist any member or veteran in an emergency and shall perform such other duties as may be required by the Post Commander.

Section 11. Eligibility. Every member of the Post who is in good standing is eligible to hold office in the Post.

Section 12. The elected officers of the Post shall be:

- A. Post Commander
- Post 1st Vice Commander
- Post 2nd Vice Commander
- Post Finance Officer
- Post Sergeant-At-Arms
- Post Service Officer
- Post Historian
- Post Chaplain
- Post Judge Advocate

At-Large Members (3)

B. The elected officers shall be nominated and voted upon by the delegates of the Post in a caucus called for that purpose.

C. The election of officers shall occur at the May regular Post meeting. Within one (1) week after such elections, the Post Adjutant shall notify Department Headquarters of the names and addresses of elected post officers.

D. The post commander can serve no more than four (4) consecutive terms. There must be a one (1) year break in leadership.

Section 13. The Post Adjutant shall be appointed by the Post Commander.

A. The Post Commander may appoint additional officers, if necessary. They may include, but are not limited to, Assistant Adjutant, Assistant Finance Officer, Assistant Judge Advocate, Assistant Service Officer, Assistant Historian, Assistant Sergeant-at-Arms, and Assistant Chaplain. These officers will not have voting rights.

B. The appointed officers of the Post shall be approved by vote of the Post delegates at the June regular Post meeting.

Section 14. The Post Commander, within ten (10) days after beginning his term of office, shall appoint the Committee Chairman; such Chairman shall hold office at the pleasure of the appointing power and their terms shall expire with the expiration of the term of the Post Commander.

Section 15. All elected officers, except those elected to fill vacancies caused by death, resignation, or removal from office prior to the completion of their term, shall be installed at the May regular Post meeting.

Section 16. Post Officers missing two (2) consecutive meetings without a valid reason may be removed from the office to which they have been elected or appointed.

Section 17. Any officer that fails to function may be removed from office by a majority vote of the members present at a regular Post meeting, provided that the officer is given fifteen (15) days written notice of removal, giving the officer time to prepare a defense.

Section 18. Filling of vacancies during term office.

A. In the event of death or the inability of the Post Commander to perform the duties of his office, the Post 1st Vice Commander will assume the office of the Post Commander.

B. In the event of death or the inability of the 1st Vice Commander to perform the duties of his office, the Post 2nd Vice Commander will assume the office of the Post Commander.

C. A vacancy may exist upon the death, disability, resignation, transfer, removal or temporary absence of an officer or committee member.

D. Should the position of Post Adjutant, any Assistant Post Officers, or any Committee Chairman become vacant, the Post Commander shall appoint a replacement from the membership.

E. Vacancy of any other offices shall be filled by Post Commander appointment, with the approval vote of a majority of delegates present during a regular Post meeting.

F. Any person elected, appointed, or succeeding to office shall hold the office for the remainder of the unexpired term.

ARTICLE VI

Annual Elections

Section 1. Qualifications. Every member of the Post who is in good standing is eligible to vote at the annual election meeting.

Section 2. Nominations. At the regular March meeting, the Post Commander shall charge a Nominating Committee and shall appoint a chairperson for the purpose of selecting nominees for the various elected offices of the Post. The Nominating Committee Chairperson shall announce the committee's nominations for officers for the succeeding year at the April regular Post meeting. Additional nominations may be made from the floor during the April regular Post meeting and the May regular Post meeting.

Section 3. Review. All members nominated for, or seeking election to, a Post office shall provide the Judge Advocate with a copy of their discharge papers for review before the annual election. The Judge Advocate will verify eligibility and certify that those nominated are eligible to hold office.

Section 4. Notice of Election. The Adjutant shall cause notice of the annual election to be given at the April regular Post meeting immediately preceding the annual election meeting, as well as, by electronic or written communication to the membership at least fourteen (14) days prior to the election.

Section 5. Election Procedure. Officer elections for the succeeding year shall occur at the May regular Post meeting. The Adjutant shall read the names and offices of those candidates running unopposed. The Commander shall announce that these candidates

are elected to their respective offices and direct the Adjutant to cast one vote in favor of these candidates. The Adjutant shall then read the names and offices of those seeking election to any contested office. The Judge Advocate shall then provide those members present with a ballot and shall be responsible for tallying the votes. The candidate receiving the highest number of votes shall be elected to the respective office for which they are candidates. In the event that the Judge Advocate is not available, this process shall be conducted by the Adjutant.

