



The American Legion
The Valdosta Post Number Thirteen, Inc.
Of the American Legion

CONSTITUTION

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 foster and perpetuate a one hundred Percent Americanism, to preserve the memories and incidents of our association 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 goodwill on earth and 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.”

~~Revised~~

ARTICLE I – NAME

Section 1 The name of this organization shall be **The Valdosta Post Number Thirteen of the American Legion**, Inc. Department of Georgia.

ARTICLE II – OBJECTS

Section 1 The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the Preamble, as outlined established in the four pillars of the American Legion, and the National and Departmental Constitutions of The American Legion. **The Four Pillars are Veterans Affairs and Rehabilitation, National Security, Americanism, and Children and Youth.**

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.

Section 2 The American Legion shall be absolutely non-political 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 Rank does not exist in The American Legion; no member shall be addressed by **his/her** military title in any meeting of this Post.

Section 3a All elected or appointed officers will verify their eligibility at the time of election and/or appointment. **All dues must be up to date for the current legion year.**

ARTICLE IV – MEMBERSHIP

Section 1 Eligibility to membership in this Post shall be prescribed by the National Constitution of The American Legion.

Section 2 Applications for membership shall be made in writing in accordance with National Constitution and By-Laws.

Section 3 Upon receipt, membership applications should be reviewed by the membership committee (Senior Vice Commander, Finance Officer and Adjutant). This review must include the verification of the applicant's eligibility for membership.

Section 4 Any member of this Post may be expelled for cause by two-thirds (2/3) vote of the members present at a Post Membership meeting. After charges

are preferred under oath, in writing, and a fair trial been had upon the same in accordance with procedures prescribed by National and adopted by the Department Executive Committee.

Section 5 A member who has been expelled or suspended from this Post for any cause may be re-instated to membership by a two-thirds (2/3) vote of the members present at a Post Membership meeting, and the payment of current dues for the year in which reinstatement occurs.

Section 6 **The member that brought the original expulsion charge will be notified prior to voting on reinstatement.**

ARTICLE V - STANDING COMMITTEES

Section 1 The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, , Children and Youth, Finance, ¶ House, Membership, ¶ Veterans Affairs and Rehabilitation, Sons of the American Legion and **American Legion Riders** This list is not all inclusive and may be expanded as determined by the Commander to cover areas/issues unique to the Post.

Section 2 Such committees shall consist of members and a chair thereof, as designated by the Commander.

ARTICLE VI - OFFICERS

Section 1 The **administration and management** of this Post except as otherwise provided by the By-Laws, be under the supervision of Executive Committee which shall include three (3) members appointed by the Commander **and all Past Commanders**, in addition to the Officers of the Post. The term of office for members of the Executive Committee shall be for one (1) year. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2 The officers of this Post shall be Commander, One (1) Senior Vice Commander, Two (2) Junior Vice Commanders, Adjutant, Assistant Adjutant, Finance Officer, Post Historian, Post Chaplain, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Service Officer, and Judge Advocate and Three Members at Large and such other officers as may be deemed necessary by this organization.

Section 3 All officers of this Post with the exception of Adjutant, Assistant Adjutant, and Assistant Sergeant-at-arms, who **will be appointed by the Post Commander**, will be elected annually. All Officers shall hold office until their successors are duly installed or as otherwise provided.

Section 4 Elections; All elections shall be by ballot and the candidate receiving the highest number of votes shall be elected to the respective office.

Section 5 Appointed officers are subject to the approval of the elected members of the Executive Board,(Majority Vote). NOTE: This does not include the Commander. The Commander is responsible for the appointment; other elected members of the Executive Board have approval authority. Appointment and approval must be made within seven (7) days of the Elected Officers election. If the Executive Board fails to take action within seven (7) days – the Commander’s appointments stand.

Section 6 Any Officer or Executive Committee Member who has missed more than three (3) consecutive Executive Committee **meetings**-(that are unexcused) shall be considered for removal from his/her position.

The Executive Committee may remove any officer or executive committee member for inefficiency; a two-thirds (2/3) vote of said committee being necessary to effect such removal.

Every member of this Post in good standing shall be eligible to hold office in this Post, except as otherwise provided in Section 2, Article III hereof.

The duties of officers and the executive committeemen shall be those usually pertaining to such officers and committeemen and as further provided in the By-Laws.

The post commander shall preside over all official business and official meetings and including all Executive Committee meetings, and in his absence, the Senior Vice Commander shall preside.

