

Tigard Post 158 By-Laws

Article I - GENERAL

Section 1. The Post existing under these By-Laws is to be know as Tigard Post No. 158, The American Legion, Department of Oregon, hereinafter referred to as the Post.

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

ARTICLE II - MANAGEMENT

Section 1. The government and management of the Post is entrusted to an Executive Committee of twelve (12) members, also known as the E-Board.

Section 2. The Executive Committee shall consist of two (2) members in addition to the officers of the Post and together with the other officers of this Post shall be elected annually on the second Tuesday of April. All elections of officers and executive committee members 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. However, the Adjutant shall be appointed.

Section 3. The Nominating Committee shall consist of the three (3) immediate past Post Commanders or three (3) volunteers and shall report their recommendations of officers to the Post at the March meeting.

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. A person so appointed shall hold office for the unexpired term of the member of the committee or officer succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

Article III - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall meet for organization and other business as may come before it at the call of the Commander within ten (10) days after the installation of the new officers. Thereafter the Executive Committee shall meet at the call of the Commander at least every month and as often as said Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the joint request of three (3) or more members of said Executive Committee. Five (5) members of the Executive Committee shall constitute a quorum.

Section 2. The Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having custody of Post funds; shall hear the reports of Post committee chairpersons; and generally shall have charge of and be responsible for the management of the affairs of the Post.

ARTICLE IV - DUTIES OF OFFICERS

Section 1. Duties of Commander. It shall be the duty of the Commander to preside over 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. The Commander shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year and recommendations for the ensuing year, which shall be read at an annual meeting and a copy thereof immediately forwarded to the Department Adjutant. The Commander shall perform other such duties as directed by the Post.

Section 2. Duties of Vice Commanders. The Vice Commanders, in numerical order, shall assume and discharge the duties of the office of Commander in the absence of or disability of, or when called upon by the Commander.

Section 3. Duties of Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National organizations may require, render reports of membership annually or when called upon at a meeting and under direction of the Commander handle all correspondence of the Post.

Section 4. Duties of the Finance Officer. It shall be the responsibility of the finance officer (he/she) to have charge of all finances, see to it that all monies are safely deposited and shall report once a month to the Executive Committee the condition of the Post's finances with such recommendations as may be deemed expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall also prepare and give reports at the regular meeting if directed to do so by the Commander. He/she shall have authority to sign all checks disbursing funds of the Post along with the Commander and one other member as designated by the Commander. He/she shall furnish such fidelity bond as prescribed by the Executive Committee. He/she shall make a vigorous effort to collect all amounts due the Post and pay all bills promptly. He/she must be alert to any mishandling of funds and bring such irregularities to the attention of the Executive Committee. He/she is responsible for maintaining budgetary records and for bringing to the attention of the Commander any expenditures outside of the budget.

Section 5. Duties of Historian. The Historian shall be charged with collecting and preserving the individual records and incidents of the Post and Post members, and shall perform such other duties pertaining to the position as determined by the Post or the Executive Committee.

Section 6. Duties of the Chaplain. The 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., and shall adhere to ceremonial rituals as are recommended by the national or departmental headquarters.

Section 7. Duties of the Service Officer. The Service Officer is not an expert in veterans' law or benefits; however, he/she should have a strong desire to assist veterans and serve as the initial point of contact regarding veteran issues by providing veterans in the community with basic information and assistance. He/she shall serve as a link between the veteran or dependent and a representative holding American Legion accreditation. He/she shall provide assistance, free of charge, to veterans and their families. This includes but is not limited to assisting them in applying for VA disability benefits, providing information, referrals and resources on education, employment and business, death benefits and other important topics to ensure they are aware of and receive all entitlements provided by Federal and State law. He/she shall have readily available contact information for various resources that could be beneficial to veterans and their dependents. These resources can include, but are not limited to:

- American Legion Department Service Officer (DSO)
- County/local representatives with American Legion accreditation
- Agencies for senior citizens
- State and local nursing homes
- Homeless shelters
- State and national cemeteries
- Department of Veterans Affairs contact information, including phone numbers and website addresses

Section 8. Duties of the Sergeant-at-Arms. The Sergeant-at-Arms shall preserve order at all meetings and shall perform such duties as may be assigned by the Executive Committee.

Section 9. Duties of the Judge Advocate. The Judge Advocate shall be responsible for the orderly conduct of disciplinary procedures. Accordingly, he/she shall investigate all claims (written or oral) of misconduct, untoward incidents and inappropriate behavior taking place on Post premises. He/she shall gather facts relating to untoward incidents, conduct interviews of accuser, accused and witnesses and present the findings to the E-Board along with a recommended course of action. He/she shall also prepare letters/correspondence (such as suspension letters) as required based on the decision of the E-Board and post them upon approval by the Post Commander. He/she shall advise on the construction and interpretation of the Post's Constitution, By-Laws and House Rules and perform such other duties as are incident to the office.

