

BY-LAWS
THE AMERICAN LEGION
SEATTLE POST 1
SEATTLE, WA
November 17, 2020

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 association in all 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

The name of this organization shall be The American Legion, Seattle Post 1 (hereinafter called Post), having received its Charter from the National Organization of The American Legion and being incorporated as a Washington Fraternal Society since 1928 under and subject to the laws of the state of Washington.

ARTICLE II: NATURE

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.

ARTICLE III: MEMBERSHIP

Section 1: Eligibility

Any person shall be eligible for membership in The American Legion who meets the eligibility requirements for membership as established in the National Constitution of The American Legion.

Section 2: Membership Parameters

There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life. No person may be a member at any one time of more than one Post.

Each Post shall be the judge of its own membership, EXCEPT THAT no person who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence or who subscribes to the principles of any group opposed to our form of government shall be eligible to become or to remain a member.

- A. Applicant for membership in a Post shall present a fully executed official membership application or transfer form, together with the current dues, for a vote by the Post membership.
- (1) Transfers to Other Post. A member in good standing of this Post may transfer his or her membership to any other Post by submitting to the Adjutant of this post an application for transfer signed by the member and the Adjutant of the Post to which transfer is desired. No refund of dues shall be made by this Post unless the State and National per capita for such member have been received by the Post but not remitted to the Finance Officer of the Department of Washington or National Organization. Those dues will be returned to the transferring member.
 - (2) Transfers from other Posts. A member in good standing of any other Post may apply for membership in Seattle Post 1, by notifying the Adjutant of this post and signing an application for transfer. Such application shall be delivered to the Adjutant of the Post from which transfer is desired; the name of such member shall be referred to the Membership Committee. Sub Section 1 of this Article shall apply to all persons transferring into this post. If the member making such transfer has paid his dues in full for the current year to the Post from which transfer is made, no further payment of dues shall be required for such current year for such member, provided, that if the Post from which transfer is made has not paid to the Finance Officer of the Department of Washington the amount of the State and National per capita for such member, the amount thereof shall be paid to the Finance Officer of this post by such other Post.
- B. No person who has been charged by a Post with a violation which could lead to expulsion or suspension shall be permitted to transfer to another Post within Department until those charges have been settled.
- (1) When charges have been served, the Post shall file a copy of those charges with the Department Adjutant.
 - (2) When those charges have been settled, a copy of the resolution of such charges shall be filed with the Department Adjutant.
- C. No person who has been expelled by a Post shall be admitted to membership in another Post without the consent of the expelling Post, EXCEPT:
- (1) Where such consent has been asked for and denied by the expelling Post, an appeal may be made to the Executive Committee of the Department of the expelling Post for permission to be admitted to membership in another Post; and
 - (2) Such person shall be ineligible for membership until such permission is granted.

Section 5: Defense in case of Expulsion or Suspension

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, and only for disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of the Legion.

- A. All charges must be made under oath in writing by the accuser(s) and no member in good standing shall lose their membership until given a fair trial by the Post in such manner and form as the National and Department By-Laws and the National Officer's Guide and Manual of Ceremonies shall prescribe.
- B. Any member who has been suspended or expelled has the right of appeal to the Department Executive Committee, according to the provisions in the Department By-Laws and the decision of the Department Executive Committee shall be final.

Section 6: Dues

- A. The annual dues shall be as established by the membership. Proposals for a change in the dues will be considered prior to the month of February and when approved the change will be transmitted to Department for an effective date of the following dues year.
- B. A member whose dues for the current year have not been paid by January 1 shall be classed as delinquent. If his/her dues are paid on or before February 1, he/she shall be automatically reinstated. If he/she is still delinquent after February, he/she shall be suspended from all privileges. If he/she is still under suspension on June 30 of such year, his/her membership in this post and The American Legion shall be forfeited.

A suspended member or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Post and payment of current dues for the year in which reinstatement occurs. The Post may waive the provisions thereof, upon payment of dues for the year in which reinstatement occurs.

