

Constitution
of
American Legion Post 201
Department of Georgia



Version 11a – Revised August 17, 2021

Approved November 16, 2021

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Prepared By

American Legion Post 201

201 Wills Road

Alpharetta, Georgia 30009

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 per cent 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

Section 1. The name of this organization shall be Alpharetta Post 201 Inc., The American Legion Department of Georgia.

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 of the national and departmental 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-partisan 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. 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 prescribed by the National Constitution of The American Legion.

Section 2. 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 3. All applications for membership shall be acted upon at the next Post meeting, rejected or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of said application, then such application 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 4. Any member of this Post may be expelled or suspended for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same. Charges shall be based upon disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of the American Legion or as may be otherwise provided for in the Post's *Code of Conduct*.

Section 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in Post meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 6. No person who has been expelled by a Post shall be admitted to membership in this Post, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, he/she may then appeal to the Executive Committee of the department of the expelling Post for permission to apply for membership in this Post and shall be ineligible for membership until such permission is granted.

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 three (3) elected members (collectively “Elected Members”); the elected officers of the Post; the Immediate Past Commander; the Commander of the Sons of American Legion (SAL) Squadron 201; the President of the American Legion Auxiliary (ALA) Unit 201; and the appointed Adjutant. The term of office of the three (3) Elected Members of the Executive Committee shall be as provided for in the Post By-Laws. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The elected officers of this Post shall consist of a Commander, a Senior Vice Commander, a Junior Vice Commander, Finance Officer, and a Judge Advocate (collectively “Officers”). The Commander shall appoint the following officers : an Adjutant, a Service Officer, a Historian, a Chaplain, a Sergeant-at-Arms, and an Assistant Sergeant-at-Arms.

Section 3. The Officers and Elected Members shall be elected at the annual meeting of the Post. The regular membership meeting prior to the meeting to elect new Officers and Elected Members shall be for the purpose of nominating any Officer or Elected Member whose term has expired. All nominations will be made at this meeting, and at the conclusion of this meeting nominations will be closed.

Section 4. All Officers and Elected Members whose terms have expired shall be elected annually with the exception of the Post Commander who will be elected every two (2) years for a two (2) year term, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committee person may be removed for cause by the Executive Committee after proper notice and consideration, a two-thirds vote of said committee being necessary to effect such removal.

Section 5. The Executive Committee will select a credentials committee of not less than three (3) nor more than five (5) whose duties will be to certify the eligibility of candidates.

Section 6. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 7. The duties of officers and the executive committee persons shall be those usually pertaining to such officers and committee persons and as further provided by the By-Laws.

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 this Post.

Section 3. The Post shall pay to the Department of Georgia Headquarters the National and Departmental annual membership dues for every member of the Post.

Section 4. It shall be the duty of the Finance Officer to prepare and submit to the Finance Committee prior to the commencement of each fiscal year an itemized budget of estimated receipts and expenditures for such year. Upon approval by the Executive Committee and recommending approval by the Post Membership, the budget will be voted upon by the membership at a membership meeting. The Post shall operate under the existing budget until the new budget described herein has been approved.

Section 5. No expenditures of funds for any purpose not specified in the budget shall therefore be permissible; however, exceptions can be made with recommendation from the Post Executive Committee and approval by general membership or as may be otherwise provided for in the Post By-Laws.

Article VII - Charter Members

Section 1. Members who joined this Post prior to the issuance of the charter shall be known as charter members.

Article VIII - American Legion Auxiliary

Section 1. This Post recognizes an Auxiliary Organization to be known as the Auxiliary Unit of Alpharetta Post 201.

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

Article IX - Amendments

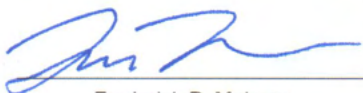
Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Constitution of the Department of Georgia. Any amendments to said National Constitution or Department Constitution, which are in conflict with any provisions hereof, should 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 the Post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing, further, that written notice via email and the Post Website 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 Constitution is to be voted upon.

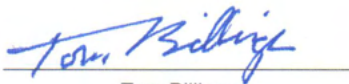
Article X - Incorporation

Section 1. This organization may function as a corporation if lawfully empowered so to do, in which event the officers of the Post shall be officers of the corporation to such extent as is consistent with law.

This **revised** Constitution was 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

<i>Ver</i>	<i>Date</i>	<i>By</i>	<i>Summary</i>
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 (Preamble and Sections VI-4 and IX-2)
11a	Oct 12, 2021	J. Davis	... add this Revision History section ...
11a	Jan 11, 2022	J. Davis	... Release for Signatures and Distribution