

BY-LAWS

ARTICLE I – NAME AND OBJECTS

Section 1. The Post existing under these By-laws is to be known as William B. Lutz Post No. 322, The American Legion, Department of Michigan.

Section 2. The objects of this post are as set forth in the Constitution of the National American Legion.

Section 3. The fiscal year of Post 322 shall be January 1 until December 31.

ARTICLE II – ADMINISTRATION

Section 1. The administration of the Post's affairs, meetings of the Post, and except as may be otherwise provided in these By-laws, shall be under the supervision of the Executive Committee. The Executive Committee shall consist of the Post Commander, immediate Past Commander, three (3) elected members at large in addition to all the elected officers. Each member of the Executive Committee will have one (1) vote. A simple quorum of those present at a meeting is required on a vote. The Board of Directors (Home Board) and Finance Board are excluded from serving on the Executive committee.

Section 2. The elected officers of this Post shall be elected in May and installed in the month of June, annually. Any member in good standing shall be eligible for office and must be validated by the nominating committee. All elections shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices. In the event of a tie then another ballot shall be cast. In the event there is only one candidate per office a motion may be cast from the floor to make a unanimous vote for those candidates.

Section 3. All vacancies existing in the Executive Committee, or in any office of the post from any cause other than the 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 who succeeded. A vacancy shall exist when an officer has unexcused absences from the Executive Committee or Post monthly meeting for three (3) consecutive meetings. The Commander must be notified prior to the meeting to be considered excused.

Section 4. Elected offices are: Commander, 1st & 2nd Vice Commander, Adjutant, Finance Officer, Sergeant at arms, three (3) at-large members to serve on the Executive Committee.

Section 5. Appointed Offices are Chaplain, Service Officer, Judge Advocate, and Historian.

Section 6. Internal Financial Reports: All Post entities/committees operating under that specific Federal I.D. Number assigned to Post 322 shall present monthly financial reports to the Post Financial Officer so that those activities may be included in the monthly financial reports to the general membership.

Section 7. Budget: The Commander with the advice and consent of the Budget Committee shall present a proposed annual operating budget no later than November 15th. An Annual Operating Budget shall be adopted at the December meeting. Budget Committee shall consist of Post Commander, Adjutant and Finance Officer.

Section 8. Audits: The financial records ("books") of the Post shall have an audit completed, by the Audit Committee, within 45 days of the installation of officers. The Audit Committee shall be appointed by the incoming Commander and shall consist of at least one Past Finance Officer (if he is the current Finance Officer he will be replaced by another Past Officer) and one Past Adjutant and one Past Commander. In addition, the incoming Commander may appoint to this committee additional Past Post Officers.

Section 9. Board of Directors (Home Board): The board, under supervision of the Executive Committee, shall manage the Memorial Home and property. It shall consist of six (6) members, three (3) to be selected from the American Legion Post 322 who will serve two-year terms. The fourth member should be the S.A.L. Squadron Commander who will serve a two-year term. The fifth member should be the President of the Auxiliary of the Saline American Legion Post 322 who will serve a two-year term. The sixth member is the current Post Commander, who has no vote, but is required to attend all board meetings. The board shall meet within 10 days of selection and elect a President, secretary and treasure who shall serve for a one (1) year period and will meet at regular periods. Each member of the board will have one (1) vote. If a selected representative is unable to attend a meeting, that representative may send a duly selected member of their organization to attend and cast a vote in their behalf. A simple quorum of those present at a meeting is required on a vote.

Sub Section A. The Board of Directors may hire and compensate such employees as may be necessary to operate, maintain and keep in proper repair the Memorial Home and property and allow for its use at all reasonable hours.

Sub Section B. Pre-approval, of the Executive Committee shall be had, before signing a legal contract for services or goods.

Sub Section C. The Board of Directors shall require adequate bonds from all persons having the custody of post funds.

Section 10. Finance Board: The Finance board of directors, under supervision of the Executive Committee, shall manage the Memorial Home and property reserve financial assets. It shall consist of seven (7) directors, two (2) selected from the American Legion Post 322 who will serve two-year terms. Two (2) selected from the S.A.L. who will serve two-year terms and two (2) from the Auxiliary of the Saline American Legion Post 322 who will serve two-year terms. The seventh member is the current Post Commander, who has no vote, but is required to attend all board meetings. The directors shall meet within 10 days of selection and elect a President, secretary and treasure who shall serve for a one (1) year period and will meet at regular periods. Each director will have one (1) vote. If a selected representative is unable to attend a meeting, that representative may send a duly selected member of their organization to attend and cast a vote in their behalf. A simple quorum of those present at a meeting is required on a vote.

Sub Section A. The Finance Board shall require adequate bonds from all persons having the custody of post funds.

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 30 days after the installation of the new officers. Thereafter the post Executive Committee shall meet at the call of the commander at least every 3 months 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 (3) or more members of said post Executive Committee; members of the committee shall constitute a quorum thereof.

Section 2. The post Executive Committee shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of post funds; shall review the reports of post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this post.

Section 3. Each Executive Committee member shall have one vote. Any officer holding more than one office shall have only one (1) vote within each respective committee. The Post Commander shall be Ex-Officio and shall have a vote only in the event of a tie.

