

**CONSTITUTION
AND
BY-LAWS**

**Tony F. Soza / Ray Martinez
THUNDERBIRD POST
American Legion
Post No. 41**

THE AMERICAN LEGION
DEPARTMENT OF ARIZONA

GENERAL MEETINGS
FIRST THURSDAY OF
EACH MONTH
715 SOUTH SECOND AVENUE
PHOENIX, AZ 85003

* * *

Attend the Meetings – Be an Active Member



REVISED January 2, 2018

FOREWORD

Constitution and By-Laws of Tony F. Soza / Ray Martinez, the Thunderbird Post No. 41, is for the guidance of all comrades and for future comrades. It will serve a useful purpose if all will become familiar with the provisions as shown:

A great deal of credit is due to those pioneer comrades who made it possible for our Post to have the present day Club House with all its modern conveniences. Only by the continued support and activities of the entire membership will our Post grow.

Comrades, there are a great many dedicated members who are constantly working for the benefit of all. Keep in mind this is your Post, your Club House. Join in the Post activities and do all you can to instill in all eligible veterans what "The American Legion" stands for and that our Post is always ready to welcome them. Let us continue to go, "ALWAYS FORWARD".

REMEMBER – ALWAYS CARRY YOUR MEMBERSHIP CARD WITH YOU

As a Legionnaire, you want everyone in your community to be aware of your Post and its activities ... **"ALWAYS FORWARD."**

ATTEND MEETINGS BE ACTIVE IN YOUR POST.

THE AMERICAN LEGION IS THE LARGEST VETERANS ORGANIZATION IN THE WORLD.

As a member of Tony Soza / Ray Martinez, Thunderbird Post No. 41, you must govern yourself by certain rules and by-laws. In the preceding pages you will find our Constitution and By-laws. Read them carefully and familiarize yourself with them. **BE AN ACTIVE MEMBER.**

CONSTITUTION
TONY F. SOZA / RAY MARTINEZ
THE THUNDERBIRD POST No. 41
OF THE AMERICAN LEGION
DEPARTMENT OF ARIZONA



Preamble to Constitution

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 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 good will 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 Tony F. Soza / Ray Martinez, the Thunderbird Post No. 41, The American Legion, Department of Arizona.

Section 2. The address is 715 South Second Avenue, Phoenix, Arizona 85003.

Article II

OBJECTS

Section 1. The objects and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing preamble and the National and Department Constitution of The American Legion.

Article III

NATURE

Section 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. This organization shall be absolutely 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. No candidate for or incumbent of a salaried elective public office shall hold an office in this Post of The American Legion, and the declaration of candidacy for an elective public office by any person who is an officer of this Post of The American Legion, shall operate automatically to vacate his office in this Post, and the same shall be filled as hereinafter provided.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of this Post.

Article IV

MEMBERSHIP

Section 1. Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion.

Section 2. There shall be no form or class of membership except an active membership as herein above provided.

Section 3. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 4. All applications for membership shall be acted upon at the next Post Executive Committee meeting following the making of such application, and shall, at such meeting, be accepted, rejected, or referred for further investigation and consideration. If a majority of executive committeemen present cast their vote against the acceptance of said application it shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of six months from the date of such rejection.

Section 5. An applicant for membership in this Post, who has been suspended from any other Post in The American Legion for misconduct or misrepresentation, shall not be admitted in this Post until a thorough investigation has been made by the Post Executive Committee and with their recommendation.

Section 6. Any member of this Post may for just cause be reprimanded, suspended, or expelled by two-thirds vote of all members of the Executive Committee upon receipt and review of the charges submitted in writing. The responsibility for this process will be with the House Committee, which consist of four voting members of the Executive Committee, Adjutant, Club Manager and one member at large (reference to By Laws, Article VIII; Appointments, Section 10). This committee shall formulate, document, maintain and adopt House Rules and Procedures which shall be approved by the Executive Committee. The House Rules shall thereafter be posted upon appropriate places in the Club House. Such House Rules and Procedures may be reviewed annually by the Executive Committee. Cause for reprimand, suspension, or expulsion within the meaning of this section shall consist of disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of The American Legion. At any time within thirty days after a sentence of dismissal or expulsion, a meeting of the Post to consider same shall be called upon the receipt of a written request by twenty members in good standing. At such meeting an appeal may be taken from the decision of Executive Committee, and a member expelled may be restored by the vote of a majority of the members present.