Section 6b The post commander shall be responsible for the hiring, management and dismissal of all employees.

ARTICLE VII – FINANCE

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 Executive Committee.

Section 2 The amount of such membership dues shall be fixed and determined by the Post. The annual dues shall be set at Five (5) dollars greater than dues paid to Department and National Headquarters.

Section 3 The Post shall pay to Department Headquarters the National and Department annual membership dues for every member of the Post.

Section 4 On all **lounge** activities, an inventory will be made of all stock at the end of each quarter.

Section 5 An audit will be **conducted at** the end of each Post 13, Legion year.

Section 6 **All high value items and furniture will be inventoried and serial numbers recorded if applicable. Location of the item will be shown on the inventory and with general location.**

Section 7 **The inventory shall be conducted by the finance officer, Judge Advocate, a Junior Vice, Adjutant, and one non officer member. The Adjutant shall keep a record of all audits.**

Section 8 The Post shall have a Budget Committee with membership consisting of (at a minimum) the Commander, Sr. Vice Commander, Finance Officer and Judge Advocate. This Committee will prepare and submit to the Post Executive Board an Annual Budget for the Post. After Executive Board approval – presented to Post Membership for final approval.

Section 9 All monthly income/expenditures (to include a status of budget) shall be shown on the monthly finance **statement** provided to the PEC and reported at the Post Membership meeting.

Section 10 **Three bids are required for any purchase or repair with the exception of the commander's fund (Article IV Section 1 Bylaws). The PEC may waive this requirement in an emergency or if it's determined that the purchase or repair cannot wait for bidding or time does not allow for the bidding process.**

Section 8 **All checks will have two signatures one being the Finance Officer and the other can be the Commander, and the Adjutant.**

ARTICLE VIII – THE AMERICAN LEGION AUXILIARY

Section 1 This Post recognizes an Auxiliary Organization to be known as the Auxiliary Unit 13 of Valdosta, Post No. 13, The American Legion.

Section 2 Membership in the Auxiliary shall be as prescribed by the National Constitution of The American Legion Auxiliary.

ARTICLE IX – THE AMERICAN LEGION RIDERS

Section 1 **This Post recognizes a Program of the American Legion known as The American Legion Riders Post 13 Valdosta, GA.**

Section 2 Membership in the ALR shall be as prescribed by the National Constitution of The American Legion Riders.

ARTICLE X – THE SONS OF THE AMERICAN LEGION

Section 1 This post recognizes a Program of the American Legion known as The Sons of the American Legion, Squadron 13, Valdosta, GA

Section 2 Membership in the SAL shall be as prescribed by the National Constitution of The Sons of The American Legion.

ARTICLE XI – AMENDMENTS

Section 1 This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Constitution of the Department of Georgia. Any amendments to said National Constitution or Department Constitution, which is in conflict with any provision hereof, shall be regarded as automatically repealed 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 vote of two-thirds (2/3) of the members of said Post attending such regular meeting. Providing that the proposed amendment shall have been submitted in writing, , and read at two consecutive regular Post meetings and then read for a third time at the third consecutive Post meeting and voted on at that time.

Section 3 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 Constitution is to be voted on.

BY-LAWS
POST 13
~~Valdosta, Georgia~~
~~The Department of Georgia~~

ARTICLE I

Section 1 The Post existing under these By-Laws is to be known as **The Valdosta Post Number Thirteen of the American Legion, Inc.** Department of Georgia.

Section 2 The objects of this Post are set forth in the Constitution.

ARTICLE II – MANAGEMENT

Section 1 The government and management of the Post is entrusted to the Executive Committee as set up in the Post Constitution.

Section 2 All Members of the Post Executive Committee shall have voice and vote on this Committee. Immediate Past Post Commander will be an active member of the Executive Committee with voice and vote.

Section 3 Assistant Adjutant and Assistant **Sgt-at-arms** have voice only unless Adjutant and **Sgt-at-arms** are absent then the assistant will also have vote.

Section 4 All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whom he succeeds.

Section 5 A vacancy shall exist when a member or officer is removed from office IAW ARTICLE VI, Section 3 of the Post Constitution.

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 ten (10) days after the installation of the new officers.

Section 2 The Post Executive Committee shall meet once a month at a time and location determined by the Post Commander. The Commander shall call a meeting of the Post Executive Committee; a majority number of Executive Committee members present will constitute a quorum.

Section 3 The Commander shall preside over all official business and official meetings of the Post, regular and called meetings and including all Executive Committee meetings, and in his absence, the Senior Vice Commander shall preside.

