

BYLAWS OF
THE AMERICAN LEGION, DEPARTMENT OF OREGON
TRAVIS MOOTHART POST 184
BROWNSVILLE, OREGON
OCTOBER 2017

ARTICLE I - NAME AND OBJECTS

Section 1. The Post existing under these Bylaws is to be known as The American Legion Travis Moothart Post 184 Brownsville, Oregon, Department of Oregon.

Section 2. The objects of this Post are as set forth in the Constitution, (ARTICLE II, Sec 1).

ARTICLE II - ADMINISTRATION

Section 1. The administration of the Post's affairs, between meetings of the Post, and except as may be otherwise provided in these Bylaws, shall be under the supervision of the Executive Committee.

Section 2. The elective members of the Executive Committee together with the elective officers of this Post shall be nominated at the March meeting and elected at the April meeting of the Post, not less than forty-five (45) days prior to the Department Convention of that year and installed in the month of July, annually. All elections of officers and Executive Committeemen, unless the officer's position is not contested, shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates, and they shall hold office until their successors are duly installed or as otherwise provided.

Section 2a. Any elective officer or Executive Committeeman may be removed for inefficiency by the Executive Committee after due notice and hearing as provided by the Department Executive Committee, a quorum (5) vote of the Post's Executive Committee being necessary to affect such removal.

Section 3. All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of term of office shall be filled by a majority vote of the remaining members of the committee, and a person so chosen shall hold office for the unexpired term of the member of the committee or officer when he succeeds. A vacancy shall exist when a member or officer is unexcused absent from his Post for three consecutive meetings if considered by the Executive Committee to be detrimental to the best interests of the Post.

ARTICLE III - POST EXECUTIVE COMMITTEE

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 fifteen (15) days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander at least once a month 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 or more members of said Post Executive Committee; five members of the committee shall constitute a quorum thereof.

Section 2. The Post Executive Committee, subject to the approval of the Post, shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall hear the reports of Post Committee Chairmen, and generally, shall have charge of, and be responsible for, the management of the affairs of this Post between meetings of the Post and subject to the approval of the Post.

Section 3. The Post shall require any officer having the possession or custody of any funds or property of the Post shall be properly bonded with a good and solvent bonding company, as surety to cover double the average amount of money handled in a single year; bonds to be approved by the Executive Committee.

ARTICLE IV - DUTIES OF OFFICERS

Section 1. Travis Moothart Post 184 shall have on file at Department Headquarters a copy of its Constitution and By-Laws and shall review their Constitution and By-Laws annually and, if amended, the amended copy, dated as to when amended, shall be forwarded to Department Headquarters.

Section 2. Travis Moothart Post 184 shall have on file the updated Constitution and By-Laws of the Department of Oregon, The American Legion Post 184, The Sons of The American Legion, and The American Legion Auxiliary Constitution and By-Laws.

Section 3. Duties of Post Commander: It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the Chief Executive Officer of the Post. He shall approve all orders directing the disbursements of funds and shall make an annual report covering the business of the Post for the year, and recommendations for the coming year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Post Adjutant. He shall perform Such other duties as directed by the Post.

Section 4. Duties of Vice Commanders: The First Vice Commander shall perform such duties as may be required by the Post Commander and the Post Executive Committee. Upon a vacancy in the office of the Post Commander, the First Vice Commander shall assume that office. The new Post Commander shall, within fourteen (14) days of vacancy in the office of the Vice Commander, call a meeting of the Post Executive Community for the purpose of electing a Post First Vice Commander. Said election shall be by majority vote of the total voting members of the Post Executive Committee present, and may not be conducted by telephone or EOV1ail roll call.

Section 5. Duties of Post Adjutant: The Adjutant shall be the Administrative Officer of the Post and shall render an annual report to the Membership. He/she shall keep a record of all meetings of the Post Executive Committee and House Committee and shall prepare the same for permanent record in a book kept for that purpose. He/she shall cause notice to be given of all meetings to those entitled to attend same. He/she shall keep a record of all membership of the Post by name, number and address- He/ she shall receive all dues and assessments from members, keep a record thereof, and shall forward them promptly to the Finance Officer, taking a receipt therefor.

Section 6. Post Adjutant shall render to the Post Executive Committee at the end of each quarter an itemized record of receipts and disbursements made by him/her during the preceding quarter, and shall further keep all records at all times for the inspection and auditing of accounts.

