



BY-LAWS

of Franklinton Post 52 of The American Legion Department of North Carolina, Inc



MAY 31, 2022
FRANKLINTON POST 52
P.O.Box 61, Franklinton, NC 27525

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ARTICLE I - POST NAME

The name of this Post shall be:

FRANKLINTON POST 52 OF THE AMERICAN LEGION DEPARTMENT OF NORTH CAROLINA, INC. hereinafter referred to as Post 52 or Post.

ARTICLE II - GENERAL

SECTION 1 - OBJECTIVES

The objectives of Post 52 shall be to promote the principles and policies as set forth in the Preamble to The American Legion, Post 52 Articles of Incorporation, and the constitutions of the Department and National organizations of The American Legion.

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 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.

SECTION 2 - POLITICAL PROMOTION

Post 52 shall not be used for the dissemination of partisan principles or promotion of any person or group seeking public office.

SECTION 3 - AUXILIARY

Post 52 recognizes an auxiliary known as
FRANKLINTON UNIT 52
THE AMERICAN LEGION AUXILIARY
DEPARTMENT OF NORTH CAROLINA

SECTION 4 - Sons of The American Legion

SECTION 5 - Legion Riders

ARTICLE III - POST 52 MEMBERSHIP

SECTION 1 – ELIGIBILITY

Membership eligibility shall be governed by the membership eligibility provisions of the National Constitution of The American Legion.

SECTION 2 - MEMBER-IN-GOOD-STANDING

Every member whose membership dues have not expired is a Member-In-Good-Standing, except those terminated or under a current Post 52 suspension, as defined in these By-Laws (see Article IV).

SECTION 3 – APPLICATION

The application shall be on such form as prescribed by the national organization of The American Legion and shall have full payment of Post 52 dues attached. Post 52 adjutant shall verify the applicant's eligibility as governed by the Nation Constitution of The American Legion. Rejection shall not be based on race, religion, sex, sexual orientation, creed, or national origin. Applications rejected shall not be reconsidered for six months from the date of rejection.

SECTION 4 - MEMBERSHIP CARDS

Membership cards shall be issued as prescribed by the national organization of The American Legion.

SECTION 5 - ASSESSMENTS

Members are not assessable except for Post 52 Dues

SECTION 6 - TERMINATION

Membership in Post 52 shall terminate:

- On written request of said member; (or)
- Upon the death of the member; (or)
- Upon failure to pay current Post 52 dues; (or)
- Upon transfer to another Post; (or)
- Upon Expulsion.

SECTION 7 - EXPULSION

Any member may be expelled from Post 52 membership upon presentation of written charges, based upon disloyalty, neglect of duty, dishonesty or misconduct, and after given a fair trial in such manner and form as the Department of North Carolina By-laws shall prescribe.

SECTION 8 - REINSTATEMENT OF EXPELLED MEMBER

An Expelled member shall not be eligible for reinstatement as a Post 52 member for two years from the date of expulsion.

SECTION 9 - MEMBERSHIP VOTING

Only Members-In-Good-Standing present shall be entitled to vote at a General Membership meeting. Voting shall be by voice vote unless prescribed otherwise by these By-Laws, or Commander.

SECTION 10 - REPRESENTATIVE MANAGEMENT

The membership elects officers, as described in Article VII. Officers make up the Executive Committee. The Executive Committee represents the membership and is responsible for the day to day management of the Post's business.

SECTION 11 - NONLIABILITY OF MEMBERS

Post 52 members shall not be personally liable for Post 52 debts, liabilities, or obligations.

ARTICLE IV – DUES

A majority vote of the membership shall determine the annual dues for Post 52. Annual dues shall be payable on or before December 31. A member whose dues for the current year have not been paid by January 1 shall be classed as delinquent, and all privileges shall be suspended. If

dues are paid on or before February 1, reinstatement shall be automatic. If still under such suspension on June 30 of such year, membership in The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by payment of current dues for the year in which the reinstatement occurs. Post 52 will pay the dues of our active military service members.

ARTICLE V - SUSPENSION OF POST 52 PRIVILEGES

SECTION 1 - SUSPENSION

Post 52 will abide by the Department of North Carolina Constitution regarding the suspension of membership. See Article V, Section 10 of the Department Constitution.

SECTION 2 - SUSPENSION BY OTHER MEMBERS

Any member may submit charges to the Executive Committee requesting the suspension of another member. The Executive Committee shall process the charges in the same manner as directed in Section 1 of this article. The suspension shall not take effect until and if accepted by the Executive Committee.

