

CONSTITUTION OF
THE AMERICAN LEGION, DEPARTMENT OF OREGON
TRAVIS MOOTHART POST 184
BROWNSVILLE, OREGON
October 2017

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 AND HEADQUARTERS

Section 1. The name of this organization shall be The American Legion, Department of Oregon, Travis Moothart Post 184.

Section 2. The Post Headquarters shall be located at 339 North Main Brownsville, Oregon; all notices and documents addressed to the Post shall be sent to PO Box 184 Brownsville, Oregon 97327.

ARTICLE II - OBJECTS

Section 1. The objects and purposes of this Post shall be to promote the principles and policies set forth in the foregoing preamble, and the National, Department, and Post Constitution and By-laws of The American Legion.

ARTICLE III - NATURE

Section 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of the Post.

Section 2. This organization shall be absolutely non-political and non-sectarian, and 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.

Section 3. Each member shall perform his full duty as a citizen according to his own conscience and understanding.

ARTICLE IV - MEMBERSHIP

Section 1. Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the cessation of hostilities as determined by the Congress of The United States of America: all dates inclusive, or who being a citizen of the United States at the time of his entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of the said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political, or other grounds to subject himself to military discipline or unqualified service.

Section 2. Eligibility for membership in The American Legion, Department of Oregon, shall be as defined by the National Constitution and By-Laws of The American Legion as the same is now established or as it may be amended from time to time. All applications for membership accompanied by service discharge papers shall be referred to the Membership Committee consisting of the 1st Vice-Commander and/or Adjutant, who shall report their finding to the Executive Committee. Upon approval of eligibility, the application accompanied by the dues shall be presented to the Post at a regular meeting and shall be acted upon at such meeting. A majority vote of the Post shall be necessary for acceptance.

Section 3. There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life. No person may be a member of more than one Post at any one time.

Section 4. Members may be suspended or expelled from this Post of The American Legion only upon proper showing of cause, and upon proceedings as provided for in the Officer's Guide, "Practice and Procedure in the Expulsion or Suspension of a member of The American Legion." Charges shall be based upon disloyalty, neglect of duty, dishonesty, or other conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial. The accused shall receive the information regarding "Practice and Procedure in the Expulsion or Suspension of a member of the American Legion" from the Officer's Guide to aid in his defense. This action shall govern procedure whenever charges are brought against any person at any time appearing upon the rolls of this Post as a member, upon the grounds of his ineligibility to membership in the Post.

Section 5. Any member who has been suspended or expelled has the right of appeal to the Department Executive committee in the manner prescribed by said Committee. The decision of the department shall be final.

Section 6. No person, who has been expelled by any Post shall be admitted to membership in this Post without the consent of the expelling Post, except that where such consent has been asked for and has been denied by such Post, he may then appeal to the Department Executive Committee for permission to be admitted to membership in the Post and he shall be ineligible for membership until such permission is granted.

Section 7. A member who has been expelled or suspended from this Post for any cause other than non-payment of dues may be reinstated to membership by a quorum (5) votes of the Executive Committee and a majority vote of the Post; provided, however, that he shall make payment of any arrears in his dues from the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his expulsion or suspension and his reinstatement.

Section 8. Any member in good standing desiring to transfer from this Post to another Post is entitled to a certificate from this Post stating his membership, the duration thereof, and the date to which his dues are paid.

ARTICLE V - OFFICERS

Section 1. The Administration of the Post's affairs, between meetings of the Post, and except as may be otherwise provided in the By-laws of the Post, shall be under the supervision of an Executive Committee, which shall consist of eight (8) members, to be known as Executive Committeemen.

Section 2. The elective officers of this Post shall be a Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Post Chaplain, Sergeant-at-Arms, and Post Historian.

Section 3. Travis Moothart Post 184 shall select its officers for the ensuing year not less than forty-five (45) days prior to the Department Convention of that year, and such officers shall be installed the first meeting in July annually and they shall hold office until their successors are duly installed or as otherwise provided.

Section 4. Every member of this Post, in good standing, shall be eligible to hold office in this Post.

Section 5. The duties of officers and Executive Committeemen shall be those usually appertaining to such officers or Committeemen and as further provided in the Bylaws.

ARTICLE VI - FINANCES AND DUES

Section 1. The revenue of this Post shall be derived from membership or initiation fees from annual membership dues and from such other sources as may be approved by the Post.

Section 2. This Post shall pay annually, that portion of each member's dues that is due to the District, Department of Oregon and the National Headquarters of The American Legion; the amount of the annual Post dues shall be as set forth in the Post By-laws.

Section 3. The Post Finance Officer shall expeditiously collect the annual dues for its members and shall pay to The American Legion, Department of Oregon such amount due.

Section 4. All Post monies shall be deposited in a duly authorized banking institution as designated by the Post Executive Committee, and none of such monies shall be withdrawn except upon draft, check, or debit card. Draft or Check will be signed by the Post Finance Officer and countersigned by a designated officer who is on the bank signature card. Debit card will be used by the Finance Officer or designated representative and approved by the Post Commander.

Section 5. This Post shall not solicit another Post, District, or Department for purposes of financial aid or relief.

ARTICLE - AUXILIARY

Section 1. The Post recognizes an Auxiliary organization known as the American Legion Auxiliary Unit 184 of Travis Moothart Post 184 Brownsville, Oregon,

Section 2. Membership in the American Legion Auxiliary, shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion and thereafter approved by the Department of Oregon

ARTICLE VIII - SONS OF THE AMERICAN LEGION

Section 1. This Post recognizes the Sons of The American Legion organization known as the Sons of The American Legion Squadron 184 of Travis Moothart Post 184 Brownsville, Oregon, Department of Oregon.

Section 2. Membership in the Sons of The American Legion shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion and thereafter approved by The Department of Oregon Executive Committee.

ARTICLE IX - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion. Any amendments to said National Constitution, which are 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 any regular Post meeting by a vote of two-thirds of the members attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at a preceding regular meeting of the Post, and provided further that written notice, including a copy of the proposed amendment shall have been sent to all members at least fourteen days in advance of the date when such amendment is to be voted upon.

Approved by _____ Post Commander

_____ Printed Name

Approved by _____ Post Adjutant

_____ Printed Name

On this day _____