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. 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 the annual meeting and a copy thereof immediately, forwarded to the department adjutant. The Commander shall perform such other duties as directed by the post.

Section 2. Duties of 1st & 2nd Vice-Commander. The 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. He shall be in charge of Post Ceremonials, installation of officers, parades, ceremonial rifles, and special events.

Section 3. Duties of 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 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. The finance officer of the post shall have record of all finances and see that they are safely deposited in a local bank or banks and shall report once a month to the Membership the condition of the finances of the post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the post.

Section 5. Duties of Sergeant-at-Arms. The sergeant-at-arms shall preserve order at meetings, verify membership and shall perform such other duties as may be from time to time assigned by the post Executive Committee.

Section 6. Duties of Post Chaplain. The post chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but nonsectarian 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 7. Duties of the Service Officer. Is responsible for servicing and bringing to the attention of all veterans and their dependents the rights and benefits granted to them by law.

Section 8. Duties of Judge Advocate. The Judge Advocate shall be responsible for the legal concerns of the post.

Section 9. Duties of Post Historian. The post historian shall be charged with the individual records and incidents of the post and post members.

ARTICLE V – DELEGATES

Section. 1. Delegates and alternates to a department convention shall be elected by ballot by the post at a regular meeting of the post to be held at least 30 days prior to the date of such convention.

Section 2. One delegate, normally the Post Commander and his/her spouse, or in the event he/she cannot attend, his/her replacement, shall have all reasonable and customary expenses paid/reimbursed to attend the Department convention. All other delegates shall be reimbursed for only the costs of the required delegate fees.

Section 3. The delegates shall attend all relevant activities and submit a report to the membership.

ARTICLE VI– APPOINTMENTS

Section 1. The post commander, immediately upon taking office each year, shall appoint the following standing committees as necessary: Americanism, Bingo or Gaming, Ceremonials, Children and Youth, Graves & Registration, Membership, Public Relations, Scholarship, Security, VAWS. These standing committees shall have a chairman appointed by the Executive Committee.

Section 2. Americanism Committee. 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; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 3. Bingo or Gaming Committee. The Bingo or Gaming Committee shall be responsible for the operation and administration of the bingo or gaming activities licensed by the Post. Some of the duties include procuring gaming supplies, administration costs, personnel staffing, license fees, food, and any supplies necessary for the gaming operation. The bingo committee shall keep only sufficient or reserve funds necessary for the safe and prudent operation of the gaming activities of Post 322. All monies above this safe amount shall be deposited into the appropriate Legion Bank Account. The Post 322 Finance Board shall determine this safe amount.

Section 4. Ceremonials Committee. The Ceremonials Committee shall insure all new members are properly initiated. The committee also concerns itself with proper presentation

of other rituals outlined in the Manual of Ceremonies--burial detail and the wearing of Legion regalia.

Section 5. Children and Youth Committee. The Children and Youth Committee shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. To act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "no child of a war veteran shall be in need of the necessities of life" and "a square deal for every child."

Section 6. Graves Registration and Memorial Committee. The Graves Registration and Memorial Committee duties involve recording of gravesites and complete information on veteran's burial in cemeteries assigned to the post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries.

Section 7. Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatements and eligibility of members.

Section 8. Public Relations Committee. The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, department and national Legion news service and by local publicity of post programs and activities.

Section 9. Scholarship Committee. The Scholarship committee shall educate the community's about scholarship opportunities. Availing them of the pamphlet "Need a Lift" and personally contacting the schools in the area to visit with the schools administrators and counselors may do this. The committee members should prepare an application for the scholarship (in cooperation with the high schools) and make them readily available to any qualified. This information should be publicized in the Post Newsletter and the High School's Counselors Offices. The committee should then select the winners of the scholarships and notify them of their selection.

Section 10. Security Committee. The Security Committee shall work with and coordinate Legion efforts with the Local Civil Defense Council on matters pertaining to national, civilian and home defenses. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the nation and the security of the American home.

Section 11. Visiting or VAVS Committee. This committee is charged with visiting and comforting members and their families when sick or bereaved, and with visiting ex-service personnel in hospitals.

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 the post is taken.

ARTICLE VIII – MEETINGS

Section 1. The regular meeting of the post shall be held at the Memorial Home Hall on the last Thursday of each month, or rescheduled as necessary; 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 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 at any time.

Section 3. Upon the written request of six (6) members, the Executive Committee shall call a special meeting of the post.

Section 4. A simple majority of the Post Executive Committee officers shall constitute a quorum.

Section 5. The Post will conduct, open and close its local meetings as per “National Manual of Ceremonies” and “Post Commander’s Guide.”

ARTICLE IX – NOTICES

Section 1. Every member shall furnish the post adjutant with an address for mailing.

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

ARTICLE X – RULES

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

ARTICLE XI – LIMITATION OF LIABILITY

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

ARTICLE XII – AMENDMENTS

Section I. These By-Laws may be amended at any regular post meeting by a 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 or posted on the Saline Legion bulletin board, newsletter, and/or WEBSITE and read at the next receding regular meeting of said post: and, Provided, Further, That written or posted notice shall have been made available to all members at least 30 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.