SECTION 3 - SCHEDULING OF HEARING

The Executive Committee shall schedule a Hearing not less than three or more than twenty days after request from the charged member. The charges and time and place of the hearing shall be delivered to the charged person at least three days before the hearing.

SECTION 4 - HEARING

The Hearing shall consist of at least 2/3 of the Executive Committee Members and be chaired by Post 52 Judge Advocate, or such Officer as appointed by the Commander.

The Chair shall:

1. Reschedule the hearing within three days and, if a quorum is not present, reject the charges if a quorum is then not present.
2. Read the charges.
3. Hear witnesses for and against the charges,
4. Allow cross-examination of witnesses.
5. Upon conclusion of a debate, call for a majority vote to either accept or reject the charges.
6. If accepted, call for a debate and vote on the term of suspension.
7. If rejected, declare immediate termination of the suspension.
8. Present the charged member with the decision of the hearing.

ARTICLE VI - HONORARY LIFE MEMBERSHIP

SECTION 1 - ELIGIBILITY

Candidate for Honorary Life membership must have been a Member-In-Good-Standing for at least the last five years and have performed outstanding service to Post 52, over and above that performed by other members, for at least three years preceding the vote for life membership.

SECTION 2 - INITIATION

The Executive Committee must approve the candidate by a two-thirds vote before presentation to the General Membership.

SECTION 3 - APPROVAL

Approval shall require a two-thirds majority of the General Membership at two consecutive General Meetings.

SECTION 4 - REJECTION

Candidates rejected shall not be reconsidered for one year after such rejection.

SECTION 5 - ANNUAL DUES

Annual Dues of Post 52 awarded Honorary Life Members shall be paid by Post 52 as prescribed by the National organization of The American Legion.

ARTICLE VII - OFFICERS OF POST 52

SECTION 1 - OFFICERS AND TERMS

The Officers of Post 52 with terms of office shall be as follows:

OFFICER	PROCESS	TERM
xCOMMANDER	ELECTED	ONE YEAR
x1st VICE-COMMANDER	ELECTED	ONE YEAR
2nd VICE-COMMANDER	ELECTED	ONE YEAR
xSERGEANT-AT-ARMS	ELECTED	ONE YEAR
1st SERGEANT-AT-ARMS	ELECTED	ONE YEAR
2nd SERGEANT-AT-ARMS	ELECTED	ONE YEAR
ADJUTANT	ELECTED	ONE YEAR
JUDGE ADVOCATE	ELECTED	ONE YEAR
SERVICE OFFICER	ELECTED	ONE YEAR
xFINANCE OFFICER	ELECTED	ONE YEAR
xCHAPLAIN	ELECTED	ONE YEAR
xHISTORIAN	ELECTED	ONE YEAR
EXECUTIVE COMMITTEE REPRESENTATIVE**	ELECTED	THREE YEARS
<i>xMinimum Required Officers per Article V Section 8 of the state of North Carolina, Constitution and By-Laws.</i> <i>**Three Executive Committee Representatives shall serve as at-large officers elected for (3) year terms, with one member-at-large being elected each year. The first election shall consist of the election of three (3) members-at-large serving one, two, and three-year terms, respectively.</i>		

The terms of duty shall be for one year, from the installation in May to installation of new officers in the following year, in effect upon installation of office and until a vacancy is declared.

SECTION 2 – SUBORDINATE

The Commander may appoint subordinate Officers. Term of office shall be limited to that of the Commander.

SECTION 3 - ELIGIBILITY

Any Member-In-Good-Standing is eligible.

SECTION 4 - NOMINATIONS AND ELECTIONS

Not later than the regular meeting in January, the Executive Committee shall appoint a Nominating Committee consisting of a chair and two members, all of whom shall be Post 52 members in good standing.

The Nominating Committee shall present its recommendations for each Post 52 elective office, including Executive Committee Representative Member-At-Large, at the regular Post 52 meeting in March, and each nominee shall have agreed to serve if elected. Nominations can also come from the floor at the March meeting. Nominations will be closed after the March meeting unless for any position for which there are no nominees or for which a nominated person withdraws leaving an open position.

Elections will be held at the April general membership meeting. Elections will be conducted by secret ballot, except that for any office for which there is only one nominee, the election shall be by acclamation, declared by the Commander. Election by secret ballot requires a majority of votes cast.

