

**THE AMERICAN LEGION  
DEPARTMENT OF  
WASHINGTON  
Poulsbo Post 245**



**POST BYLAWS**

Revised and Adopted  
18 February 2010

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**BYLAWS**  
**The American Legion, Department of Washington**  
**Poulsbo Post 245**

**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 maintain law and order;
- To foster and perpetuate a one hundred percent Americanism;
- To preserve the memories and incidents of our associations 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;
- 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.

**Article I – Name**

**Section 1** The name of this organization shall be The American Legion, Department of Washington, Poulsbo Post 245, and referred to hereafter as Post 245.

**Article II – Object**

**Section 1** The objects and purposes of this Post shall be to promote the principles and policies as set forth in the preamble to these bylaws, and the National and Department of Washington Constitutions of The American Legion.

**Article III – Civil Nature**

**Section 1 Civilian Organization.** The American Legion is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank does not exist in The American Legion, and no member shall be addressed by a military or naval title in any convention or meeting of The American Legion.

**Section 2 Non-Political.** The American Legion shall be 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. Encouraging citizens to “Vote” in any and all elections by members of this Post is an understood responsibility of all members under the responsibility to foster Americanism.

## **Article IV – Membership**

**Section 1 Membership Eligibility.** Any person shall be eligible for membership in Post 245 who meets the eligibility requirements for membership as established in the National Constitution of The American Legion.

**Section 2 Form or Class of Membership.** There shall be no form or class of membership except an active membership; and dues shall be paid either annually or for life.

**Section 3 Post Membership.** No person may be a member of more than one Post at any one time.

**Section 4 Application and Approval.** Each applicant for membership in a Post shall present a completed official membership application or transfer form, together with the current dues, for a vote by the Post membership. The application shall be submitted to the membership of Post 245 for vote of acceptance, rejection, or referred for investigation and further consideration. A majority vote of the members voting to deny acceptance in membership shall then require a formal vote of the members for rejection. A majority of the members voting must vote to reject before an applicant is denied membership in Post 245. Applications that are referred for investigation and further consideration must be subject to a formal review process and time line so as to assure the applicant and Post 245 of a fair and proper process and timely resolution of any questions.

**Section 5 Induction.** An individual vote into the membership of Post 245 shall be formally inducted into the Post at the earliest opportunity following the vote; normally the next regular meeting of Post 245.

**Section 6 Resignation and Transfer.** A member of Post 245 wishing to resign from the Post or to transfer to another Post shall indicate that desire in writing to the Post Adjutant for action. Until a resignation is formally accepted by the Post or the transfer is approved, the member requesting the action shall remain a member of record in Post 245.

**Section 7 Expulsion.** A member may be expelled or suspended from the Post and, thus, from The American Legion, only after a fair trial, with the right to appeal, for disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of the Legion.

A. Charges must be filed in writing, under oath and must detail the specific misconduct or reason for expulsion.

B. The member charged shall have the right to a fair trial, the right to representation on his behalf, the right to call witnesses, and the right to make a statement under oath or not under oath. The member shall have the right to choose a closed trial or an open trial in the presence of the entire Post 245 membership.

C. The full Executive Committee shall sit as the presiding Body with any and all members excusing themselves in the event of conflict of interest or inability to remain fair and impartial. No replacements shall be appointed. If a quorum of the Executive Committee is not available through self removal, the Executive Committee of another Post in the Department shall be requested to sit as the presiding body.

D. A two thirds vote of the presiding body to expel shall be required to deny the charged individual continued membership in Post 245. A tie vote shall be resolved to be in favor of the charged member.

E. A member cleared of charges that could lead to expulsion in trial shall continue membership in Post 245 without prejudice or recrimination.

F. Any individual charged and found guilty under this Section may appeal said conviction to the Department of Washington under such process and procedure as may be established by the Department. The decision of the Department of Washington shall be final.

G. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in regular Post meeting, and the payment of current dues for the year in which the reinstatement occurs.