Section 7. A member who has been expelled from the post for any cause may be reinstated to membership by a two-thirds vote of the Executive Committee: Provided, however, that he shall make payment of any arrears in his dues at the time of expulsion, and also other regular dues which have been payable in the interval between his expulsion and his reinstatement.

Section 8. The resignation of a member indebted to the Post shall take effect only when accepted by the a majority of the Executive Committee. All interest in property or assets of the Post, of resigning members, and of members ceasing to be such by dismissal, shall be vested in the Post, and such resignation or dismissal shall operate as a release or assignment to the Post of all right, title and interest of such member or members in and to the property and assets of the Post.

Article V

OFFICERS

Section 1. The administrative affairs of this Post of The American Legion, shall, except as may be otherwise provided by the by-laws, be under the supervision of an Executive Committee which shall consist of five members in addition to those officers of the Post specified in the by-laws. The post by-laws may provide for standing committees as the business of the organization may require.

Section 2. All officers and the executive committee shall be elected annually and they shall hold office for one year or until their successors are duly installed or as otherwise provided by the by-laws. Any officer or member of the executive committee may be removed for cause as provided in the by-laws.

Section 3. Every member of this Post whose membership is paid up shall be eligible to vote and to hold office in this Post unless otherwise provided herein.

Section 4. The duties of officers and the Executive Committee shall be those usually pertaining to such officers or committee and as further provided in the By-Laws, Article V and VIII.

Article VI

FINANCE

Section 1. 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. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by the Post.

Section 3. The Post shall pay to Department headquarters the National, Department dues for every member of the Post.

Article VII
AMERICAN LEGION AUXILIARY

Section 1. The Post recognizes an auxiliary women's organization to be known as the Auxiliary Unit 41 of the Tony F. Soza / Ray Martinez Thunderbird Post No. 41, of The American Legion.

Section 2. Membership in the auxiliary shall be as prescribed by the National Constitution of The American Legion Auxiliary.

Section 3. The Auxiliary shall be governed by such rules and regulations as may be prescribed by the National Executive Committee and the Department of Arizona, The American Legion Auxiliary.

Section 4. The American Legion Post and the American Legion Auxiliary Units are related but independent organizations

Section 5. The Auxiliary Unit regards its connection to The American Legion Post to a distinct honor, and strives unceasingly to carry out the National Constitution's pledge "to participate in and contribute to the accomplishment of the aims and purposes of The American Legion".

Article VIII
SONS OF THE AMERICAN LEGION

Section 1. The Post recognizes an auxiliary organization to be known as the Sons of the American Legion Squadron of the Tony F. Soza / Ray Martinez, Thunderbird Post No. 41, of The American Legion.

Section 2. Membership in the Sons of The American Legion shall be as prescribed by the National Constitution of The Sons of the American Legion.

Section 3. The Sons of The American Legion shall be governed by such rules and regulations as may be prescribed by The American Legion Post 41 By-Laws, The National Executive Committee and The American Legion Department of Arizona.

Article IX

AMENDMENTS

Section 1. This constitution as adopted is subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Arizona. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Post meeting by a vote of two-thirds of the members of said Post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at a preceding meeting of said Post, and providing further that written notice shall be mailed to all members at their last known address at least seven days in advance of the date when such amendment is to be voted upon, notifying said membership that at such meeting a proposal to amend the constitution is to be voted upon.

**BY-LAWS OF
TONY F. SOZA / RAY MARTINEZ
THUNDERBIRD POST No. 41
OF THE
AMERICAN LEGION
DEPARTMENT OF ARIZONA**



Article I

Section 1. The Post existing under these by-laws is known as Tony F. Soza / Ray Martinez Thunderbird Post No. 41, of The American Legion, Department of Arizona. The address is 715 South Second Avenue, Phoenix, Arizona 85003.