Before the deadline established by Department Headquarters, the Post Adjutant will forward to Headquarters, the required report of elected officer's names, addresses, and phone numbers, specifying the date of election and scheduled date of installation. The adjutant shall certify the eligibility of each elected officer after inspecting each officer's evidence of qualifying service.

Installation of Post Officers shall be conducted after the election at the May general membership meeting.

The Commander shall appoint Non-elective officers as needed.

SECTION 5 - VACANCIES

1. A vacancy shall be declared if the incumbent:
 - a. Is no longer a Member-In-Good-Standing.
 - b. Is missing and unexcused for three consecutive Executive Committee and General Membership meetings,
 - c. Is declared unsound by order of a court.
 - d. Is convicted of a felony.
 - e. Resigns via written or oral testimony.
 - f. Is recalled, as prescribed in this Article.
 - g. Refuses to be installed in the office.
2. Vacancies shall be filled in the same manner as the original office was filled. Nominations for the vacant elective office shall be taken at the General Meeting in which the vacancy was declared with nominations and elections at the next General Membership meeting.

SECTION 6 - RECALL OF OFFICERS

Any Officer may be recalled, and the office declared vacant after a petition requesting Recall is presented to the Executive Committee, and a Recall vote upholds said petition.

The Executive Committee shall verify that the petition is signed by ten percent of Post 52 membership and that each signature is that of a current Member-In-Good-Standing of Post 52. If the said petition is invalid, it shall be returned to the maker. If valid, the Recall shall be scheduled to be held at the next or the following General Membership Meeting. Notification of the date, time, and place of the Recall vote shall be placed in Post 52 Newsletter or mailed to every POST 52 Member-In-Good-Standing at least five days prior to the Recall vote.

Recall shall be by written secret ballot, which shall read;

"Shall (name of officer) be recalled?
YES ____ NO ____
A yes vote is counted as for the recall.
A no vote is counted as against the recall.

SECTION 7 - DUTIES OF OFFICERS

The duties of the Officers of Post 52 shall be those duties usually assigned to such offices as prescribed by The American Legion Officers Manual and Post 52 Articles of Incorporation.

Post Commander:

The Post Commander shall be the Chief Executive Officer and, as such, shall oversee and supervise all programs and activities of the Post, including the duties and responsibilities of other Post Officers and Committees. The Commander shall preside at all meetings of the Post and Executive Committee, make all required appointments, serve as an ex-officio member of all committees except the Audit and Nominating committees, represent the Post at American Legion functions, as required, and at other public relations function within the community, and perform such other functions as normally required of such an office and as directed by the Post and the Executive Committee.

1st Vice-Commander:

The 1st Vice Commander shall be first in order of precedence to perform the duties of the Post Commander when the Post Commander is absence or temporary inability to serve and shall represent the Commander as requested. The 1st Vice Commander shall be the chair of the Post Membership Committee and shall perform such other assignments as requested by the Commander or Executive Committee.

2nd Vice-commander:

The 2nd Vice Commander shall assist the chair of the Post Membership Committee, and shall perform such other assignments as requested by the Commander or Executive Committee.

Post Adjutant:

Post Adjutant shall:

1. Keep minutes of all Post and Executive Committee meetings, call the roll of officers at each meeting and attach a list of those present and absent to the minutes. The adjutant must also ensure that each set of minutes is read to the membership and approved.
2. Give notice of all meetings not announced in the Post Newsletter.
3. Maintain an accurate record of membership.

4. Upon receipt of dues, issue individual membership cards provided by National through Department. Maintain a record of the members who have paid their dues.
5. Process new and renewing member's dues through the National on-line system. This should be done, at a minimum, every ten days or whenever at least ten members, dues have accumulated.
6. Provide the Department and District all required reports and certifications.
7. Ensure that a copy of the Post and Department By-laws are on hand for each Post and Executive Committee meeting.
8. Perform such other duties as required in these By-laws and as is customary for that office, including duties requested by the Post Commander.

Post Finance Officer:

Post Finance Officer shall:

1. Receive and disburse all Post funds as authorized by the Executive Committee, the Post, or the appropriate Post Officers as outlined in these By-laws.
2. Prepare all checks and vouchers, maintaining a file of such vouchers. Checks and vouchers require the signature of the Finance Officer.
3. Render a monthly accounting of receipts and disbursements to the Post members at the regular membership meeting.
4. Ensure the proper Post insurance is obtained and its premiums are paid.
5. Prepare and file applicable reports to the Internal Revenue Service and other State and local entities.
6. Have the financial records of the Post ready for audit by the Audit Committee and available for the information of Post members at reasonable times upon request.
7. Ensure Bonding of all persons handling the finances of Post52.
8. Work with the Finance Committee to develop an annual Post-budget.