H. No person who has been expelled by another Post shall be admitted to membership in this Post, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, may then appeal to the respective Department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted. The process and procedures of the respective Department under which the expulsion occurred shall take precedence in this matter.

**Section 8 Charter Members.** Post 245 Members who joined this Post prior the issuance of the temporary charter shall be known as charter members.

**Section 9 Contact Information.** Each member of the Post shall furnish the Post Adjutant with an address for mailing and for electronic communications (email).

## **Article V – Officers**

**Section 1 Officers of the Post.** The elected officers of Post 245 shall be:

- A. Post Commander
- B. First Vice Commander

- C. Second Vice Commander
- D. Post Adjutant
- E. Post Finance Officer
- F. Post Chaplain
- G. Post Historian
- H. Post Service Officer
- I. Post Sergeant-at-Arms
- J. Post Service Officers
- K. Executive Committee Director

**Section 2 Duties of Post Officers.** The elected officers of the Post shall carry out the following assigned duties:

**A. 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 and the Chair of the Post Executive Committee. 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. The Commander shall perform such other duties as directed by the Post.

**B. 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.

**C. Second Vice Commander.** The Second Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of the Post Commander and First Vice Commander, or when called upon to do so by the Post Commander.

**D. Post Adjutant.** The Post 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. The Adjutant shall also be responsible for preparation and completion of new member initiation into the Post.

**E. Post Finance Officer.** The Post Finance Officer shall have charge of all Post finances, with the exception of the Building Fund to be maintained by the Chair of the Building Committee, and see that they are safely deposited in appropriate local bank or banks and shall report once a month to the Executive Committee and to the Post the status and condition of the finances of the Post, with such recommendations as may deem appropriate or necessary for raising of funds with which to carry on the activities of the Post. The Finance Officer shall maintain Post fiscal records under his jurisdiction in condition for audit.

**F. Post Chaplain.** The Post Chaplain shall be responsible for guiding the spiritual welfare of Post comrades and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc. The Post Chaplain shall perform his duties in accordance with such ceremonial rituals as are recommended by the National or Department headquarters from time to time.

**G. Post Historian.** The Post Historian shall be charged with the documentation and recording of unofficial and official proceedings of the Post and Post members, and shall perform such other duties may be determined by the Post or the Executive Committee.

**H. Post Service Officer.** The Post Service Officer shall be charged with the responsibility to perform fundamental support work for the benefit of members of this Post, other eligible veterans, and the widows and orphans of the members and other War veterans. Service for the welfare of all concerned is the privilege of this office. The Service Officers shall man and oversee the operation of the Post Service Office when such office is established and in normal operation.

**I. Sergeant-at-Arms.** The Sergeant-at-Arms shall preserve order at all meetings and ensure the completion of such standard ceremonial functions as may be appropriate for meetings of the Post. The Sergeant-at-Arms shall perform such other duties as may be from time to time assigned by the Executive Committee.

**J. Executive Committee Director.** Each of the Executive Committee Directors shall serve as a voting member of the Executive Committee and shall function as the direct representatives of the members and act in their best interests in all matters before the Executive Committee.

**Section 3 Nomination of Candidates.** Candidates for elected positions within the Post leadership structure shall be solicited and vetted by a Nomination Committee comprised of not less than three Post members. The three Post Commanders are not eligible to serve on the nominating committee. The Nominating Committee will be named by the Post Commander not later than the regular meeting in March of each year. The committee will report out the candidates nominated for each Post open for election at the meeting in May, the month preceding elections at the June meeting. Nominations will be taken from the floor, prior to elections at both the May and June meetings. Any member in good standing of Post 245 may be nominated and elected. No individual may be nominated without a willing commitment to serve if elected.

**Section 4 Election of Officers.** Election of Post officers shall occur during the regularly scheduled meeting in the month of June of each year. The election of officers shall be scheduled as the first order of business in that meeting to ensure that the election process is completed without undue haste or coercion on the members.