Section 2. The objects of this Post are set forth in the constitution and by-laws.

Article II

ELECTIONS

Section 1. The officers of this Post shall be a Commander, Senior Vice-Commander, Junior Vice-Commander, Adjutant, Service Officer, Finance Officer, Historian, Chaplain, Sergeant-at-Arms, Judge Advocate and three Trustees. The Commander, Senior Vice-Commander, Junior Vice-Commander, Finance Officer and one Trustee shall be elected annually by the members from among their number. The Adjutant, Service Officer, Historian, Chaplain, Judge Advocate, and Sergeant-at-Arms shall be appointed by the Commander with the approval and consent of a majority of the Executive Committee.

Section 2. Nominations and elections shall be as follows: Nominations for officers: Executive Committee members, due to be elected each year shall be made from the floor at a meeting to be held by the Post at least thirty days prior to the Department Convention. The position of Commander requires a minimum of two years as an elected officer or appointed position on the Executive Committee. Only paid up members of the organization can make nominations. No name shall be placed in nomination without the consent of the nominee. Nominations may

be closed by a two-thirds vote, or the commander may close nominations by unanimous consent of the assembly (no one objecting). If for any reason it is desired to reopen nominations, it may be done by a majority vote. A member may be nominated only for one office. All nominees must provide appropriate (documented) proof of eligibility. The name of each comrade so nominated shall be placed on the form of ballot which shall be used; provided that a blank space is left for the insertion of any comrade's name to be written in.

Section 3. Voting for such comrades shall take place at a date selected at the meeting place of the Post not later than thirty days prior to the Department Convention. At least three members at large shall act as an elections board. Any comrade who signifies to the Adjutant, in writing, an inability to be present at least ten days prior to said election shall be provided a means to vote and such vote shall be canvassed and counted at the same time and place as the other ballots, which shall all be counted after the close of the polls by the election board in the presence of all present.

Section 4. The results shall be announced the same night, after proof of eligibility is verified by the Adjutant. The comrade receiving a majority of the votes cast to which he and/or she were nominated shall be declared elected. In the event there is no declared elected comrade the same night, a new election to fill such vacancy shall be prepared with the names of the two comrades receiving the highest numbers of votes and the election board shall, the same night, declare who is elected. Thereafter the results and those so elected shall be formally installed prior to Department Convention as outlined within the "Officers Guide and Manual of Ceremonies." Consideration should be given to holding a formal joint installation with The American Legion Auxiliary. All officers and executive board members of the Post shall hold office for one year, with the exception of one Trustee who is elected for two (2) years or until their successors are elected and installed. The outgoing Post Commander can succeed himself in office for one additional consecutive term, as a result of re-election as prescribed herein. All voting Executive Committee Members must complete the American Legion Extension Institute online course (ALEI) within thirty days after installation.

Article III

MANAGEMENT

Section 1. The government and management of the Post are entrusted to an Executive Committee of fifteen members, to be known as the “Executive Committee,” except as hereinafter provided.

Section 2. The Executive Committee shall consist of fifteen voting members, eight of whom shall constitute a quorum. The Commander, Senior Vice-Commander, Junior Vice-Commander, Junior Past Commander, Adjutant, Service Officer, Finance Officer, Board of Trustees, Judge Advocate and Chaplain, shall be ex-officio members of the Executive Committee, with the same powers as other members of the Executive Committee. The other five members of the Executive Committee shall be elected by the members of the Post from amongst their numbers, in the same manner as that provided for the election of the officers in Article II of the by-laws, nominations are to be made at the same time and manner, and the names of the members so nominated are to be placed on the same ballot with the names of those nominated for Post officers. These five members shall be referred to as the “Executive Board”.

Junior Past Commander as herein used is defined as being the living Past Commander having last served as Post Commander prior to the incumbent Post Commander.