Post Chaplain:

Post Chaplain shall:

1. Be responsible for the spiritual welfare of the Post members, and attend all meetings of the Post and Executive Committee.
2. Offer non-sectarian divine services at Post meetings, patriotic occasions, dedication ceremonies, and funeral services for deceased members.
3. When possible, visit sick members at the hospital or home and send get-well cards to hospitalized members. The Post will bear the cost of cards and postage.
4. Comfort bereaved families of deceased members.
5. Officiate, when requested, at funerals for deceased members. When officiating at a funeral, a sectarian service may be used if specifically requested by the family of the deceased.
6. Officiate, as required, at installations, initiations, and other ceremonies required by the Officer's Guide and Manual of Ceremonies published by the National Organization.
7. Maintain a current list of homebound members to include name, phone number, and address.

Post Historian:

The Post Historian shall:

1. maintain a record of Post activities, including, but not limited
 - a. to newspaper articles,
 - b. pictures,

- c. Post newsletters and a written narrative of the Post's year.

Post Service Officer:

Post Service Officer shall:

1. Assist members and other veterans who may request help in the preparation of claims with the government.
2. Assist with matters relating to the welfare of members of the Post.
3. Maintain close liaison with the Department Service Officer.
4. Coordinate Post activities related to Veteran's hospitals and homes in the vicinity of the Post.

Sergeant-at-Arms:

1st, 2nd, and 3RD Sergeant-at-Arms shall:

1. Greet members and guests upon their arrival at Post meetings.
2. Provide names of guests and new or prospective members to the Commander before the start of the Post meeting.
3. Preserve order at meetings and shall perform such other duties as may be assigned from time to time by the Post Commander or Post Executive Committee.
4. Take charge of the Post Color Guard, firing squad and burial detail.
5. Perform those duties as are usual to that office, including directing the activities of the Color Bearers.

Executive Committee Representative

Three Executive Committee Representatives shall serve as at large voting officers on the Executive Committee.

SECTION 8 - COMPENSATION OF OFFICERS

All Officers of Post 52 shall serve without compensation, except that expenses incurred in the line of duty shall be allowed if such expenses have been approved.

ARTICLE VIII - EXECUTIVE COMMITTEE

SECTION 1 - MEMBERS

The Executive Committee shall be comprised of all Officers and the immediate past commander. Subordinate Officers shall have a voice but not vote at Executive Committee meetings.

SECTION 2 - DUTIES

The Executive Committee shall:

1. Act as the general advisory board to the Commander, shall prepare an annual budget to be voted on by the membership at its November meeting, shall approve the accounts of the Finance Officer, shall conduct the business of the Post in accordance with the budget and the bylaws, and shall perform those duties specified in these By-laws and as are usually governed by such body.
2. Form an Audit Committee from the Executive Committee, excluding the current and immediate Past Commander and the Finance Officer. The committee will be appointed by the Commander and shall meet between the close of the Fiscal Year and before the Post meeting in March. The committee will provide an audit of the accounts of the Finance Officer and will report its findings to the Post no later than the meeting in March.

3. Meet at least monthly, and in special session when called by the Commander. Due notification of the meeting date, time, and place will be given to each member of the committee by the Adjutant or Commander.
4. The minutes of each Executive Committee meeting shall be read at the next regular Post-meeting. From the minutes of the Executive Committee, any items that require membership action will be noted so and the membership may act on them. The membership may vote to approve/disapprove the recommendations of the Executive Committee, revise the recommendations as they see fit, or refer the item back to the Executive Committee.

SECTION 3 - EXECUTIVE COMMITTEE MEETINGS

1. Time and place shall be the 2nd Tuesday before the last Tuesday of each month. Special meetings may be called by the commander or two committee members if a reasonable effort is made to notify all committee members of that meeting
2. A quorum requires at least 2/3 of the Executive Committee officers. No business shall be considered without a quorum.
3. The chair shall be the officer of the highest rank present.
4. The order of business shall be as prescribed by the chair.
5. The Adjutant, or appointed representative, shall record the minutes
6. Every act of the Executive Committee shall be executed as a group, in the name of Post 52, and shall have majority approval of the committee members, and all actions of the committee shall then be reported to the membership at the next regularly scheduled general membership meeting.

ARTICLE IX - GENERAL MEMBERSHIP MEETING

SECTION 1 - SCHEDULE

The General Meeting shall be held on the last Tuesday of each month.