A. Elections shall be for one position at a time and the results of the election for that position determined and announced prior to moving to the next position.

- B. Nominations from the floor will be called for and closed properly before the first ballot is called for. Self nomination is permissible.
- C. Election shall be by secret ballot with each member voting casting a single ballot. A team of tellers (at least 2) will be responsible to tally ballots and announce results. In the event of a tie, a revote will be required. In the event of a second tie vote for the office, the election will be resolved by a flip of a coin.
- D. Individuals on a ballot who are not successful in their effort for election may be nominated for any subsequent office considered for election.
- E. The common election process shall continue until all elections are completed.

**Section 5 Assumption of Office.** Post officers elected in June shall be sworn into their offices at the regular Post meeting in July immediately following the month of election; provided that no individual shall take office prior to the day following the close of the Department Convention. Officers shall continue to serve in their elected office until relieved by a newly elected officer being sworn in. Continuity of operations will be maintained. The term of office for each elected officer shall be a nominal one year period. There are no limits on the number of terms that any individual may serve in any elected office of the Post.

**Section 6 Resignations and Vacancies.**

- A. A vacancy shall exist when a Director or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee. A vacancy of the Post Commander position shall be filled by automatic promotion of the First Vice Commander and then Second Vice Commander. A vacancy in the First Vice Commander office shall be filled by promotion of the Second Vice Commander. A vacancy of the Second Vice Commander officer position and all other non-Commander level positions 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 Executive Committee. The individual so appointed shall hold office for the unexpired term of the member of the office who they succeeded.
- B. Any Elected Officer or member may resign without question, at their individual discretion. It is most appropriate for a resignation to be offered in writing with a specified effective date. The vacancy created by resignation shall be processed in the same manner as any other vacancy.

**Section 7 Recall.** Recall of an elected officer is an authority reserved to the membership and undertaken only in the most severe case of misfeasance, malfeasance or misconduct in office or as an American Legion member.

- A. A formal complaint and request for recall must be filed with a petition signed by not fewer than five (5) members in good standing of Post 245.

- B. The petition to recall must provide specific details of conduct worthy of recall consideration. The Executive Committee, in closed session, shall determine if the recall petition shall be allowed to go forward.
- C. The officer being subjected to recall action shall have ample opportunity to make a case against recall including the opportunity to openly and freely address the assembled membership at open meeting.
- D. Recall shall be subject to a secret ballot vote of the membership present at the meeting previously announced as having recall action as an item of business. A two thirds vote of the members voting is required to affect recall.
- E. If the recall vote is sustained, the officer shall be removed from office immediately on announcement of the vote results. There is no appeal to recall. If the recall effort fails, the officer shall continue in the office without prejudice or recrimination. No further disciplinary action may be taken against the officer based on the information in the recall petition.

## **ARTICLE VI – Management**

**Section 1 Executive Committee.** The government and management of the Post is entrusted to the Executive Committee, comprised of the officers of the Post, and elected annually. Actions of the Executive Committee require a quorum of the Committee itself.

**Section 2 Composition.** The Executive Committee shall consist of the Post Commander, First Vice Commander, Second Vice Commander, Post Adjutant, Post Finance Officer, Post Chaplain, Post Historian, Post Service Officer, Post Sergeant-at-Arms, and up to five Executive Committee Directors. The Post Commander shall serve as Chairman of the Executive Committee with normal succession of powers in his absence.

**Section 3 Authority and Powers.**

- A. The routine day-to-day operation of Post 245 and the routine administration of the Post shall be carried out by the Executive Committee.
- B. The Executive Committee shall exercise such authority and powers as may be necessary for the conduct or routine business except as provided for in these bylaws.
- C. The Post Adjutant, or his designated proxy, shall record and report the minutes of each meeting of the Executive Committee.
- D. The Executive Committee is not authorized to:
  - (1) Obligate the Post to a long term fiscal or support commitment without the prior approval of the Post.
  - (2) Expend funds or authorize expenditure of funds, for purpose other than routine operation of the Post without prior approval of the Post.