Former members who have been prevented from the payment of dues by reason of active military service will automatically be reinstated once payment has been received without strictures.

Section 7. Life Membership

Life Membership may be granted by this Post to its members, but once granted, the Post shall be responsible for payment of such member's National and Department per capita as long as such members do not transfer out of the Post or resign from American Legion membership, provided however, that any such member may be suspended or expelled for the same causes as herein provided for the suspension or expulsion of any other member.

Section 8. Member Resignation from Post

Any member desiring to resign from the Post shall submit his/her resignation in writing to the Adjutant, who shall present it to the Executive Committee for action.

ARTICLE IV: OFFICERS

Section 1. Post Officers

The officers of the Post shall be Commander, First Vice-Commander, Second Vice-Commander, Third Vice-Commander, Sergeant-at-Arms, Adjutant, Finance Officer, Chaplain, Service Officer, Historian, Judge Advocate, three Executive Committee members, five three Finance Committee members and the Junior Past Commander. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Post.

Section 2. Nominations

Nominations for the Office of Commander, First Vice-Commander, Second Vice-Commander, Sergeant-at-Arms, Adjutant, Finance Officer, Chaplain, Service Officer, Historian, Judge Advocate, three Executive Committee members and one member to the Finance Committee for a three-year term shall be opened for such nomination annually. The first nominations shall be the April meeting with second nominations at the meeting in May of each year.

Section 3. Election

The officers shall be elected by secret ballot at the May meeting to serve for one year (except Finance Committee members who are elected for staggered three-year terms) or until their successors are elected.

Section 4. Eligibility.

Any member of this post in good standing shall be eligible to any office.

Section 5. Installation

The newly elected officers shall be installed at the June meeting and will assume their duties of office the first day following the close of the annual Department Convention.

Section 6. Attendance of Officers.

If any Officer is absent for three consecutive meetings of the Post or of the Executive Committee, the Commander shall make a report thereof to the Executive Committee. In the event that the Executive Committee shall not find that such Officer was unavoidably absent on account of sickness, urgent business engagements connected with The American Legion, or other good cause, the sufficiency of which shall be determined by the Executive Committee, the office of such absentee shall be declared vacant.

Section 7. Vacancies.

Whenever a vacancy shall occur in an Elective Office of the Post, the Commander shall, at the next regular meeting, announce the existence of such vacancy and call for nominations for such office, and at the next succeeding regular meeting, nomination to be reopened and vacancy filled, to serve until the next annual meeting of the Post or until the successor is elected and qualified.

ARTICLE V: DUTIES OF OFFICERS

Section 1. The Post Commander

The Post Commander shall preside at all meetings of the Post and of the Post Executive Committee. He/she shall approve (either orally or electronically) all checks and vouchers prepared by the Post Adjutant or Finance Officer prior to their disbursement. He/she shall perform all other duties usually devolving upon the chief officer of an organization.

Section 2. The Post Vice-Commanders

- A. First Vice-Commander. The First Vice Commander shall exercise all the duties of the Commander in the absence of the Commander. (See National)
- B. Second Vice-Commander. The Second Vice-Commander shall exercise all the duties of the Commander in the absence of both the Commander and the First Vice-Commander. He/she shall have charge of speakers/programs and refreshments at meetings.

Section 3. Adjutant

The Adjutant shall act as Secretary at all meetings of the Post and Executive Committee; shall maintain and keep permanent books and record of the Post; shall keep an account of each member of the Post; preserve all correspondence and files belonging to the Post and Executive Committee; shall send all notices as may be required of him/her; shall attest the Commander's signature to all resolutions, documents, contracts and other writings of the Post and of the Executive Committee; may be paid for his or her services such sum as may be set by the Executive Committee and ratified by the Post; may appoint an Assistant Adjutant who would be ratified by the Executive Committee; shall perform such other duties as prescribed by the Commander or the Executive Committee.