SECTION 2 - SPECIAL MEETINGS

No special general membership meeting is allowed.

SECTION 3 – QUORUM

A quorum shall require at least 5% of Members-In-Good-Standing to be present throughout the meeting. No business, other than to adjourn, shall be considered if a quorum does not exist.

SECTION 4 - CONDUCT

Conduct shall be governed by Robert's Rules of Order, latest revision, and as prescribed by The American Legion National Organization.

SECTION 5 - PRESIDING OFFICER

The meeting shall be chaired by the officer of highest in the chain of command, as listed in the chart in Article VII, section 1, of these By-Laws.

SECTION 6 - MINUTES

The Adjutant, or appointed representative, shall record the minutes of each meeting, and report the same at the next general membership meeting.

SECTION 7 - ORDER OF BUSINESS

The order of business shall be substantial as follows;

- Opening ceremonies
- Reading of the minutes
- Introduction of guests
- Voting of membership applications if any
- Officers reports
- Committee reports
- Old business
- New business
- Closing ceremonies

ARTICLE X - COMMITTEES

SECTION 1 - STANDING COMMITTEES

a. Membership Committee

The First Vice-commander shall be the committee chair. The purpose of the Membership Committee is to promote The American Legion, which supports our Post, State, and National organization, developing and implementing a program in membership recruitment that gives due consideration to the renewal of existing members and the enrollment of new members. This committee shall consist of 3-5 members and falls under the leadership of the Post First Vice-Commander. The committee shall strive to fulfill the membership targets of the Post, department, and national organizations. The committee shall work with the Post Adjutant on appropriate awards for those who participate in membership recruitment. The committee shall be responsible for:

1. Meeting membership targets established by the commander, state, and national organization;
2. Preparing and submitting a budget for the needs of the committee.

b. Finance Committee

The finance committee shall consist of at least three members, in good standing, none of whom shall be the Commander, Adjutant, Finance Officer, or other such person charged with the handling of Post 52 funds, appointed by the chair or commander, to advise the Executive Committee on all Post 52 fiscal matters. The Commander will appoint the chair of the committee. The Finance Officer will serve as an ex-officio member of the committee. The Finance Committee is authorized to access all reports, documents, and meetings, which may assist them in this endeavor. The Finance Committee will develop and submit to the Executive Committee an annual budget by working with the other committees and will oversee the annual audit of Post finances.

c. Americanism Committee

The purpose of the Americanism Committee is to promote 100% Americanism through the Post and community. The committee shall consist of 3-5 members. The Executive Committee appoints the chair. This committee shall be responsible for seeing that those programs in which Post 52 support are promoted and candidates are submitted for each activity category. Refer to the National Americanism program for a complete list of programs supported by The American Legion. Current programs supported by Post 52 are, but not limited to: Boys' State, Student Trooper, Colon Furr Scholarship, community service, fireman and EMT of the Year, Oratorical Contest, Legionnaire of the Year, flag details, and preparing and submitting a budget for the needs of the committee.

d. **Facility and Grounds Committee**

The purpose of the Facility and Grounds committee is to maintain and safeguard the buildings and grounds of the Post. The committee shall consist of 3-5 working members that will work with other members to conduct such activities. The executive committee will appoint the chair of this committee. The committee shall recommend a facility manager to the Executive Committee. The facility manager will serve on the Facility and Grounds Committee. This committee shall be responsible for:

- Building Rentals;
- Building and ground cleanup after rentals, fundraising events, and monthly meetings;
- Maintaining building structures both inside and outside;
- Building Security;
- Preparing and submitting a budget for the upkeep and replacement of durable goods within the Post and grounds.

e. **Fund-Raising Committee**

The purpose of the Fund-raising Committee is to organize, promote, and support fund-raising activities at the Post. The committee shall consist of 3-5 working members that will work with other members to conduct such activities. The executive committee will appoint the chair of this committee. The committee shall be responsible for:

- Scheduling fund-raisers;
- Organizing fund-raising activities;
- Procuring resources for the Fund-raising event;
- Be familiar with food handling guidelines as outlined by the State Health Department;
- Preparing and submitting a budget for durable goods required for these activities.

f. **Food Service Committee**

The ultimate purpose of the Food Service Committee is to organize and support meals during regularly scheduled Legion meetings. The committee shall consist of 3-5 working members that will work with other members to conduct such activities. The executive committee will appoint the chair of this committee. The committee shall be responsible for:

- Procuring resources for meal preparation;
- Prepare a menu and get the menu to Adjutant for Newsletter;
- Be familiar with food handling guidelines as outlined by the State Health Department;
- Prepare meals;
- Collecting payment for any of their activities;
- Clean up after the event;
- Preparing and submitting a budget for durable goods required for these activities.

