

By-Laws
of
American Legion Post 201
Department of Georgia



Version 11a – Revised August 17, 2021

Approved November 16, 2021

Published January 21, 2022

Prepared By

American Legion Post 201

201 Wills Road

Alpharetta, Georgia 30009

Article I - Name and Objects

Section 1. The Post existing under these By-Laws is to be known as Alpharetta Post 201 Inc., The American Legion Department of Georgia.

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 are entrusted to an Executive Committee as set up in the Constitution.

Section 2. The Executive Committee shall consist of the Officers; the three (3) Elected Members; the Immediate Past Commander; an appointed Adjutant; the Commander of the SAL Squadron 201, and the President of the ALA Unit 201. The Officers and Elected Members whose terms have expired, shall be elected annually on the earlier of i) the first regular business meeting in the month prior to the Department Convention; or, ii) the regular business meeting in May. All elections of Officers and Elected Members shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the office for which they are candidates. After the annual elections, the Officers and Elected Members shall assume their duties on the first day of the month following the elections.

Section 3. All vacancies existing in the Executive Committee, or in any office of the Post, with the exception of the appointed Adjutant and the Immediate Past Commander, from any cause other than 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 un-expired term of the member of the committee or officer he succeeded, provided the un-expired term is less than one (1) year. A vacancy shall exist when a member or officer is absent from their Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

Article III - Post Executive Committee

Section 1. Elections for Officers and Elected Members of the Executive Committee shall be conducted in accordance with Article II Section 2 of the Post By-Laws.

Section 2. At all times there will be an Elected Member serving a term of one (1) year; a term of two (2) years; and a term of three (3) years.

Section 3. The Commander, Senior Vice Commander, Junior Vice Commander, Finance Officer, Judge Advocate, Immediate Past Commander and three (3) Elected Members shall be voting members of the Executive Committee. The Commander of SAL Squadron 201, the President of the ALA Unit 201 and the appointed Adjutant will also be members with a voice and no vote.

Section 4. The Executive Committee will be chaired by the Post Commander and the Senior Vice Commander will be the Vice Chairperson until a successor for either Chair is elected and qualified.

Section 5. The Executive Committee shall meet regularly once a month, the day to be determined by the committee, and may be changed from time to time. Three members of this committee may request a special meeting. A special meeting may also be called by the Chairperson / Commander when required. The only business to be discussed at a called meeting shall be the business for which the meeting was called. A quorum of five (5) members of the committee must be present to conduct the business of the committee.

Section 6. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander at the earliest possible date after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander at least monthly and as often as said Commander may deem necessary. Five (5) voting members of the Committee shall constitute a quorum.

Section 7. 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 custody of Post funds; shall hear the special committee reports; and general shall have charge of and be responsible for the management of the affairs of the Post.

Section 8. All expenditures not in a pre-approved budget over \$350.00 shall be approved by the Executive Committee before going to the membership for approval.

Article IV - Duties of Officers

Section 1 - Duties of Post Commander It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the Chief Executive Officer of the Post. The Post Commander shall approve all orders directing the disbursement of funds. The Post Commander, or the Commander's designee, shall co-sign all checks. The Post may also make payments and receive payments via secure electronic transfers such as Automated Clearing House (ACH). The Post Commander shall make an annual report covering the business of the Post for the year, and recommendation for the ensuing year, which shall be read at the annual meeting and a copy thereof forwarded to the Department Adjutant. The Post Commander shall perform such other duties as directed by the Post.

Section 2 - Duties of the Post Senior Vice-Commander The Senior Vice Commander shall assume and discharge the duties of the office of the Commander in the absence or disability of, or when called upon by, the Post Commander, and will Chair the Membership Committee.

Section 3 - Duties of the Post Junior Vice-Commander The Junior Vice Commander shall perform the specific functions respectively as assigned to him/her by the Post Commander and such other Duties as are usually incident to his/her office.

Section 4 - Duties of the Post Adjutant The Adjutant shall have charge of and keep a full and correct record of all proceedings of all Post 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 5 - Duties of the Post 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 and the general membership the conditions of the finances of the Post, with such recommendations as the Finance Officer may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Finance Officer shall ensure that two signatures are required on checks for disbursing the monies of the Post. He/She shall furnish such fidelity bond in such sum as shall be fixed by the Post Executive Committee. The Post Commander, Post Adjutant, and Post Finance Officer will have signature authority on all fund accounts.

Section 6 - Duties of the Post Historian The Historian shall be charged with the individual records and incidents of the Post and Post members and shall perform other duties as may properly pertain to the office as may be determined by the Post or the Executive Committee.

Section 7 - Duties of the Post Chaplain The Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but the non-sectarian service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 8 - Duties of the Post Judge Advocate The Judge Advocate shall supply professional advice in the conduct of the Post business or to procure proper counsel. The Judge Advocate can supply valuable assistance to other Post committees and officers. The Judge Advocate should be available to the Service Officer for legal advice and to the Americanism committee on matters relating to education and naturalization laws. Any Post committee can benefit from the Judge Advocate's contacts with the office holders of local government.