Section 10. Duties of other officers. Other officers of the Post shall perform duties as directed by the Commander and as prescribed in the Post Commander's Guide.

ARTICLE V - DELEGATES

Section 1. Delegates and alternates to a department convention shall be elected by the Post at a regular Post meeting held at least 45 (forty-five) days prior to the date of such convention. The Commander and Junior Past commander shall be automatic delegates.

Article VI - APPOINTMENTS

Section 1. The Commander shall maintain the following standing committees each year in addition to any others he/she may designate:

Membership, Post Activities, Rehabilitation, Children and Youth, Americanism, Community Service

These committees shall be appointed and the name and address of the chairman of these committees forwarded to the District Commander and Department Headquarters no later than September 20th each year.

Section 2. Membership and Post Activities Committee: Shall have charge of all matters pertaining to the membership of the Post including procurement of new members, reinstatement and eligibility of members, strategies to welcome, engage and train new members into the organization at all levels and to enhance long term member retention.

Section 3. Rehabilitation Committee: Dedicated to the timely and compassionate delivery of benefits earned by U.S. Military veterans, this committee shall formulate plans to assist veterans in pursuing claims, understanding their rights and obtaining their benefits. Committee members also visit comrades who are sick or disabled, and provide comfort to member's families in illness and bereavement. The chairperson is the Service Officer.

Section 4. Children and Youth Committee: Shall be charged with aid and service to children of veterans through cooperation with other established service agencies in the community. The purpose of the committee is to formulate, recommend and implement plans, programs and activities designed to:

- Assure care and protection for the children of veterans.
- Improve conditions for all children and youth, with due concern for maintaining the integrity of the family home.
- Prevent social and physical ills of children and youth where possible.
- Maintain a balanced program that provides for their physical, emotional, intellectual and spiritual needs.

Section 5. Americanism Committee: Seeks to inspire patriotism and good citizenship through patriotic observances, flag etiquette, civic instruction in schools, the Americanization of immigrants and education of the general public in American ideals through public forums and activities for community and civic betterment. Programs and specific areas of work include youth activities such as Boys State, Boy Scouts, scholarship programs, oratorical contests, American Legion Baseball, U.S. Flag education and voter awareness.

Section 6. Community Service Committee: The mission of this committee is to sponsor programs and services that make our community a better place in which to live. This is accomplished by studying the needs in our community and cooperating with and soliciting cooperation of other organizations on practical, worthwhile projects for community improvement. There are two aspects of Community Service; First, the ACTION program requiring pre-selection of the activity, planning, carry-out and completion; Second, the REACTION program is a spontaneous decision dictated by nature (floods, tornadoes, disasters, etc.). It is the ACTION program that fulfills our obligation in the PREAMBLE to the Constitution of The American Legion in the words, "To inculcate a sense of individual obligation to the community, state and nation."

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 on the subject and copy of same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by this Post is taken.

ARTICLE VIII - MEETINGS

Section 1. The regular meeting of the Post shall be held at the club rooms on the second Tuesday of the month, at which may be transacted such business as may be properly brought up for action.

A. No regular meeting will be held during the months of June, July and August.

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

Section 3. Upon written request of 20 (twenty) members, the Executive Committee shall call a special meeting of the Post.

ARTICLE IX - NOTICES

Section 1. Every member shall furnish the Post Adjutant with his or her address for mailing purposes and/or a means for electronic contact/communication.

Section 2. The Post Adjutant shall cause notice of the annual election to be given at least two (2) weeks prior thereto.

ARTICLE X - Rules of Order

Section 1. All proceedings of the Post shall be conducted under and pursuant to Robert's Rules of Order, except as herein otherwise provided.

ARTICLE XI - Amendments

Section 1. These By-Laws may be amended at any regular meeting of the Post by a majority vote, provided that the proposed amendment has been read at the two (2) preceding meetings and written notice (including electronic means) shall have been given to all members at least 30 (thirty) days in advance of the date such amendment(s) is to be voted on. Proposed amendments shall be in the form of written resolutions and shall refer to the Articles and Sections to be amended.

Section 2. These By-Laws are adopted subject to the provisions of the National By-Laws of the American Legion and the Department of Oregon By-laws. Any amendment to said National or Department By-Laws which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying of these By-Laws to the extent of such conflict.

Approved by: _____ Commander, Gary Baldwin

_____ Adjutant, Marc Cowling

Date: _____