Section 4 The Post Executive Committee shall authorize and approve all expenditures, shall require adequate bonds from all persons having custody of Post funds, shall hear the reports of **the Post Finance Officer** and in general shall have charge of and be responsible for the management of this Post.

ARTICLE IV – DUTIES OF OFFICERS

Section 1 **COMMANDER:** It shall be the duty of the 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.

Section 2 Commander may authorize the disbursement of no more than \$500.00 for any single situation deemed by the Commander for the betterment of the Post.

per quarter if deemed by the commander for the betterment of the Post. If needed the commander can reach back to the immediate past The commander can authorize the disbursement of \$500.00 or less quarter for funds to help in the present quarter provided the funds were not used in the past quarter. Reaching back cannot cross into another fiscal year. Borrowing from a future quarter is prohibited. The commander's discretionary fund will be a \$2,000.00 dollar budget item.

Section 3 No item/issue needing purchase brought before the PEC and denied may fall under this authority. The Commander shall approve all orders directing the disbursement of funds. He/ She can be a signatory on all financial documents and instruments.

Section 5 **The Post Commander shall be responsible for the hiring, management and dismissal of all employees.**

Section 4 SENIOR VICE COMMANDER: The Senior Vice Commander shall assume and discharge the duties of the office of Commander in the absence of, or disability of, or when called upon by the Post Commander. Serve as chairman of the membership committee and as a member **of** all committees.

Section 4a JUNIOR VICE COMMANDER – Programs: The Junior Vice Commander shall assume and discharge the duties of the office of Commander in the absence of, or disability of, or when called upon by the Post Commander and Senior Vice Commander. The JV Programs will be responsible for all Programs within or directly affecting the Post. Programs that he/she develops and are approved by the PEC. He/she is not responsible for the implementation or hands on initiation, but will serve as the liaison between the “program” and the PEC. He/ She is responsible for the oversight of the Program. The Jr. Vice Commander Programs will be responsible for all Programs within Post 13.

Section 4b JUNIOR VICE COMMANDER - Activities: The Junior Vice Commander shall assume and discharge the duties of the office of Commander in the absence of, or disability of, or when called upon by, the Post Commander and Senior Vice Commander. The JV Activities will be responsible for all Activities within or directly affecting the post. Activities that he/she develops and are approved by the PEC. He/she is not responsible for the implementation or hands on initiation, but will serve as the liaison between the ‘activity’ and the PEC. His/her is responsible for the oversight of the activity.

Section 4c ADJUTANT: The Adjutant shall have charge of and keep a full and accurate record of all proceedings of all meetings, keep such records as the Department and National organizations may require, render reports to membership when **called** upon at a meeting, and under the direction of the Commander, handle all correspondence of the Post. **All minutes shall be furnished to members of the PEC Committee via email prior to the commander signing them.** Adjutant serves as a member of the Post Membership Committee. **He/She will** be a signatory on all financial documents and instruments.

Section 4d ASSISTANT ADJUTANT: The Assistant Adjutant performs those duties directed by the Adjutant to ensure that all Post administrative duties are done in a timely manner. During the absence of the Adjutant, the Assistant Adjutant performs all the duties of the Adjutant.

Section 5 FINANCE OFFICER: The Finance Officer shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall **issue a financial statement** once a month to the Executive Committee regarding the condition of the finances of the Post and to the Post membership.

Section 5a He/ She shall furnish such surety bond in such sum as shall be fixed by the Post Executive Committee. Finance Officer serves as a member of the Post Membership Committee.

Section 5b. He/She **will** be a signatory on all checking accounts and all financial instruments of the Post.

Section 6 HISTORIAN: The Post Historian shall be charged with the individual records and the incidents of the Post and Post members, and shall perform such other duties as may properly pertain to the office as may be determined by the Commander or the Executive Board.

Section 7 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 8 SERGEANT-AT-ARMS: The Sergeant-At-Arms shall preserve order at all meetings and shall perform such other duties as may from time to time be assigned to Him/Her by Commander.

Section 8b ASSISTANT SERGEANT-AT-ARMS: The Assistant Sergeant-At-Arms shall assist in preserving order at all meetings and shall perform such other duties as may from time to time be assigned to Him/ Her by the Commander. The Assistant Sergeant-At-Arms will be the Captain of the Honor Guard and Chair the Honor Guard Committee.