ARTICLE VII

Committees

Section 1. Chairpersons. Within ten (10) days of election, the Commander shall appoint all Post committee chairpersons. All appointments will be presented to the Executive Committee for approval at the June executive committee meeting following the installation of new officers.

Section 2. Standing Committees. The Post shall have the following standing committees: Americanism, Audit, Ceremonial, Children & Youth, Economic, Finance, Graves Registration and Memorial, House and Entertainment, Legal, Legislative, Membership, National Security, Public Relations, Veterans Affairs and Rehabilitation, and VAVS. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post Commander.

Section 3. Special Committees. Special Committees may be established and appointed by the Commander from time to time.

Section 4. Americanism Committee. This committee shall be charged with arranging proper observances of patriotic occasions, including an annual tribute to the post namesakes and grave marking of deceased veterans. This committee shall also encourage local participation in The American Legion Boys State, the Oratorical contest and other good citizenship presentations.

Section 5. Audit Committee. The Audit Committee conducts reviews of the financial records/books and statements, budgets, and finance committee communications to glean candid information and evaluates policies for potential risk. The auditors must issue a written report to the Executive Committee expressing their opinion about the organization's financial practices and if there are any inaccuracies or material misrepresentations. Additionally, if there is a change in the office of Finance Officer the committee is required to review the records within 90 days.

Section 6. Ceremonial Committee. This committee shall be charged with ensuring that all new members are properly initiated. The committee also concerns itself with the proper presentation of other rituals outlined in the Manual of Ceremonies, burial detail, and the wearing of Legion regalia.

Section 7. Children & Youth Committee. This committee 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."

Section 8. Finance Committee. This committee shall be charged with the administration of the financial policy of the Post and shall prepare annual budget recommendations for the membership. This committee shall oversee the receipt, distribution and accounting of Post monies.

Section 9. Graves Registration and Memorial Committee. This committee shall record the grave sites and complete information on veterans' burial in cemeteries assigned to the Post. Special assistance can be given the Service Officer in providing flags, headstones, or proper interment in national cemeteries.

Section 10. House and Entertainment Committee. This committee shall be charged with promoting club advantages and arrangement for social activities.

Section 11. Legal Committee. This committee shall be chaired by the Judge Advocate. This committee is responsible for overseeing the Post's legal affairs and shall also be charged with annually reviewing the Post Constitution and Bylaws. This committee shall provide all new members, and all current members who request it, with a copy of the Post Constitution and Bylaws and shall cause any amendments, alterations or interpretations of these documents to be distributed to the membership.

Section 12. Legislative Committee. This committee shall be charged with identifying and sharing information about what is going on in Congress – what we favor or oppose – and should be prepared to initiate action in support of our position when requested by the National or Department organization.

Section 13. Membership Committee. This committee shall be responsible for all matters related to the Post's membership, including the recruitment of new members, the renewal of current members, and the reinstatement of delinquent members. The committee shall also be responsible for maintaining an up-to-date membership directory containing such information the Executive Committee deems necessary.

Section 14. National Security Committee. This committee shall be charged with the coordination of Legion efforts with the 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. Public Relations Committee. This committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department and National Legion news service and by local publicity of Post programs and activities.

Section 16. Veterans Affairs and Rehabilitation Committee. This committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state government, employment, relief, etc.

Section 17. VAVS Committee. This committee will be responsible for visiting elderly, disabled or injured members and other veterans in local hospitals and nursing homes.

ARTICLE VIII

Discipline

Section 1. Suspension. Any member may be suspended from Post activities upon proper showing of cause.

Section 2. Expulsion. Any member may be expelled from the Post and The American Legion only upon a proper showing of cause.

Section 3. Removal of Officers. Any officer may be removed from office upon proper showing of cause. The accused officer shall be temporarily suspended from office pending any investigation and/or hearing. During this temporary suspension, the Post Commander shall appoint another individual to fulfill the duties of the accused officer.

Section 4. Cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and/or conduct unbecoming a member of The American Legion. An officer can be removed from office for an extended absence that is continuous and is detrimental to the interests of the Post. All charges must be made under oath and in writing by the accuser, and no member in good standing shall be suspended, or expelled, without being given a fair trial.

