

“DRAFT REVISED” BY-LAWS OF THE AMERICAN LEGION

JIM KING POST 107, SODDY DAISY, TENNESSEE

DEPARTMENT OF TENNESSEE

(as of June 2022)

ARTICLE I:

Section 1. The Post existing under these by-laws is known as Jim King Post 107, The American Legion, Department of Tennessee.

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.

Section 2. The Executive Committee shall consist of 1 member plus immediate past commanders in addition to the officers of the post, and together with the officers of the post shall be elected annually in April and installed in June. Term of office will be 01 July of the current year through 30 June of the next year. All elections of officers and Executive Committeemen shall be by either a show of hands vote of members in attendance at the meeting, by ballot, or electronically, whichever method is selected by the Executive Committee, and the candidates receiving the highest number of votes shall be elected to the respective office or office for which they are candidates.

Section 3. All vacancies existing in the Executive Committee, or in an office of the post from causes other than expiration of term, shall be filled by a majority vote of the remaining members of the committee, and the person so appointed shall hold office for the unexpired term of the member or officer whom he succeeds. A vacancy shall exist when a member or officer is absent from his post for a continuous period considered detrimental to the interest of the post by the Executive Committee. Absence without the post commanders' permission for three consecutive meetings will be considered vacant.

ARTICLE III: 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 shortly after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander as often as said Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the joint written request of five or more members of said Post Executive Committee, five (5) members of the committee shall constitute a quorum thereof.

Section 2. The Post Executive Committee shall authorize and approve all expenditures, shall require safeguards for all persons having the custody of post funds; and shall charge and be responsible for the management of the affairs of this post as authorized by membership.

ARTICLE IV: DUTIES OF OFFICERS

Section 1. 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 dispersing of funds and shall make an annual report of the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof forwarded to the Department Adjutant. He shall perform such other duties as directed by the post.

Section 2. Duties of the First Vice Commander. The First Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of or when called upon by the Post Commander. They shall serve as the chairperson of the Nominating Committee responsible for reviewing nominations for the Post's Officers and Executive Board election as well as the Post's Legionnaire of the Year award.

Section 3. Duties of the Second Vice Commander. The Second Vice Commander is responsible for building an atmosphere in which Legionnaires have fun while accomplishing the mission of the Post.

Section 4. Duties of the Post 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 Organization 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 5. Duties of the Finance Officer. The Finance Officer of the Post shall have charge of all finances and see that they are safely deposited in some local financial institution and shall report once a month to the membership at the monthly meeting the condition of the finances of the Post, with such recommendations as the Finance Officer may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Finance Officer will be responsible for the annual budget submission for the upcoming Post year. The Finance Officer shall sign all checks and electronic distributions disbursing the money of the Post. Should the Finance Officer be absent or unable to sign checks individuals on the Post's account signature documents may sign checks. The Finance Officer shall furnish such safeguards as shall be directed by the Post Executive Committee.

Section 6. Duties of the Post Historian. The Post Historian shall be charged with the individual records and 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 Post Executive Committee.

Section 7. Duties of the Post Chaplain/s. The Post Chaplain/s 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.

Section 8. Duties of the Service Officer. The Service Officer must know how to utilize the expert services available through Legion channels as well as those of other agencies in his community. The Post Service Officer is responsible for bringing to the attention of all veterans and their dependents the rights and benefits granted them by law.

Section 9. Duties of the Sergeant-At-Arms. The Sergeant-At-Arms shall preserve order at all meetings, set up meetings and rituals areas in accordance with the Ritual Guide Lines, and shall perform such other duties as may be from time to time assigned to him by the Post Commander or the Post Executive Committee.

ARTICLE V: DELEGATES

Section 1. Delegates and alternates to a Department convention shall be elected by the Post at a regular meeting of the Post to be held at least (2) days prior to the date of such convention.

ARTICLE VI: APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year shall appoint the following standing committees: R.O.T.C. Awards, Boys State, Membership, Public Relations and such others as deemed necessary by the Post to perform the work of the Post. Such standing committees shall consist of such members, and the chairman thereof, as shall be designated by the Post Commander.

Section 2. The duties of these standing committees shall be directed by the National and Department instruction, program instructions and as may be assigned by the Post Commander.

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 a 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 the Post is taken.

ARTICLE VIII: MEETINGS

Section 1. The regular meeting of the Post shall be held at the Post home meeting room, or an otherwise designated place for special reasons determined by the Post, on the

third Tuesday of each month, at which may be transacted such business as may be properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post. Meeting times may be adjusted by the Post Executive Committee.

Section 2. The Post Commander or a majority of the Executive Committee shall have the power to call a special meeting of the post at any time but must be advertised ten (10) days prior to meeting. An emergency meeting can be called by the Commander or Executive Committee with only a minimum notice for any emergency reasons that need immediate attention.

Section 4. Five (5) members shall constitute a quorum.

ARTICLE IX: NOTICES

Section 1. Every member will be asked to furnish the Post Adjutant with their current mailing address as well as email address and telephone number and other information needed to prove his or her military service and dates of service with type of discharge, to prove eligibility for membership.

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

Section 3. The business year will be 01 July through 30 June of the next year.

ARTICLE X: RULES OF ORDER

Section 1. All proceedings of this post shall be conducted under and pursuant to current Roberts Rules of Order, except as herein otherwise provided.

ARTICLE XI: LIMITATION OF LIABILITIES

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

ARTICLE XII: DISPERSING OF FUNDS

Section 1. If for any reason, other than the loss of charter, that this Post should be dissolved, all assets shall be liquidated and all indebtedness satisfied with any and all proceeds remaining be divided among the paid membership at that time.

ARTICLE XIII: AMENDMENTS

Section 1. These by-laws may be amended at any time at any regular Post meeting by 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 meeting

preceding regular meeting of said post; and, provided further, that written notice shall have been given to all members at least fifteen (15) 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.