Section 4. Finance Officer

The Finance Officer shall act as Secretary of the Finance Committee and any other Committee that set up ways and means of making money; shall receive and be responsible for all annual dues and assessments of the Post; shall keep an account with each Committee receiving money on behalf of

the Post and its activities; advise all Committees on the keeping of proper account and records; no money shall be disbursed except by check or voucher signed by the Finance Officer or the Commander, except Electronic Fund Transfers (EFT) for recurring monthly bills (subject to prior approval by the Commander)

At the time the funds are disbursed, he/she shall enter into a book for that purpose the amount and purpose of disbursement; shall ask for an Executive Committee meeting at the end of each quarter, and go over the books with the Committee and make a report in full to the Post at the first meeting following the period ending the quarter, shall pay all routine monthly bills upon receipt.

No monies shall be withdrawn from any savings funds without a 2/3 majority vote of members present at a regular meeting in favor of such withdrawals. The Finance Officer is required to sign proper authorization for said withdrawal and shall be present at the time of withdrawal; ask for a meeting of the Executive Committee as soon as possible after election and prior to installation for the purpose of checking all accounts of the Finance Officer and arrange to relieve the Finance Officer of all responsibility and obligation of his or her post upon installation of the newly elected Finance Officer. The Finance Officer shall perform such other duties as prescribed by the Commander or the Executive Committee.

Section 5. Sergeant-at-Arms

The Sergeant-at-Arms shall have charge of the entrance to the Post Hall during meetings. He/she shall escort visitors to the Commander, assist in the initiation of new members, aid in keeping order, and perform such other duties as usually pertain to the Office of Sergeant-at-Arms, or which may be required by the Commander.

Section 6. The Post Chaplain

The duties of the Post Chaplain shall be as usual in the office as prescribed by the current American Legion Officers Manual.

Section 7. The Post Historian

The duties of the Post Historian shall be to keep a complete history of the Post from its inception. He/she shall make an annual report to the Post at its annual meeting.

Section 8. The Judge Advocate

The duties of the Judge Advocate shall be to supply professional advice in the conduct of post business or to procure proper counsel. He/she is the guardian of the constitutional form of post government. The Judge Advocate may also supply valuable assistance to other post committees and officers.

Section 9. Past Commanders

All Commanders retiring from office shall receive the Honorary Title of Past Commander upon the installation of their successor in officer. The Past Commander who has been most recently in office shall be known as the Junior Past Commander and shall be an ex-officio member of the Executive Committee.

Section 10. Service Officer

The Post Service Officer shall bring to the attention of all veterans and their dependents the rights and benefits granted them by law; shall utilize the Service Officer's Manual for basic direction; shall utilize all services and agencies available to assist veterans and dependents.

ARTICLE VI: SURETY

Each Officer of the Post and each Committee Chair regularly handling American Legion monies, shall be properly bonded with a good and solvent surety bonding or insurance company to cover double the average annual funds handled by the individual. Such surety bonding may be included in the Post Insurance Policy.

ARTICLE VII: MEETINGS

Section 1. Regular Meetings

Regular meetings of the Post shall be held each month from September to June inclusive on a date set by the Executive Committee unless otherwise ordered by the Membership. An Executive Committee meeting will be held during the month of August for the purpose of planning the year's activities and training of new officers and thereafter when called.

Section 2. Annual Meeting

The regular meeting in May shall be known as the annual meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and for any other business that may arise.

Section 3. Special Meetings

Special meetings may be called by the Commander or by a majority of the Executive Committee and shall be called upon the written request of five members of the Post. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least three business days written or electronic notice shall be given.

Section 4. Meeting Locations

Regular and special meetings, Executive Committee meetings, and standing/special committee meetings shall normally be held within the Post's District.

Section 5. Quorum

Members present at a Post meeting shall constitute a quorum.