Section 5. Procedure. After consultation with the Post Commander, and at a meeting called for such purpose, after ten (10) days written notice to all members of the Post, charges shall be tried by the Post, as a whole. For the purpose of such trial, the Post Judge Advocate, shall represent the prosecution and the Post Commander, or his appointee, shall preside over the trial. The accused officer shall have the right to select his own counsel. All members of the Post in good standing and present at the meeting, except for the accused and his counsel, the member making the charges, the Post Judge Advocate, and the presiding officer, shall act as the jury and shall have a right to vote on the question of the guilt or innocence of the person charged. A member may be

found guilty and reprimanded, suspended, or removed from office upon a two-thirds majority vote of all members eligible to vote at the meeting.

Section 6. Verdict. Upon a finding of not guilty, the accused officer shall be immediately reinstated to his respective position. Upon a finding of guilty, the officer shall remain suspended pending the outcome of any appeal.

Section 7. Appeal. The action taken by the membership shall be final unless the officer appeals to the Department Executive Committee within thirty (30) days of issuance of a Verdict. Any action taken by the Department Executive Committee upon the appeal shall be final.

Section 8. Failure to Pay Dues. A member whose dues for the current year have not been paid by January 1st shall be classed as delinquent. If the dues are not paid by February 1st, the member will be suspended from all privileges and remain under such suspension until the dues are paid. If the dues are not paid by June 30th, the member will be dropped from the rolls. If the dues are paid by the December 31st, of the following year, the member shall be reinstated. Members who have been prevented from the payment of dues by reason of active military service shall be reinstated at any time provided they remit payment for the then current Post dues.

ARTICLE IX

Resolutions

Section 1. All resolutions of state or national scope presented to the 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 the same shall be forwarded to the Department headquarters for approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE X

Notices

Section 1. Every officer, delegate and alternate of the Post shall furnish the Post Adjutant with his or her phone number, physical mailing address, and electronic mail address for mailing purposes.

Section 2. The Post Adjutant shall cause notice of time and location of the Post meeting to be given at least three (3) days prior to the meeting.

ARTICLE XI

Post Policies and Procedures

Section 1. The policies and procedures of the Post shall always be subject to those of the Department and National Organization and subject to such provisions as shall be determined by the Department in convention assembled, or by referendum to the Post.

ARTICLE XII

Miscellaneous

Section 1. Delegates. Delegates and Alternates to the Department Convention shall be elected by ballot by the Post membership at the May regular membership meeting.

Section 2. Limitations of Liabilities. This Post shall not incur, or cause to be incurred, any liability or obligations whatsoever which shall subject to liability any other Post, subdivision, group of people, members of The American Legion, or other individuals, corporations, or organizations.

Section 3. Interpretation. Unless the context requires otherwise, the general provisions, rules of construction, and definitions of the North Carolina General Corporation Law shall govern the construction of these Bylaws. Notwithstanding the forgoing, the masculine shall include the feminine.

ARTICLE XIII

Amendments

Section 1. Supremacy. These Bylaws are adopted subject to the provisions of the National Constitution and Bylaws of The American Legion and of the Department Constitution and Bylaws of the Department of North Carolina, The American Legion, Inc. Any amendment to said National Constitution or Bylaws or Department Constitution or Bylaws, which are in conflict with any provision herein, shall be regarded as automatically repealing or modifying these Bylaws to the extent of such conflict.

Section 2. Amendment. These Bylaws may be amended at any regularly scheduled Post meeting by the affirmative vote of two-thirds of the members of the Post attending such regular meeting.

Section 3. Procedure. All proposed amendments shall first be submitted in writing to the Judge Advocate for comment, review and approval by the Legal Committee. If approved by the Executive Committee, the proposed amendment shall be read at the next regular Post meeting. Upon conclusion of the reading, the Judge Advocate shall move that the proposed amendment be voted upon at a future regular Post meeting. Notice shall be given to Post members, either through electronic or written communication, at least twenty (20) days prior to the date of the meeting determined by the Judge Advocate, setting forth the proposed amendment and specifically stating that the proposed amendment will be voted on at the upcoming meeting.

This revised Bylaws of Hair-Matthews American Legion Post Number 32 Post, Department of North Carolina, The American Legion, Inc. has been prepared and reviewed by a committee utilizing the Officers Guide and prior Post Constitutions as reference.

Ratified: _____

Attested by: Adopted by Vote of the Post Members, on Jan 16, 2019 and included, in its entirety, in the official minutes of that meeting of the Post.

Attested: _____

Post Adjutant

Post Commander

Date: _____

7-2-19

July 2, 2019

Department Approval: _____, 2019

Department Judge Advocate