- (3) Obligate the Post to any public action or activity that would involve the members of the Post without prior Post approval.
  - (4) Endorse through the use of the Post 245 name, the activities of any individual or group with out prior Post approval.
  - (5) Implement any revision to existing policy, as documented, without the prior approval of the Post.
- E. All actions, other than the routine conduct of Post business, taken by the Executive Committee shall be reported to the Post in appropriate detail at the next regular meeting of the Post following the action taken.

#### **Section 4 Special Rules for Conduct of Business.**

- A. The 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. Thereafter the Post Executive Committee shall meet at the call of the Commander at least every month and as often as said Commander may deem necessary.
- B. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three or more members of the Executive Committee.
- C. Not fewer than one half plus one of the elected officers shall constitute a quorum for conduct of Post business by the Executive Committee.
- D. Meetings of the Executive Committee are open to all members in good standing of the Post. Members attending Executive Committee meetings will have no right of speech or action unless granted by the Chair.
- E. The Executive Committee shall meet in open session except when a closed Executive Session shall be declared and exercised for matters dealing with:
  - (1) Possible disciplinary action regarding a member of the Post;
  - (2) Real estate transactions dealing with real property owned by the Post or subject to Post acquisition;
  - (3) Any actual or potential legal action involving the Post.
- F. Executive Session meetings shall be open only to members of the Executive Committee unless that Committee specifically calls a Post member or other individuals to attendance. Executive session meetings shall be called to deal with potential punitive action involving a member, real estate sales or exchange, or hiring or firing of staff personnel.

### **Article VII - Meetings**

**Section 1 Regular Meetings.** The regular meeting of the Post shall normally be held at the Post 245 Hall (Braidablik Hall, Poulsbo) on the third Thursday of the month, at 7:00pm. Business conducted during the regular meeting shall normally be in accordance with an agenda published by the Post Commander in advance of the meeting. However, any business appropriate for a regular meeting of the Post may properly be brought up for consideration and action by any member present. Regular meeting may be redirected from business to social

or entertainment meetings at optional times, as may be deemed advisable and previously announced by the Post Commander. The Post Commander shall prepare and publish a formal agenda for each meeting not less than seven (7) days prior to the regular meeting. The Post Commander shall cause the agenda to be posted to the Post 245 web site and shall have a suitable number of copies available for members attending the meeting.

**Section 2 By-Months.** Under the regulations of The American Legion, the Post may have two (2) by-months (*months without meetings*) each year. The decision to not have a meeting in any specific month will be made by the Executive Committee and must be announced not later than the regular meeting preceding the “by” month.

**Section 3 Executive Committee Meeting.** The Executive Committee shall normally meet on the same night as the regular monthly meeting and commence one and one-half hours before the regular meeting. The Executive Committee meeting shall be at the same location as the regular monthly. In the event of emergent need or other highly unusual circumstances, the Post Commander may convene the Executive Committee monthly meeting at another date with the consensus agreement of the Committee.

**Section 4 Special Meetings.**

A. The Post Commander or a majority of the Executive Committee shall have authority to call a special meeting of the Post at any time. To call a Special Meeting a minimum of 35% of the current membership must be notified at least one week prior to the meeting. E-mail notification to valid member addresses is permitted. Post business at a Special Meeting shall normally be limited to a single matter requiring timely action. Significant business appropriate to a normal meeting shall not be addressed at a special meeting.

B. Upon the written request of four members in good standing of the Post, the Executive Committee shall call a Special Meeting of the Post. The request must specify the business to be placed before the Post and justify the need and urgency for the business identified to be requiring a special meeting. Special Meetings may not be called unless a minimum of 35% of the membership including all Post officers are notified at least one week prior to the meeting. E-mail notification to valid member addresses and posting of the meeting notice to the Post 245 web site shall be required.