Section 6 Order of Business

- A. Roll Call of Officers
- B. Reading of Minutes of Previous Regular and Executive Committee Meetings
- C. Finance Officer's Report
- D. Reports of Standing and Special Committees
- E. Memorial to Departed Comrades
- F. Correspondence
- G. Sick Call, Relief and Employment
- H. Unfinished Business
- I. New Business (committee recommendations arising from their reports may be moved at this time)
- J. Balloting on Applications
- K. Committee Reports
- L. The Good of The American Legion (The Membership shall be permitted to make any suggestions of any kind, character, or description, save of religion or partisan politics).

ARTICLE VIII: THE EXECUTIVE COMMITTEE

The Executive Committee shall have general supervision of the affairs of the Post between its business meetings, fix the hour and place of meetings, make recommendations to the Membership, act as the Finance Committee until members are elected to fill the Finance Committee positions, and shall perform such other duties as are specified in these bylaws.

The Committee shall be subject to the orders of the Membership, and none of its acts shall conflict with action taken by the Membership.

The Executive Committee shall be composed of the Commander, First Vice-Commander, Second Vice-Commander, Junior Past Commander, Adjutant, Finance Officer, and Judge Advocate, and may include three at large members of the Post, who shall be elected and installed in the same manner as other Post Officers and who shall hold office for a period of one year or until a successor is elected and qualified.

An Executive Committee meeting shall be held prior to the first regular membership meeting in September. Additional meetings of the Committee may be called by the Commander or upon written request of three members of the Committee.

Post members and invited guests shall be allowed to attend Post Executive Committee meetings, as silent observers, unless invited to speak by the meeting chair.

Executive Committee meetings utilizing electronic means of attendance (including, but not limited to a conference call via telephone and/or a teleconference via internet) may be utilized as interim meetings after the initial meeting as in Section 3 of this article.

ARTICLE IX: COMMITTEES

Section 1. Finance Committee

The Finance Committee shall be composed of the Commander, Finance Officer and three elected members (one each year to serve a three-year term). Four members of the Committee shall constitute a Quorum. The Finance Officer shall be the Chair of such Committee.

- A. It shall be the duty of this committee to prepare a budget for the current fiscal year, which shall be presented for adoption or correction as soon as possible after installation of officers.
- B. The Finance Committee may from time to time submit amendments to the budget for the current fiscal year, which may be adopted by a majority vote.
- C. Whenever a proposal is made at any regular or special meeting for an expenditure not covered by the Budget, in any sum exceeding \$500.00 (five hundred dollars), then, before its passage and allowance or rejection, the same shall be referred to this Committee which shall investigate the matter and determine its expediency, and shall report its approval or disapproval at the next regular meeting. Should the Committee disapprove such expenditure, it shall state its reasons therefore and it will require a two-thirds vote of all members present and voting to authorize such expenditure over the Committee's report of disapproval.
- D. The Finance (Executive) Committee shall make an annual audit of the books of the Finance Officer, as well as the books of all Committees handling funds. The Finance Officer will not be a member of the committee auditing his/her books and records.

Section 2. Committees

Committees shall be appointed by the Commander as the Membership or the Executive Committee shall from time to time deem necessary to carry on the work of the Post. The Commander shall be ex-officio member of all committees except the Executive and Finance Committees.

Section 3. Vacancies

Vacancies may occur on any Committee by the death or resignation of any member and also by the failure of any member to attend three consecutive regular meetings without cause, and the action of the Committee or Commander in declaring such vacancy shall be conclusive, and such vacancies, other than that of the Executive or Finance Committee, shall be filled by the Commander for the full or unexpired case may be; provided, that, should such absence be for a good cause a substitute may be appointed from the members of the Post to act during such absence.

ARTICLE X: DELEGATES

Section 1. Delegates and Alternates

Delegates and Alternates representing the Post at Department Conventions shall be nominated and elected by the membership by a majority vote on a secret ballot, at such times as may be deemed in the best interest of the Post and Department.

Section 2. The Commander, Commander Elect (if not the incumbent), and Adjutant

The members holding these positions shall be automatically named as the first Delegates or Alternate positions.