Section 9 SERVICE OFFICER: Serves as the direct liaison with the Department and National Service Officers. The Post Service Officer shall be a Certified American Legion Service Officer, **and chairman of the VA&R, VAVS and Veterans Assistance Committees**

Section 9a The Service officer shall provide a monthly written Statement to the PEC on all actions taken during the month. A copy of the intake information will be provided to the Adjutant for filing with a financial report provided of funds provided.

Section 10 JUDGE ADVOCATE: The Judge Advocate shall be the advisor to the Post Commander and other Post Officers (including the Post Executive Board). Advisor on legal questions and all matters involving the interpretation of parliamentary procedure and of the Constitution and By Laws of the Post, the 12th District, the Department of Georgia and The American Legion.

ARTICLE V – DELEGATES

Section 1 Delegates and Alternates to the Department Convention and Conferences shall be appointed by the Post Commander at a regular meeting of the PEC. These appointments shall be approved by the PEC.

Section 2 Delegate and Alternate appointments are to be announced at the next regularly scheduled Post Membership meeting.

ARTICLE VI – COMMITTEE APPOINTMENTS

Section 1 The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: Membership, House, Finance, Legal, ~~Publicity, VA Rehab~~ **Veterans Affairs and Rehabilitation, Children and Youth**, and Americanism. Such standing committees shall consist of such members, and the chairman thereof, as shall be as designated under each committee explanation. Additional committees as determined by the Post Commander that may be unique to the post.

Section 2 **MEMBERSHIP:** The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatement and eligibility of members. Committee Chairman will be the Post Senior Vice Commander.

Section 3 **HOUSE:** The House Committee shall have charge of all matters pertaining to the care of the Post quarters, promotion of club advantages and arrangements for hall rental. **The house committee will consist of the Finance Officer, Chairman, and the two Junior Vice Commanders with the chairman as the bar manager.**

Section 4 **FINANCE:** The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds. Committee Chairman will be the Post Finance Officer.

Section 5 **LEGAL:** The Legal Committee shall be charged with the legal supervision of Post affairs and audit of Post Financial account. Committee Chairman will be the Post Judge Advocate.

Section 6 **PUBLICITY AND HISTORIAN:** The Publicity/Historian Committee shall be charged with the promotion of public support of Post programs, Post incidents and Post Individuals by the establishment of proper contact with the American Legion magazine, Department and National Legion news service and by local publicity of Posts programs and activities. Committee Chairman will be the Jr. Vice Commander - Activities.

Section 7 **VETERAN AFFAIRS AND REHABILITATION:** The VA Rehab Committee shall supervise all matters pertaining to service ~~to~~ and be charged with visiting and comforting members and their families when sick or bereaved and with visiting ex-service men in nearby hospitals. This Committee shall consist of the Post Service Officer, the Post Chaplain, the Post VAVS

Representative and the Senior Vice Commander. The chairman will be the Service Officer.

Section 8 AMERICANISM: The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions, encouragement of patriotic and civic phases of instruction in schools, Americanism of aliens, combating anti-American propoganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment. Committee Co-Chairman will be the Post Junior Vice Commanders, Historian, Adjutant and Commander.

Section 9 SONS OF THE AMERICAN LEGION: This Post has established a Sons of the American Legion, to be known as the Sons of the American Legion Squadron 13 of Valdosta, Post No. 13, The American Legion. Membership in the Sons of the American Legion shall be as prescribed by the National Constitution of the Sons of the American Legion.

Section 9a The Post Finance Officer shall be a signatory on all checking accounts and financial instruments of the SAL. The SAL shall provide a copy of monthly meeting minutes and finance report to the Post Adjutant.

Section 9b The Jr Vice commander will serve as liaison to the Post Executive Committee in connection with SAL organizations activities, recreation and education programs. The JV Programs, does not serve as the Chair of the Committee – liaison only.

Section 10 AMERICAN LEGION RIDERS: This Post has established an American Legion Riders to be known as the American Legion Riders Chapter 13 of Valdosta, Post No. 13, The American Legion. Membership in the American Legion Riders shall be as prescribed by the National Constitution of the American Legion Riders.

Section 10a The Post Finance Officer shall be a signatory on all checking accounts and financial instruments of the ALR. The ALR shall provide a copy of monthly meeting minutes and finance report to the Post Adjutant. The Jr Vice commander will serve as liaison to the Post Executive .

Section 11 PAST COMMANDERS ADVISORY COMMITTEE: This committee's primary purpose is to advise the Post Commander and to promote good fellowship among those who have served as Post 13 Commander. All past Post 13 Commanders, in good standing, are members of this prestigious committee and the most current Immediate Past Commander will chair this committee.