**Section 5 Quorum.** Not fewer than one half plus one of elected officers and a like number of members shall constitute a quorum for conduct of Post business at a regular monthly meeting or any special meeting called by the Post.

## **Article VIII – Delegates and Representative to Department**

**Section 1 Delegate Election.** Delegates and alternates to the Department

Convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least thirty-five (35) days prior to the date of such convention. Nominations shall be from the floor. Delegates, at the number authorized for the Post, shall be elected followed by election of Alternates.

**Section 2 District Representation.** The Post Commander shall attend all District meetings and Conferences as the voting representative of Post 245. In the event that the Post Commander is unable to attend such meeting he will select another Post officer, using the normal chain of progression, to represent the Post as the voting member. Certification of the designated Post 245 representative to exercise the voting power of the Post 245 Commander must be provided to District Commander prior to that representative voting at a District Meeting or Conference. It shall be the responsibility to ensure that such certification is filed timely. If the Post 245 also serves on the District staff, that Post representative shall continue to represent the post and all District interests will be subordinate to Post interests.

## **Article IX – Committees**

**Section 1 Standing Committees.** The Post shall have the following standing committees with duties and responsibilities as noted:

- A. **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; assisting legal immigrants toward assimilation and American citizenship; and generally promoting the ideals of Americanism in the public forum.
- B. **Children and Youth Committee.** The Children and Youth Committee shall be responsible for 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 necessities of life" and "a square deal for every child." Post sponsored youth activity programs shall be under the cognizance of the Children and Youth Committee.
- C. **Finance Committee.** The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing, investment, and accounting of all Post funds.
- D. **Veterans Rights and Benefits Committee.** The Veterans Rights and Benefits Committee shall deal with local employment programs, veteran's preference, government employment and re-employment rights. In addition, the Committee shall oversee recording of local grave sites and complete information on veteran's burial in cemeteries assigned to the

Post. Special assistance will be provided by the Post Service Officers in providing flags, headstones, or proper interment in national cemeteries. The Committee shall also oversee all matters pertaining to service comrades in the prosecution of all just claims against the United States or state government, employment, relief, or as appropriate. Further, the Committee is responsible for visiting and comforting members and their families when sick or bereaved and with visiting veterans in nearby hospitals, as may be appropriate and required.

**E. Building Committee.** The Building Committee shall be responsible for operation, maintenance, leasing, rental, and associated marketing of the Post's real property (owned, assigned or leased to the Post) as regulated and permitted by existing laws and regulation. The Committee shall be responsible for the acquisition of such furniture and outfitting items as are necessary for efficient and effective use of facilities. The Building Committee shall oversee the fiscal operation of real property investments, revenues and expenditures but shall require Post approval for expenditures other than routine maintenance cost. The Building Committee Chair shall have charge of the Building Fund who shall be responsible to see that funds are safely deposited in an appropriate local bank and shall report once a month to the Executive Committee and to the Post the status and condition of the finances of the Building Fund, with such recommendations as may deem appropriate or necessary for raising of funds with which to carry on the activities of the Building Committee. The Building Committee Chair shall maintain Building Fund fiscal records in condition for audit. The committee shall arrange Post working parties as appropriate for routine maintenance activities or property or for other projects, as may be appropriate.

**F. Membership Committee.** The Membership Committee shall be responsible for all matters pertaining to the membership of the Post, including the retention of current members, recruiting new members, and the reinstatements of prior members. The Committee will be responsible to assist prospective members in completion of appropriate membership applications including verification of eligibility.

**G. Legislative Committee.** The Legislative Committee shall be responsible to establish and maintain a current understanding of state and federal legislative actions that impact veterans' rights and benefits to establish a position of support or opposition by Legion members. In addition, the Committee will maintain a working knowledge of American Legion legislative actions ongoing at the state and federal levels so as to establish a more coordinated Legion effort regarding that legislation.