Section 3. All vacancies existing in the Executive Committee or in any elective office of the Post from any cause other than expiration of the term shall be filled by special election for such purpose during the next meeting following the announcement of such vacancy to the members of the Post. The person so elected shall hold office for the unexpired term of the committeeman or officer whom he succeeds, except that any member elected to fill a vacancy on the Board of Trustees shall hold office only until the next regular Post Election when a member of the Board of Trustees will be elected of the unexpired term. Notice by mail shall be given to the members of all regular and special elections. A vacancy shall exist when a voting member of the Executive Committee is absent from three regular meetings of the Post without a reasonable excuse being presented to the Post Commander prior to the third absence. A vacancy shall exist immediately after the resignation of a post officer or committee member, or if his or her

absence from the community will prevent such member from handling the duties of the position to which elected or appointed.

Section 4. The Executive Committee shall have general charge of all the affairs and business of this Post; shall adopt all rules and regulations necessary for the affairs and conduct of this Post; shall authorize all expenditures and contracts necessary in the conduct of the affairs of the Post, and in general shall constitute the ruling and governing power of the Post for the purposes aforesaid, as well as in all matters affecting its policy, finances, discipline, decorum and harmony, except as hereinafter provided.

Section 5. The Board of Trustees shall consist of three members and shall be elected as hereinafter provided; two members shall constitute a quorum. The Board of Trustees shall have entire charge of any and all real property belonging to or in custody of the Post.

Section 6. The Post Commander shall be ex-officio Chairman of the Board of Trustees and such is entitled to vote. The Post Adjutant shall be ex-officio Secretary of the Board of Trustees and as such shall be entitled to vote. The Board of Trustees shall meet at the call of the Post Commander at least once every year and as often as said Commander may deem necessary, provided, however, that the Commander shall call a meeting of the Board of Trustees upon the joint request of two or more members of the Board of Trustees.

Article IV

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 days after installation of 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. The Commander shall call a meeting of the Executive Committee upon joint written request of three or more members of said Post Executive Committee.

Section 2. The Post Executive Committee may from time to time, as needs of the Post may require, appoint such assistants to officers named herein as they may deem necessary. And shall hire such employees as may

be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having custody of Post funds; and generally shall have charge of and be responsible for the management of the affairs of the Post, except as otherwise provided in these by-laws.

Section 3. As to policy the Executive Committee shall have the authority to formulate such policy for the Post and shall bring such policy to the attention of the membership either through the Post Newsletter or by such other appropriate media as well as bringing such policy to the attention of the members present at the next general membership meeting. No authority shall be vested in the Executive Committee to initiate any kind of policy which takes away or may affect the rights of the membership until such time as the membership is given the opportunity to approve or disapprove such action. Sufficient notice and time shall be allowed the membership to act.

Article V

DUTIES OF OFFICERS

Section 1. *Duties of the Post Commander...* it shall be the duty of the Post Commander to preside at all Post meetings, meetings of the Executive Committee and the Board of Trustees, to have general supervision over the business and affairs of the Post, and shall be the chief executive 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 year and recommendations for the ensuing year which shall be read at the Post meeting held on the night of the annual election. He shall perform such other duties as directed by the Post; shall oversee jointly with the Post Adjutant without personal liability, all the contracts, bonds and other instruments in writing provided and required by the Executive Committee or the Board of Trustees.

Section 2. *Duties of the Senior Vice-Commander...* The Senior Vice-Commander shall discharge and assume the duties of the office of Commander in his/her absence or disability, or when called upon by the Post Commander. He/she shall chair the Membership Committee.

Section 3. *Duties of the Junior Vice-Commander...* The Junior Vice-Commander shall assume and discharge the duties of the office of Commander in the absence or disability of the Commander and Senior Vice-

Commander or when called upon by the Post Commander. He/she will have charge of the Post kitchen ensuring adequate supervision and assist in scheduling events involving the kitchen and support the Entertainment Committee.

Section 4. *Duties of the Adjutant...* The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings and keep such records as the department or national organizations may require, render reports of membership annually or when called upon at a meeting; shall have general charge of books and accounts of the Post, ensure those financial records are in the custody of the Post Finance Officer; shall render an annual account to the Post; and shall perform such other duties and acts as shall be required by the Executive Committee, and under the direction of the Commander shall handle all correspondence of the Post.