Section 12 HONOR GUARD: This Post has established an Honor Guard to perform all ceremonials for the Post, to assist the Chaplain in rendering final honors to departed Comrades and other duties as assigned by the Commander.

The Assistant Sergeant-At-Arms will Chair this Committee and serve as Honor Guard Captain.

Section 13 NOMINATING/ELECTIONS: The Nomination/Election Committee shall consist of a Chairman and two (2) members, in good standing, appointed by the PEC no later than the February post membership meeting. These names shall be published in the next newsletter and posted on the post website.

Section 13a Members, in good standing, interested in seeking an elected office within the post will communicate that information to the Nominating Committee.

Section 13b At the MARCH post membership meeting, the Nominating Committee Chairman will report only those nominees approved by a majority vote of said committee. There is no action required on this report. The **names will be published in the next post newsletter and posted on the website.**

Section 13c At the APRIL post membership meeting the Chairman of the Nominating Committee will open the floor for nominations “from the floor”. Any member in good standing may be nominated. Nominations from the floor do not require a second. **NO NAME CAN/SHALL BE PLACED INTO NOMINATION WITHOUT EXPRESS CONSENT OF THE NOMINEE.** In the event that a nominee cannot be present at said meeting a written confirmation is required stating his/her willingness to serve and presented to the Adjutant prior to the meeting. These names will be published in the next post newsletter and posted on the post website.

Section 13d At the MAY post membership meeting, designated as the Election Meeting, the Chairman of the Nominating/Election Committee will provide, for information purposes only, the committee’s report to include the names of all nominees seeking election. Election will take place at this time by ballot.

Section 13e The Nominating /Election Committee shall be responsible for the preparation of, distribution of, accounting of and counting of all ballots. The **Adjutant** will be responsible for verifying voter eligibility.

Section 13f Ballots shall include names of candidates that have been through the nominating committee process and those names nominated from the floor and the office for which they are seeking election. Ballots will also provide a space for a “write-in ”candidate for each office to be filled. The member with the most votes for said office is the winner. The Election Committee has no authority to make any changes or mark it in any way.

Section 13g The committee shall place all ballots and the tally sheet into a sealed envelope. Committee members shall sign and date across the seal and give

the envelope to the Adjutant to be placed in the files. The ballots will be kept on file until the next election. In the case of a challenge the envelope will be opened by the said committee with the Commander and Adjutant present. Member(s) challenging the election will also be present.

Section 13h Newly elected officers shall be installed at the JULY Post Membership Meeting

ARTICLE VII – RESOLUTIONS

Section 1 All resolutions of state or national scope presented to this Post by a member or reported to this Post by a committee shall merely embody the opinion of this Post in the subject and copy of the same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action, other than mere passage by the Post, is taken.

ARTICLE VIII – MEETINGS

Section 1 The regular meetings of the Post shall be held on the second Tuesday of each month unless changed by majority vote of membership at a Post meeting, at which may be transacted such business as may properly be brought up ~~fraction~~ **for action**; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post.

Section 2 The Post Commander or a majority of the Executive Committee shall have power to call a special meeting of the Post.

Section 3 Upon written request of ten (10) **general** members, the committee shall call a special meeting of the Post.

Section 4 Twelve (12) members shall constitute a quorum.

Section 5 All members shall be notified in writing at least ten (10) days in advance of a special called meeting.

ARTICLE IX – NOTICES

Section 1 **Every post member should** furnish the Post Adjutant with his/her address, telephone number and e-mail if available for mailing purposes.

Section 2 The Post Adjutant shall cause notice of the annual election to be given in writing at least ten (10) days prior thereto.

ARTICLE X – LIMITATIONS OF LIABILITY

Section 1 This Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, group of men, members of The American Legion, or other individuals, corporations or organizations.

ARTICLE XI – AMENDMENTS

Section 1 These By-Laws may be amended at any regular Post meeting by a voice vote of two thirds (2/3) 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 two consecutive regular Post Membership meetings, **or the post newsletter** and then read for a third time at the third consecutive Post Membership meeting and voted on at that time and that provided further, the proposed amendment shall have been submitted in writing in advance of the date amendment is to be voted upon via post newsletter and the post website, that at such meeting a proposal to amend the By-Laws is to be voted upon.

FINAL DRAFT APPROVED BY THE POST EXECUTIVE COMMITTEE ON