



THE AMERICAN LEGION

BY-LAWS

of

JAMES HARVEY SPIRE POST 787, DEPARTMENT OF NEW YORK

ARTICLE I

Section 1. The post existing under these By-Laws is to be known as James Harvey Spire Post No. 787, The American Legion, Department of New York.

Section 2. The objects 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 as prescribed in Section 1, Article V of the Constitution.

Section 2. The Executive Committee shall consist of the officers and three (3) trustees of the post. The officers shall be elected annually during May and take office at the meeting next following that of the election. All elections of officers and executive committeemen 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.

Section 4. 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 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.

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. Thereafter the post Executive Committee shall meet at the call of the commander at least once each month 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. Five (5) members of the committee shall constitute a quorum thereof.

Section 2. The post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all

persons having the custody of post funds; shall hear the reports of post committee chairman; and generally, shall have charge of and be responsible for the management of the affairs of this post.

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 disbursement of funds and shall make an annual report covering the business of the post for the past 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. He shall perform such other duties as directed by the post.

Section 2. Duties of Vice Commanders: Vice Commanders 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.

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 Finance Officer: The finance officer of the post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Executive Committee the condition of the finances of the post, with such recommendations as he may deem expedient or necessary for raising funds with which to carry on the activities of the post. He shall sign all checks disbursing the monies of the post. He shall furnish such surety bonds in such sum as shall be fixed by the post Executive Committee, except that the minimum bond shall be for a sum of \$2,500.

Section 5. Duties of 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 officer as may be determined by the post or the Executive Committee.

Section 6. Duties of the Post 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 departmental headquarters from time to time.

Section 7. Duties of the Sergeant-at-Arms: The sergeant-at-arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the post Executive Committee.

Section 8. Duties of Post Service Officer: The post service officer will maintain continuing liaison with veteran agencies and hospitals and advise the membership on any changes in veteran affairs. He will assist unemployed members in securing employment through veteran employment agencies and will perform such other duties as may properly pertain to his office.

ARTICLE V – Delegates

Section 1. Delegates and alternates to a county convention shall be appointed by the post at a regular meeting of the post.

ARTICLE VI – Appointments

Section 1. The post commander, immediately upon taking office each year, shall appoint the following standard committees: Membership, House, Finance, Legal, Publicity, Service, Visiting, Americanism and Athletic. Such standing committees shall consist of such members, and the chairman thereof, as shall be designated by the post commander. Other committees may be appointed as the necessity demands.

Section 2. Membership Committee: 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.

Section 3. House and Entertainment Committee: The House and Entertainment Committee shall have charge of all matters pertaining to the care of the post quarters, promotion of club advantages and arrangements for social activities.

Section 4. Finance Committee: 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.

Section 5. Legal Committee: The Legal Committee shall be charged with the legal supervision of post affairs and audit of post financial accounts.

Section 6. 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 program and activities.

Section 7. Rehabilitation and Service Committee: The Rehabilitation and Service Committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state governments, employment, relief, etc.

Section 8. Visiting Committee: The Visiting Committee is charged with the visiting and comforting of members and their families when sick or bereaved and with visiting ex-servicemen in nearby hospitals.

Section 9. 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.

ARTICLE VI (continued)

Section 10. Athletic Committee: The Athletic Committee shall be charged with the promotion of physical development and clean sports by the organization of post athletic teams, recreation, etc., and by cooperation and support in the general recreational and athletic program of the community.

Section 11. Sons of the American Legion Committee: The Sons of the American Legion Committee shall have supervision over the operations of the post's squadron of the Sons of The American Legion.

Section 12. Child Welfare Committee: The Child Welfare 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 purpose. 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 World War veteran shall be in need of the necessities of life" and a "square deal for every child."

Section 13. Security Committee: The Security Committee shall work with the coordinate Legion efforts with the Local Civil Defense Council on matters pertaining to national, civilian and home defenses. To 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 14. Post Service Committee: The Post Service Committee shall maintain close liaison with veteran agencies to insure that the membership is properly and promptly advised of any changes in veterans affairs. Committee chairman will be the Post Service Officer.

Section 15. Building Committee: The Building Committee shall be charged with the responsibility to insure that all modifications, repairs, etc., of the post building or other real property are accomplished economically and in the best interests of the post.

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 meetings of the post shall be held at the James Harvey Spire Post No. 787 once each month, 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 anytime.

ARTICLE VIII (continued)

Section 3. Upon the written request of one-third of active members, the committee shall call a special meeting of the post at anytime.

Section 4. Four (4) officers and five (5) non-officers shall constitute a quorum for a regular post meeting.

ARTICLE IX – Notices

Section 1. Every member shall furnish the post adjutant with his or her address for mailing purposes.

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 this post shall be conducted under and pursuant to Roberts' Rules of Order, revised, except as herein otherwise provided.

ARTICLE XI – Limitations or Liabilities

Section 1. This post shall not incur, or cause to be incurred, any liability or obligations whatever which will subject to liability any other post, sub-division, group of men, members of The American Legion, or other individual, corporations or organizations.

ARTICLE XII – Amendments

Section 1. The 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 and read at the next preceding regular meeting of said post; and: Provided, further, that written notice shall have been given to all members at least sixty (60) 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.

Attested as a true and correct copy of the By-Laws as in effect on this date: April 7, 2006

Douglas E. Herrmann
Post Adjutant
James Harvey Spire Post 787