Section 5. *Duties of the Service Officer ...* The Service Officer shall supervise all matters pertaining to the needs of ex-service persons in their dealings with the United States Department of Veterans Affairs or any other bureau or department of the United States Government or any agency created by the State of Arizona affecting or, having dealings with ex-service persons. He shall also have supervision over the employment of needy Legion members in outside work and shall supervise the giving of relief to indigents, the funerals of members, and the care of families of ex-service men.

Section 6. *Duties of the Finance Officer ...* The Finance Officer of the Post shall have charge of all finances and ensure that all funds are safely deposited in some local national bank or banks which are members of the Federal Reserve System and shall report once a month to the Executive Committee the condition of the finances of the Post, with such recommendations as may be deemed expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall sign all checks disbursing all monies of the Post, but only upon warrants signed by the Post Commander (or Senior Vice-Commander or Junior Vice-Commander, in the absence of the Post Commander). Establish a budget and maintain financial records for review.

Section 7. *Duties of the Historian ...* The Post Historian shall be charged with the individual records and incidents of the Post and Post members, and shall perform such other duties as may properly pertain to the office as may be determined by the Post or the Executive Committee.

Section 8. *Duties of Post Chaplain ...* The Post Chaplain shall be charged with the spiritual welfare of the Post Comrades and will offer divine service in the event of dedications, funerals, and public functions, etc., and adhere to such ceremonial rituals as recommended by National or Departmental Headquarters from time to time. In addition, the Chaplain shall perform all other duties that may be designated to him/her by the Executive Committee.

Section 9. *Duties of the Sergeant-at-Arms ...* The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may from time to time be assigned to him by the Post Executive Committee.

Article VI

REMOVAL FROM OFFICE

Section 1. The Post membership shall have the power to remove any member of the Executive Committee or of any officer, for just cause shown, by the vote of two-thirds of the members present at a special meeting of the Post called for that purpose.

Article VII

DELEGATES

Section 1. Delegates and alternates to a Departmental Convention shall be elected by the Post at a regular meeting to be held at least thirty days prior to the date of such convention.

Article VIII

APPOINTMENTS

Section 1. The Post commander, immediately upon taking office each year, shall appoint the following standing committees: Americanism, Ceremonials, Children and Youth, Economic, Finance, Foreign Relations, Graves Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of The American Legion and Visiting or VAVS. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post commander.

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 propoganda by education of the public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 3. *Ceremonials Committee.* The principal duty of the Ceremonials Committee is to 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 4. *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 5. *Economic Committee.* The Post Economic Committee is primarily concerned with local employment programs, Veterans' preference, government employment and re-employment rights.

Section 6. *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 Post funds.

Section 7 *Foreign Relations.* This committee has become active as America has recognized its responsibility as a world leader. Maintaining and securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

Section 8. *Graves Registration and Memorial Committee.* The duties of this committee involve recording of grave sites and complete information on veterans' 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 9. *Entertainment Committee.* The House and Entertainment quarters promotion of club advantages and arrangement for social activities.

Section 10. *House Committee.* This committee shall formulate, document, maintain and adopt House Rules and Procedures, which shall be approved by the Executive Committee. House Rules thereafter shall be

posted upon appropriate places in the Club House. Such House Rules and Procedures may be changed or updated as the Executive Committee shall direct. All members of the House Committee must be in good standing and shall not have any charges of conduct unbecoming a legionnaire within the previous twelve (12) months.

Section 11. *Legislative Committee.* The Legislative Committee needs to have a knowledge of what is going on in Congress—what we favor or oppose, and should be ready to initiate action in support of our position when requested by the national or Department organization.

Section 12. *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 13. *Public Relations Committee.* The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs 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 14. *Veterans Affairs and Rehabilitation Committee.* The Veterans Affairs and Rehabilitation committee shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state government, employment, relief, etc.

Section 15. *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 16. *Sons of The American Legion Committee.* This committee shall have supervision over the operations of the Post's squadron of the Sons of The American Legion.