Section 7. Duties of the Finance Officer: The Post Finance Officer shall be the custodian of funds of the Post and shall render an annual report to the Post Membership. Duties of the Post Finance Officer shall include ensuring the timely deposit of funds in the name of "The American Legion" in a bank or banks as are named by the Post Executive Committee; ensuring the timely payment of expense vouchers and bills as approved by the Post Commander or Adjutant and for only such purposes as have been authorized by the Post; ensuring a full and complete record of the transactions, including receipts and disbursements; rendering to each member of the Post Executive Committee and Auditing Committee, quarterly, a complete report of the financial transactions of the Post during the preceding quarter, exhibiting all records when requested to do so by any Post Officer or member of the Post Executive Committee, or Auditing Committee; shall reconcile the bank account monthly and render to the Membership an expense report at all monthly meetings.

Section 8. Duties of Post Historian: The Post Historian shall prepare a history book of this Post during the term of office, shall collect such other information as may be required to complete the history of the Post from its inception to present and shall render quarterly report to the Post Membership.

Section 9. Duties of Post Chaplain: 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 or Department Headquarters from time to time.

Section 10. Duties of Sergeant-at-Arms: The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all meetings and shall be given the custody and responsibility of the colors of the organization and perform such other duties as may be, from time to time, assigned to him by the Post Executive Committee.

ARTICLE V - FINANCES AND DUES

Section 1. The minimum annual dues of individual members of the Post shall be determined by a majority of the members present at the general meeting and reported on the Post Data Form.

Section 2. A member whose dues for the current year have not been paid by January 1 shall be classed as delinquent. If his/her dues are paid on or before February 1, he/she shall be automatically reinstated. If he/she is still delinquent after February 1, he/she shall be suspended from all privileges. If he/she is still under such suspension on June thirtieth (30) of such year, his/her 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 vote of the Post and payment of current dues for the year in which the reinstatement occurs; provided, however, that the Post, Department, and National organizations may waive the provisions thereof, upon payment of dues for the year in which the reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

Section 3. 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 or check signed by the Post Finance Officer and one other person designated in these By-laws.

Section 4. The general expenses of the Post shall be paid by checks drawn against the general fund signed by the Post Finance Officer and countersigned by the Adjutant, or Post Commander.

ARTICLE VI - DELEGATES

Section 1, In the Department Convention, each Post within the Department with a minimum membership of fifteen (15) shall be entitled to two delegates and one additional delegate for each one hundred (100) members or major fraction thereof whose current dues have been received by the Department Finance Officer prior to the meeting of said Convention. Each Post shall be entitled to one alternate for each delegate.

Section 2. The Post shall, at least forty-five (45) days prior to the opening of the annual Department Convention elect (unless the positions are uncontested) their delegates and alternates and certify them to the Department Adjutant. The registration fee for all authorized delegates, alternates and delegates-at-large, as it shall be determined by the Department Executive Committee, shall be sent in accordance with the Convention Committee Code of Procedure. No delegate shall be seated at the Convention unless certification of such election is received by the Department Adjutant at least thirty (30) days prior.

Section 3. Each delegate, or alternate acting in place of a delegate, shall be entitled to one vote providing the regular delegate's registration fee has been paid in accordance with the Convention Commission Code of Procedures. The Convention Credentials Committee shall ascertain such registrations from the registration records of the Department of Oregon. The vote of any registered delegate absent and not represented by an alternate shall be cast by the majority of the delegates present from his/her Post. While not acting in the place of a delegate, an alternate shall have all the privileges except that of voting.

ARTICLE VII - APPOINTMENTS

Section 1. The Post Commander, shall appoint the following standing committees: Americanism, Children & Youth, Veterans Affairs and Rehabilitation, National Security, Membership and Post Activities, and Public Relations. These Committees shall be appointed and the name and address of the chairmen of these committees forwarded to the Department Headquarters no later than July 31st of each year.

Section 2. Americanism Committee: Purpose: To inspire patriotism and good citizenship through patriotic observances, patriotic and civic instruction in schools, youth activities such as Boys State, Scouts, Oratorical Contest, School Awards Medals, baseball, flag etiquette, and other similar community services, as well as provide a listing of available scholarships.

Section 3. Children and Youth: Purpose: To insure that any child of a veteran in need of care and protection shall receive proper and timely service and aid;

to strengthen the family unit; extend support to sound organizations and facilities that provide services for children and youth; and to maintain a well-rounded program that meets the needs of the young people in their respective community.