SECTION 2 - AD HOC COMMITTEES

The Commander shall create Ad Hoc committees as required for the needs of Post 52.

SECTION 3 - TERMS OF COMMITTEE

All committee members shall serve until removed by the commander or until the purpose of the committee is fulfilled, and the committee abolished. In all cases, the terms of office shall terminate upon the election of officers.

SECTION 4 - QUORUM

A simple majority of committee members shall represent a quorum.

ARTICLE XI - FISCAL MATTERS

SECTION 1 - FISCAL YEAR

The fiscal year for the Post shall be January 1 through December 31.

SECTION 2 - NORMAL EXPENDITURES

Normal expenditures include all line items listed in the Annual Budget and approved by the Membership.

SECTION 3 - EMERGENCY EXPENDITURES

The Commander, with the approval of a quorum of the Executive Committee, is authorized to approve the expenditure of Post funds needed to meet the emergency needs of the Post that cannot reasonably wait for a regular meeting of the Post membership.

SECTION 4 – PLEDGES

The funds of this Post shall not be pledged to support any money-raising member venture managed or controlled by a private promoter. Any officer or committee member violating this provision shall be removed from that office or committee.

SECTION 5 - POST FINANCIAL BINDING

No one shall have the power to bind Post 52 to any contract, engagement, or pledge of credit, or to render Post 52 liable for any purpose without prior authorization by the Executive Committee and membership.

SECTION 6 - CHECKS AND NOTES

Except as otherwise approved by the Executive Committee, or as required by law, all promissory notes, orders for payment of money, and other evidence of indebtedness of Post 52 shall be signed by the Finance Officer or either the Adjutant or Commander.

SECTION 7 – DEPOSITS

All funds of Post 52 shall be deposited, in the name of Post 52, in such financial institutes as authorized by the Executive Committee.

SECTION 8 – INVESTMENTS

The Executive Committee shall have the authority to invest Post 52 money and properties as long as such action is not prohibited by law.

SECTION 9 - PROFIT AND ASSET SHARING

No one shall receive Post 52 monetary profits or assets, except for payment of reasonable compensation for authorized services rendered to or for Post 52.

SECTION 10 - ANNUAL AUDIT

The Finance Committee shall examine Post 52 financial records. The examination shall be made within ninety days following the installation of new Officers and shall cover the immediately preceding fiscal year.

ARTICLE XII - DELEGATES

SECTION 1 – DUTIES

Delegates and alternates shall represent Post 52 at all Department, Division, and District level Conventions and Meetings.

SECTION 2 - NUMBER OF DELEGATES

The department shall set the number of Delegates and alternates based on current Post membership.

SECTION 3 - APPOINTMENTS-ELECTIONS

Nominations and election of all delegates and alternate delegates shall be held at the April General Meeting after the election of officers and before the deadline established by Department Headquarters. The Post Adjutant will forward to Headquarters, the required report of elected delegates and alternate delegates, along with a check for the delegates registration fees.

SECTION 4 - ELIGIBILITY

A delegate shall be a Member-In-Good-Standing.

SECTION 5 - TERM OF OFFICE

Term of office shall begin after the installation of new officers at the May General Meeting and terminate one year later.

ARTICLE XIII - BY-LAWS

SECTION 1 - EFFECTIVE DATE

These By-laws and any amendments to it shall become effective immediately upon approval by the General Membership.

SECTION 2 – AMENDMENTS

Subject to any limitations of the Articles of Incorporation and law applicable to non-profit corporations, these by-laws may be amended at any regular Post 52 meeting by a vote of two-thirds of the members of said Post attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of Post 52, and providing, further, that written notice shall 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, which notice shall contain the provision of the proposed amendment.

SECTION 3 - AMENDMENT BY EFFECT

Any provision of these By-Laws shall be automatically amended to conform to any amendment(s) adopted by the Department, the national organization of The American Legion, and law, in which said amendment affects Post 52 and its internal organization.

SECTION 4 - CERTIFICATION AND INSPECTION

Post 52 By-Laws, as currently amended, shall be certified by the Commander and Adjutant. The certified By-Laws shall be kept at Post 52 and shall be exhibited, at all reasonable times, to any Member-In-Good-Standing upon request.