Section 17. *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 IX

BUDGET

Section 1. The budget so prepared shall cover the period to the end of the current administrative year (July through June) and shall allot the proportion of the income of the Post, or state the source of the funds, which may be used for any given purpose. The budget so prepared shall be submitted to the Executive Committee for approval or amendments. The Executive Committee shall then submit the approved or amended budget to the Post where any changes or additions or deductions may be made. When the budget shall have been finally adopted by the Post it shall become a part of these by-laws for the period covered thereby and may not be varied from, altered or changed except in the manner provided for the amendment of these by-laws.

Section 2. The Finance Officer shall keep a set of books showing distribution of receipts and disbursements of the Post, crediting receipts and charging disbursements of the proper items of the budget. Reference to Article VIII, Section 6.

Section 3. No disbursements of the Post shall be made by the Finance Officer from any other funds on hand when the funds allocated by the budget for a certain purpose are exhausted.

Section 4. Nothing contained herein shall prevent the Post from engaging in any proper activities to raise funds for a special purpose not provided for by the budget or for increasing the funds allocated by the budget for a purpose, nor shall in any way conflict with the provisions hereinbefore stated.

Article X

RESOLUTIONS

Section 1. All resolutions of state or national scope presented to this Post by a member or reported to the Post by a committee shall merely embody the opinion of this Post on this 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 XI MEETINGS

Section 1. The General Membership meeting of the Post shall be held on the first Thursday night of 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. The Executive Committee will be held on the first Tuesday before the General Membership Meeting and two weeks after the first Tuesday Meeting.

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, with notification provided to each Executive Committee member and posted on the information board. Should a situation arise where time is of the essence and a decision from the Executive Committee is required, the Post Commander shall have the authority to utilize any technology available (i.e. conference calling, group texting, e-mail, skype, etc.) to communicate the poll the Executive Committee.

Section 3. Upon the written request signed by twenty paid-up members of the Post, the Executive Committee shall call a special meeting designating the date and time for such special meeting. Notice of such special meeting shall be made to all members of the Post.

Section 4. Fifteen (15) members shall constitute a quorum, for conducting business for the Post at the General Meeting.

Article XII NOTICES

Section 1. Every member shall furnish the Post Adjutant with an mailing address for mailing purposes. Email address can also be provided.

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

Article XIII RULES OF ORDER

Section 1. All proceedings of this Post shall be conducted under and pursuant to Robert's Rules of Order, except as herein otherwise provided.

Section 2. The Commander shall appoint a Judge Advocate to advise as to all questions of procedure which may arise.

Article XIV

LIMITATIONS AND LIABILITIES

Section 1. The Post members, officers or Executive Committee shall not incur or cause to be incurred by any obligations and/or liability which in any manner subject's any other Post, sub-division, group, members of the American Legion or the individual member or members of this Post, corporation or organization. Except as provided for by the By-laws of the National and State Legion Organization, or by the by-laws of Post 41.

Article XV

AMENDMENTS

Section 1. The by-laws may be amended by the Executive Committee or by the membership after the said amendments have been submitted in writing to the membership; thereafter said amendments shall be published in the Post Newsletter and mailed to each member at the last known address of record; thereafter they may be voted upon at a stated regular General Membership meeting. A two-thirds vote of the membership attending such meeting is required for adoption or rejection.

Section 2. The by-laws or any part thereof may be rescinded in the same manner as provided for in Section 1.

Article XVI

GENERAL INSTRUCTIONS

General Membership Meeting is held on the first Thursday of each month.

Meetings ... No one shall be admitted during opening, initiation, or closing ceremonies of an American Legion meeting.

Comrades, in crossing the meeting hall shall be careful never to pass between the flags and the station of the Commander.

A member entering the hall after the meeting has begun shall advance to the center of the room, and at a convenient interval, salute the Commander, and upon the salute being returned, shall take a seat.

Any member desiring to be excused from the hall, while the meeting is in progress, except during a prayer, or the obligation, of during the period of silence, shall advance to the center of the room, at a convenient interval, salute the Commander, and upon the salute being returned, may leave.