Section 3. Remaining Delegate and Alternate Positions

The remaining delegate and alternate positions will be selected in the order of those receiving the greatest number of votes, then next greatest, until all the positions are filled.

Section 4. Reimbursements

Delegates and Alternate Delegates may be reimbursed for out of pocket travel and lodging expenses as set and approved by the Executive Committee and ratified by the Post. To qualify for reimbursement, Delegates and Alternates will participate and actively represent Post 1 interests during the event to which they are sent.

Section 5. District Conference Delegate

The Commander or their appointee will be the Delegate to District Conferences.

ARTICLE XI: AMERICAN LEGION AUXILIARY UNIT

Section 1. Auxiliary Unit

This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of the Seattle Post 1, The American Legion.

Section 2. Membership in the Auxiliary

Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

ARTICLE XII: SONS OF THE AMERICAN LEGION SQUADRON

The Post may be the host of a Sons of the American Legion (SAL) Squadron, and shall be known as the Sons of the American Legion, Seattle Squadron 1, hereafter referred to as "Squadron", which:

- A. Shall operate under a Squadron Constitution and/or Bylaws, which have been approved by the Post Executive Committee.
- B. Is under the supervision of and responsible to the Post Executive Committee through the Post S.A.L. Advisory Committee.
- C. Squadron funds shall be transmitted to the Post Finance Officer to be held and accounted for separately from other Post funds.

ARTICLE XIII: AMERICAN LEGION RIDERS CHAPTER

Section 1. Post Host

The Post may be the host of an American Legion Riders (ALR) Chapter authorized by National Executive Committee Resolution 35.

Section 2. Governance

The American Legion Riders Chapter will govern and finance themselves independent from the Post and in accordance with Resolution 35. All ALR Chapter members and officers shall be members of the American Legion Family i.e., American Legion, American Legion Auxiliary or Sons of the American Legion members.

Section 3. Conduct

The ALR members shall conduct themselves according to not only their Constitution and By-laws, but in accordance with the Constitution and By-laws of their respective Legion family organizations.

Section 4. ALR Representative

The ALR Chapter representative will report activities and finances at each Post meeting and/or Post Executive Committee meeting.

ARTICLE XIV: MATTERS OF POLICY

Section 1. General Policy Proposals

All resolutions, motions or proposals relating to or affecting the general policy of the Post shall be first read, offered or made at a regular meeting of the Post, and shall thereupon be postponed by the Commander until the next regular meeting of the Post

Section 2. Authority

No member or group of members of this post shall conduct any activities of any nature in the name of this post or The American Legion for any purpose without authority and such authority will require a two-thirds vote of all members present at a regular meeting of the Post.

ARTICLE XV: PARLIAMENTARY AUTHORITY

These By-Laws and any special rules of order the Post may adopt shall prevail. All cases not covered by these By-Laws shall be governed by the current edition of Robert's Rules of Order Newly Revised.

ARTICLE XVI: AMENDMENT OF BYLAWS

These By-Laws may be amended at any regular meeting of the Post by a two-thirds vote of members present, provided that the proposed amendment will be transmitted to the entire membership no less than thirty (30) nor more than sixty (60) calendar days prior to the date of the vote, with notice of the times and dates of the first reading and the vote. This transmittal shall be sent to last known addresses of all Post members. It shall be a specific notice, or may be an attachment to, or article in the Post newsletter.

These Bylaws were voted on and passed by the membership November 17, 2020.

These Bylaws were amended (Art IX, Sec 2) by the membership on November 17, 2020.

ARTICLE XVII: NO CONFLICT

As a subordinate, Post 1 is governed by the American Legion Constitution. The relevant provisions of the Seattle Post 1 Constitution of 2004-2005 have been incorporated into these By-laws. Effective with the ratification of these bylaws, the Post 1 Constitution, is superseded and is null.

Debra Wood, Commander

John Breen, Adjutant