**H. 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.

**I. Sons of the American Legion Committee.** The SAL Committee shall have supervision over the operations of the Post Squadron.

**Section 2 Temporary Committees.** From time to time, as may be appropriate, the Post Commander or Executive Committee may establish such temporary committees as may be necessary for the effective and efficient operation of the Post. Such committees might include: Entertainment Committee, National Security Committee, Nominating Committee, Ceremonials Committee, Foreign Relations Committee, Grant Application Committee, Color Guard Committee, American Legion Riders Committee, Financial Audit Committee, etc.

**Section 3 Committee Assignments.** Committee assignments including the designation of a committee chairperson shall be the exclusive responsibility of the Post Commander. Committee members and committee chairpersons serve at the pleasure of the Post Commander and can be relieved of such assignment by the Post Commander at will. All committee assignments are considered to continue through the election and induction of a new Post Commander unless specifically directed otherwise by that individual. Post members are considered to have an obligation and responsibility to serve on at least one committee if requested by the Post Commander or the assigned Committee Chairperson.

**Section 4 Committee Membership.** A complete listing of all Committees, standing and temporary, including identification of committee chairs and all members of the committee shall be posted to the Post web site.

## **Article X – Post Financial Operations**

**Section 1 Revenues.** 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 National and Department Dues.** The Post Finance Officer shall pay to the Department headquarters the National and Department annual membership dues for every member in the Post who has paid said dues to the Post. Payment of National and Department dues shall be forwarded, to the Department, within the required fifteen day period, following payment by the individual member.

**Section 3 District Annual “Per Capita” Fee.** The annual per-capita, established by the Third District for members of the District, shall be paid to the District by the Post Finance Officer for each member in the Post who has paid their annual dues to the Post. Payment shall be made on the schedule published by the District. The Post Adjutant shall provide the number of paid members of the Post, in writing, to the Post Finance Officer not less than two weeks prior to that published due date.

**Section 4 Separation of Funds.** Funds in the custody of the Post Finance Officer may include purpose designated funds as well as general purpose funds. The Post Finance Officer will establish appropriate accounting procedures and banking accounts to prevent the commingling or improper use of funds.

**Section 5 Audit.** The Post Commander will cause a review of all Post financial accounts at the relief of Post Finance Officer or at least every three (3) years, whichever is sooner. A formal report of that review will be filed and presented to the Post at the next regularly scheduled Post meeting after completion of the review.. A formal audit of the Post accounts may be ordered by the Executive Committee at any time the Executive Committee believes such an audit is required and appropriate, considering the expense of such audit.

**Section 6 Bonding of Post Finance Officer.** The Post Finance Officer shall be bonded at the expense of the Post for a value not less than the average value of all accounts under the control of that Office for the previous three ears.

## **Article XI – American Legion Auxiliary**

Post 245 recognizes an auxiliary organization to be known as the Auxiliary Unit of Poulso Post 245, The American Legion.

## **Article XII – Parliamentary Authority**

All proceedings of this Post shall be conducted under and pursuant to Roberts' Rules of Order (Newly Revised) except as otherwise provided herein.

## **Article XIII – Approval and Amendment**

**Section 1 Initial Approval.** The bylaws of Post 245 shall be approved by a vote of the members of the Post. Notification of bylaws action shall be published to all members of the Post in writing (email is considered to meet the notification requirement) at least sixty (60) days in advance of the intended date for the action. The bylaws (complete) or major revision under consideration shall be presented to the members at the meeting immediately preceding the meeting at which the approval vote shall be taken. An opportunity for discussion and proposed amendments shall be provided at that first reading meeting. A vote for approval shall require an affirmative vote of not less than two-thirds of the members attending, provided that a quorum for conduct of Post business is established. A vote that fails to adopt the bylaws or a major revision, as presented to the members, shall cause the existing bylaws or other governing rules to remain in effect.

**Section 2 Amendment Proposal.** Any member in good standing of the Post may propose in writing an amendment to the bylaws.