Section 9 - Duties of the Post Service Officer The Service Officer shall render such service to members of the Post as shall be requested by the Executive Committee or the Post Commander in connection with the provision of necessary assistance.

Section 10 - Duties of the Post 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/her by the Post Executive Committee.

Section 11 - Duties of the Post Assistant Sergeant-at-Arms The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the discharge of the duties of the former in the event of the vacancy or inability of the Sergeant-at-Arms to do so until such time as the Post takes action to fill the vacancy.

Article V - Delegates

Section 1. Delegates and alternates to the Department convention, with the corresponding number of alternates, shall be selected by the Post, not more than 60 or less than 30 days before Department Convention. Nomination shall be from the floor, or by whatever means the Post may prescribe at a regular meeting thereof. A delegate so elected must attend fifty (50) percent of all regular Post meetings during the year in order to collect expense money when attending conventions. The Chairperson of the delegation shall keep a roll of the members, and all delegates shall be expected to attend assigned business sessions to collect any room expenses. The Chairperson may excuse a delegate for a good or legal excuse from attending assigned sessions. The sitting Commander shall be the Chairperson of the Convention Delegation.

Section 2. The credentials of such delegates and alternates shall be authenticated by the Commander and Adjutant, and their names listed and transmitted to the proper officers of the Legion bodies to which they are accredited.

Section 3. In-coming and outgoing officers, Color Guard members, and the Chairperson of the House Committee shall be delegates.

Section 4 - Fall and Spring Conference The Post may pay for rooms for Officers and Committee Chairpersons attending if funds are available. All meeting requirements in Section One (1) must be met.

Article VI - Appointments

Section 1. The Post Commander, immediately upon taking office, may appoint the following standing committees : Membership, House, Finance, Publicity, Rehabilitation and Service (Post Service Officer), Baseball, and Americanism. Such standing committees shall consist of such members, and the chairperson thereof, as shall be approved by the Post Commander. The chairperson of each committee shall be a member of the American Legion Post 201. A voting member of a committee may be a member of the American Legion Post 201, SAL Squadron Post 201 or the ALA Unit 201.

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 activities 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 and accounting of all Post funds. No expenditure of funds for any purpose not specified in such budget shall thereafter be permissible. However, exceptions can be made with recommendation from the Post Executive Committee and approval by the general membership.

Section 5 – Publicity Committee The Publicity 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 the American Legion Media Alliance and by local publicity of Post programs and activities.

Section 6 – 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 7 – 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 school. Americanization of aliens, combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

Section 8 – Sons of the American Legion Committee This committee shall have oversight of the operation of the Post’s squadron of the Sons of The American Legion.

Section 9 – Children and Youth Committee The Children and Youth Committee shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community, laboring for the betterment of child condition, coordinating services and agencies in the community for the above purposes, to act as intermediary for the needy child of veteran in obtaining the fulfillment of the Legion’s pledge that “No child of a veteran shall be in need of the necessities of life” and “A square deal for every child.”

Section 10 – Baseball Committee This committee shall be charged with overseeing the maintenance and operation of the baseball field and concession at Post 201. The committee shall report to the Post Executive Committee their recommendations for the operational needs of the program and develop the program’s annual budget for approval.

Section 11. The Commander may determine the number of persons to serve on committees except where the number is otherwise specified.

Section 12. Service on such committees shall not extend beyond the tenure of the term for which the Commander making the appointment was elected.

Section 13. The Commander shall be empowered to name such additional special committees as the Post may from time to time determine, or which the Executive Committee may recommend, but in no event shall the power of the authority of any committee so created extend beyond the term for which the Commander was chosen.

Section 14. Each committee appointed shall present a budget for the committee's annual operation to the Executive Committee for approval within the first thirty (30) days.

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 the 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 and Quorum

Section 1. The annual meeting of this Post shall be on the earlier of i) the first regular business meeting in the month prior to the Department Convention; or, ii) the regular business meeting in May.

Section 2. The Post shall meet at least once each month, on a date to be fixed by the Post from time to time.

Section 3. Special meetings may be called by the Commander upon ten (10) days' notice for all members, giving them the subject which is to be discussed. The notice is to be posted on Post Website and distributed to members via email. Any ten members may initiate a call for a special meeting by communicating their demand to the Commander in writing, in which they shall specify the purpose for which such special meeting is desired. It shall then become the duty of the Commander to call such meeting and give the prescribed notice for the same, together with the subject to be discussed.

Section 4. No business may lawfully be transacted at a special called meeting except that for which the membership was notified.

Section 5. Eighteen (18) members of the Post who are currently in good standing, shall constitute a quorum for the transaction of business at either a regular or special meeting.

Article IX - Notices

Section 1. Every member shall furnish the Post Adjutant with his or her address and email address for notifying members of elections, proposed changes in the Constitution and By-Laws and for other notifications deemed necessary by the Commander, Adjutant or Executive Committee.

Section 2. The Post Adjutant shall cause notice of the annual election to be posted on Post Website and distributed to members via email at least ten (10) days prior thereto.