Section 4. Veterans Affairs and Rehabilitation: Purpose: To assist veterans in obtaining needed hospitalization, in the pursuance of claims and in obtaining other veteran's rights and benefits; to visit comrades who are sick or disabled; to visit and comfort members of their families when sick or bereaved. (The head of the Veterans Affairs and Rehabilitation Committee may be the Post Service Officer or the Post Veterans Affairs and Rehabilitation chair- In addition, the Post Chaplain may serve as chair of the Visiting or VAVS committee.)

Section 5. National Security: Purpose: To organize the post membership in support of national or civilian defense projects in the community; to organize the post and to assist in organizing the community for readiness to meet any emergency.

Section 6. Membership and Post Activities: Purpose: To obtain, retain and increase the membership of the post with specific responsibilities for renewals, enrollment of new members, transfers and reinstatements. (The First Vice Commander frequently serves as chair of the Membership Committee.)

Section 7. Public Relations: Purpose: To increase awareness among the veterans' community and the community at large of The American Legion's advocacy of veterans' issues, national security and foreign relations, Americanism, and children & youth. The goal is to define The American Legion in the public eye by the values for which it stands. Using a two-fold technique of: (1) Placing radio and television advertisements and public service announcements produced by the National Public Relations Division where they can be seen and heard, and (2) Developing relationships with editors and journalists serving the post community so that they cover those programs supported by the organization's founding pillars. The High School Oratorical Contest is the reporter's "news peg" but The American Legion's support for a "one hundred percent Americanism" is THE story that must be told. Why The American Legion is "Still Serving America?" is the question you, as the post public relations officer, must ensure is answered in every form of media coverage obtained. Public relations is a membership multiplier.

ARTICLE RESOLUTIONS

Section 1. All matters of State, National, or International scope that appeal to Legionnaires and the Post may be treated, discussed, and acted upon provided,

however, that such action shall be submitted for approval through the prescribed American Legion channels to the body having jurisdiction thereof.

ARTICLE IX - MEETINGS

Section 1. The regular meetings of the Post shall be held at the Post Headquarters or a place to be decided upon by the Post, on the second Tuesday of each month 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 Post Commander.

Section 2. The Post Commander or a quorum of the Executive Committee shall have power to call a special meeting of the Post at any time.

Section 3. Upon the written request of three (3) Post members, the Commander, or the Executive Committee, acting in the Commander's absence, shall call a special meeting of the Post. The Executive Committee shall hear the petitioner's issues within one week and attempt to resolve the matter. If the issue remains unsolved it will be referred to the next regularly scheduled Post meeting for discussion and a vote on any motions made and seconded.

Section 4. An annual meeting of the Post shall be held at which the annual reports of the officers shall be submitted and such other business transacted as shall be found desirable. The date of such meeting shall be the second Tuesday of the month of May.

ARTICLE X - NOTICES

Section 1. Each member shall furnish the Post Adjutant with an address for mailing purposes and inform the Adjutant of any change in such address.

Section 2. The Adjutant, or designee, shall cause to be mailed, or emailed, to each member, at the address furnished by such member, notice of meetings and elections on a calendar quarterly basis (i.e. January, April, July, October) via the Post newsletter. Likewise, each special meeting of the Post shall be communicated to each member via letter or phone call at least three days prior to such meeting, except as otherwise provided in the Constitution and By-laws, and all notices as required by the Constitution and Bylaws.

ARTICLE - RULES

Section 1. The order of procedure at meetings of this Post shall be governed by Robert's Rules of Order, Revised, except as otherwise provided herein. A copy shall be available in the Post.

ARTICLE LIMITATION OF LIABILITY

Section 1. This Post shall not incur, nor cause to be incurred, any liability or obligation whatever which will subject to liability any other Post, sub-division, group of men, members of The American Legion, or other individuals, corporations, or organizations.

ARTICLE XIII – AMENDMENT

Section 1 . These Bylaws are adopted subject to the provisions of the National, Department, Post Constitution and Bylaws. Any amendments to said National, Department, Post Constitution and Bylaws, which are in conflict with the provisions hereof shall be regarded as automatically repealing or modifying the provisions of these Bylaws to the extent of such conflict.

Section 2. These Bylaws 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 said Post, and provided further, that written notice shall have been given to all members at least fourteen (14) 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 Bylaws is to be voted upon.

Approved by _____ Post Commander

_____ Printed Name

Approved by _____ Post Adjutant

_____ Printed Name

On this day _____