- A. A proposed amendment shall address only one article of the bylaws.
- B. The proposed amendment shall be in writing and shall be complete so as to avoid confusion or misunderstanding or the proposal. A revision in wording of an existing section or sentence shall include a complete rewrite of the section or sentence with the words that the amendment changes.
- C. The proposal must include specific reason and support for the revision being offered.
- D. A proposed revision may not create conflict with any other article or section of the bylaws.
- E. When received, the Post Commander will refer the proposed amendment to a Governance and Bylaws Committee and review for purposes of determining proper form and content and to determine the specific impact of the proposed changes. The Committee shall report out timely on the correctness of format, the assurance of lack of internal conflict, the impact of the change, and a recommendation concerning adoption.
- F. Errors in format or content will cause the proposal to be returned to the originator for correction and resubmission.
- G. When the Governance and Bylaws Committee reports out a proper proposal for amendment, the proposal shall be published to the membership for consideration.
- H. The proposal reported out from Committee shall be read (first reading) at the next regularly scheduled meeting of the Post membership. An opportunity for discussion and revisions shall be provided at that meeting. Any proposals to revise the amendment as presented will constitute either a “friendly amendment” (if the individual proposing the basic amendment agrees) or a formal amendment to the proposal which will require separate action to approve. Any amendment to the proposal will be considered to make it a new proposal and cause it to be subject to a new “first reading” at the next regularly scheduled meeting of the membership of the Post.
- I. At the meeting following a successful first reading, the members of the Post will vote on the proposal without further opportunity for discussion or further revision. A two-thirds affirmative vote of the members voting will be required for approval and adoption of the amendment.
- J. Unless other wise specified in the proposal being considered by the Post, any amendment receiving a sufficient number of votes for adoption shall be effective on adoption.

## **Article XIV – Policy Manual.**

**Section 1 Policy Manual.** In the routine conduct of business, Post 245 will exercise a number of policies and procedures that are reflective of the desires of the membership but not appropriate for formal inclusion in these Bylaws. For the purpose of recording those Post decisions concerning the full range of

operational policies, the Post will establish and maintain a Policy Manual in which those policies are documented in appropriate detail.

A. The Policy Manual shall be under the cognizance of the Post Adjutant. That officer shall be responsible to maintain the Manual current and correct.

B. Each elected officer of Post 245 will be issued a current edition of the Policy Manual on induction into office and shall surrender that document to the Post Adjutant when relieved in that office.

C. Each officer holding a copy of the Policy Manual shall be responsible to enter such changes as may be distributed by the Post Adjutant from time to time and for the overall correctness of the Manual in their possession.

D. A revision to the policy manual for any matter within their authority may be offered and acted upon by the Executive Committee using procedures established by that Committee.

E. A revision to a policy and the Policy Manual for any matter not within the authority of the Executive Committee shall be referred to the Post membership. A procedure for processing and acting such proposed policy revisions shall be detailed in the Policy Manual.

F. The initial edition of the Policy Manual shall be subject to a vote of approval by the membership, similar to the approval vote for bylaws.

### **CERTIFICATION**

Bylaws for American Legion Post 245, Department of Washington were published in the Post March-April 2002 newsletter with notification that Bylaws were to be voted on at April General meeting. That edition of the Bylaws were discussed at the March 21st Post General meeting and latest change approved unanimously by the membership present at the Post 245 General Meeting on 18 April 2002.

Frederick J. Reitmeyer- Post Commander

Victor S. Schiavone, Jr.-Post Adjutant

The Bylaws contained herein constitute a major revision, rewrite, and reorganization of the Post 245 Bylaws to make them consistent with the Bylaws of the Department of Washington and the existing holding and operations of Post 245. These revised Bylaws were formally adopted by the membership of Post 245 General Meeting on February 18, 2010.

Robert Theal – Post Commander

Frederick J. Reitmeyer- Post Adjutant