Article X - Dues and Fiscal Year

Section 1. The annual dues shall be determined by a vote of the members of the Post at the regular meeting next preceding the time at which membership cards for The American Legion for the ensuing membership year of the Department of Georgia become available for issuance and shall not be changed during such year.

Section 2. Member's dues will be considered delinquent on January 1. A member not paying their dues by February 1 will be suspended and will have no American Legion privileges. Any member not paying dues by June 1 will be deleted from the Post membership.

Article XI - Real Property

Section 1. Real property owned by the Post may be sold, leased or otherwise disposed of, where control of said property is involved, (after first complying with the Department and National Constitution and following the procedures provided by the Department Adjutant.), at any regular meeting by a vote of two-thirds (2/3) of the Post members attending a regular meeting, provided that the proposal shall have been submitted in writing, after approval by a majority of the Post Executive Committee, and further after approval by a majority of the Board of Trustees, if there be a Board of Trustees, and read at the preceding regular meeting of the Post conducted two (2) months prior to the vote, and provided further notice shall have been given all members by email at least fifteen (15) days in advance of the date when such proposal is to be voted upon and that notice is given in the local press and radio and that it is posted on the Post bulletin board in the same time limits prior to the actual voting on the proposal

Section 2. No real estate owned by this Post or trustee of this Post will be sold or used as collateral for a loan without the approval of a two-thirds (2/3) vote of the Post members to be conducted in the same manner as described in Section 1 above and the approval of the Department Executive Committee or where time is of the essence the Department Commander, who shall report said action to the next Department Executive Committee meeting.

Section 3. If any Post real estate becomes encumbered with a lien the Post will notify the Department Adjutant within 7 days of receiving notice of the lien.

Section 4. Upon purchasing real estate the Post will notify the Department of Georgia.

Article XII - Social Media and the Internet

Section 1. Social Media Guidelines. All members of this post and all participants in the programs of this post are required to adhere to the Social Media Guidelines as may be promulgated by the Department of Georgia.

Section 2. Ownership of Domain Names and Social Media Accounts. Applicants for social media accounts and registrants of domain names for this post or its programs are serving as agents of this post and ownership of these account and domain names are vested in the post. Applicants or registrants should obtain approval from the Post Executive Committee to establish a domain name or social media account. Applicants or registrants shall, upon demand, transfer the account or domain name to another individual designated by the Post Executive Committee.

Article XIII - General and Miscellaneous

Section 1. The books of account of the Finance Officer and the House Committee shall be subject to audit, the expense of which shall be defrayed by the Post.

Article XIV - Order of Business

Section 1. At every regular meeting, the order of business shall conform to the following sequence:

1. Salute the Colors
2. Invocation
3. Pledge of Allegiance
4. Preamble
5. POW/MIA Remembrance
6. Roll Call of Officer
7. Introduction of Guests and New Members
8. Minutes of previous meeting
9. Report of Executive Committee
10. Reports of Officers and other committees
11. Unfinished business
12. New business
13. "Good of the Legion"
14. Election of Officers and Delegates
15. Prayer
16. Salute and Retire the Colors
17. Adjournment

Section 2. *Robert's Rules of Order* shall be the accepted parliamentary guide for the conduct of all meetings in so far as the same are consistent with the Constitution and By-Laws of this Post.

Section 3. Committee chairpersons shall keep rosters of their committee colleagues, and report continued absences to the Commander with recommendations for suitable replacements.

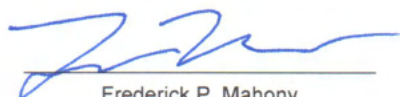
Article XV - Limitations of Liabilities

Section 1. The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, group of men/women, members of The American Legion, or other individuals, corporations, or organizations.

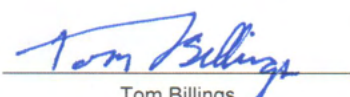
Article XVI - Amendments

Section 1. These By-Laws may be amended at any regular Post meeting by a vote of two-thirds of the members of said Post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing 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 ten (10) 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. Written notice will be posted on Post Website and distributed to members via email at least ten (10) days prior thereto.

These **revised** By-Laws were presented on October 19, 2021 at a regularly convened meeting of American Legion Post 201 and voted on and approved at a regularly convened meeting of American Legion Post 201 on November 16, 2021.



Frederick P. Mahony
Post Commander



Tom Billings
Post Adjutant



James C. Davis
Post Judge Advocate

Revision History

Ver	Date	By	Summary
10	Mar 16, 2021	T. Billings	Version approved by Membership on TBD [since no prior versions were available as of this date, this version was arbitrarily designated Version 10]
11a	Aug 17, 2021	J. Davis	Revised per Department directives in a letter of May 4, 2021 (Paragraphs IV-5, IX-2, and XVI-1) and correct Article Numbers after Article XI ...
11a	Oct 12, 2021	J. Davis	... add this Revision History section ...
11a	Jan 11, 2022	J. Davis	... Released for signatures and distribution