



BY-LAWS OF HIGHLANDS POST 69, THE AMERICAN LEGION

ARTICLE-I

Section 1. The post existing under these By-Laws is to be known as Highlands Post No. 69, The American Legion Department of Florida.

Section 2. The objectives of this post are as set forth in the Constitution.

ARTICLE II-POST OFFICERS
Section 1.The post Officers shall be:

Commander

First Vice Commander

Second Vice Commander

Finance Officer

Historian

Chaplain

Sergeant-at-Arms

Three Executive Committee-men

Section 2. Post Adjutant, Post Service Officer, and Post Judge Advocate-who shall be appointed by the Post Commander-elect and whose names shall be placed before the Post or the Post Executive Committee as the Post Constitution and By-Laws shall provide, at the first meeting following their appointment, for confirmation by a majority of the members present.

Section 3. The Adjutant, Judge Advocate and Service Officer shall be appointed by the incoming Commander.

Section 4. Election of Officers:

A nominating committee shall be appointed by the Post Commander and no nominated member shall serve on this committee

The nominating committee shall submit the names of the nominees to the body at least

Thirty (30) days before the election.

(C) Nominations from the floor will be accepted at the regular Post Meeting prior to the Election.

(D) Nominations for Commander shall be accepted for all who have served at least one year as an officer of Post 69.

Section 5. In case of resignation, death, suspension, or removal from office of any Post office before the expiration of ninety (90) days in office, an election will be held to fill the vacancy. Nominations will be taken from the floor, voting will be by written ballot, and the nominee must receive two-thirds votes of the members present at the regular or called meeting.

Section 6. In case of resignation, death, suspension, or removal from office of any Post Officer following a term in office more than Ninety (90) days, such officer or officers shall be appointed by the Executive Committee.

Section 7. Amended to conform to the procedures set forth in Article X, Section 14 of the Constitution, American Legion, Department of Florida.

Members or Post Officers may be reprimanded, suspended or expelled from the American Legion only upon proper showing or cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of the American Legion. Charges must be made under oath in writing by the accusers, and no member or officer shall lose his membership or office until given a fair trial.

Any Post that conducts disciplinary proceedings through a trial must Notify the District Commander at least ten (10) days in advance of Any such Trial, of the date, time and location where the trial is to be held. The District Commander shall detail a District Officer to attend The trial as an observer. The decision at the trial may be an acquittal, Reprimand, suspension, expulsion or in the case of an Officer, removal From office and shall be reported to the Post forthwith and acted upon by the Post at its next regular meeting. An acquittal from the jury can be overturned by this rule. The procedures and rules controlling the bringing of charges and the trial held within the jurisdiction of the Department of Florida, Shall be set forth by the Department Executive Committee in that document entitled Rules Governing Trials.

ARTICLE III-POST EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall consist of all officers of the post, Three (3) Executive Committee-men, plus the immediate Past Commander. No Executive Committeeman shall hold another elected office in the Post.

Section 2. The post Executive Committee shall meet for organization and such other business as may come before it at the call of the post Commander within ten (10) days after the installation of the new officers. Thereafter, the post Executive Committee shall meet at the call of the Commander at least every month and as often as the Commander deems necessary. The Commander shall call a meeting of the Post Executive Committee

upon the joint request of three (3) or more members of the Executive Committee or by written notice.

Section 3. The post Executive Committee shall hire approve such permanent employees as may be necessary, shall authorize and approve all expenditures exceeding \$500.00. Shall require adequate bond from for all persons having the custody of post funds, shall hear the reports of post committee chairmen, and shall have charge of and be responsible for the management of the affairs of the post.

Section 4. The expenditures exceeding \$500.00 must then be presented for a vote, to the members in attendance at regular or special meeting.

Section 5. The Executive Committee must have a prior full disclosure on proposed financial expenditures exceeding \$500.00 . Any cost overruns not anticipated in the full disclosure statement must be presented to the Executive Committee prior to additional expenditures. If the cost overrun is not submitted for expenditure approval, the person or persons responsible for the financial disclosure will be held liable for the payment of any unauthorized expenditures except in major emergencies to keep post operating.

Section 6. If a Post Officer or Executive Committeemen has Three (3) consecutive unexcused absences from Executive Committee Board meetings this shall be deemed neglect of duty and subject the Officer to be removed from Office in accordance with Article X, Paragraph 14, of the Constitution, American Legion, Department of Florida.

Section 7. Seven (7) members of the said committee shall constitute a quorum thereof.

Section 8 .Candidates for the three (3) Executive Committeemen positions may be nominated from the floor on election night, and said election shall occur, and be certified to the Department Adjutant, not more than ninety (90) days, nor less than ten (10) days prior to the Annual Department Convention and shall take office at the same time as do other Post Officers.

Section 9.The Executive Committee will present a monthly record of Post business to the membership at the regular meeting immediately following the Executive Committee meeting.

ARTICLE IV - DUTIES OF OFFICERS

Section 1. Post Commander:

Shall preside at all meetings of the post.

Shall have general supervision over all post business and affairs of the post, and shall be the chief executive officer of the post.

Shall prepare an agenda for both the regular meeting and Executive Committee meeting.

Shall make recommendations for the ensuing year. The recommendations to be read at the annual meeting of the post and a copy to be forwarded to the Department of Florida Adjutant.

Shall, along with the Finance Officer, be authorized to sign all checks.

Shall appoint all Committee chairmen and be an ex official member of all committees.

Section 2. First Vice Commander:

Shall assume and discharge the duties of the office of commander in the absence or disability of the commander, or when called upon by the post commander.

Shall be Chairman of the membership Committee.

Shall be Chairman of the ceremonials which sees that all are properly initiated into the American Legion not less than once a year.

Shall along with the Finance Officer and Commander be authorized to sign all checks?

Section 3. Second Vice Commander.

(A) Shall assume and discharge the duties of the office of Commander in the absence or disability of the Commander and First Vice Commander, or when called upon by the Commander.

(B) Shall be in charge of all the social events of the Post.

Section4. Post Adjutant:

Shall have charge of and keep a full and correct record of all proceedings of all meetings.

Shall keep such records as the Department and National organization may require

Shall render a report of membership annually or when called upon at a meeting.

Shall handle all of the correspondence of the Post under the signature of the Commander.

Section 5: Finance Officer:

Shall have charge of all finances of the Post and see that they are safely deposited into the post's banking accounts.

Shall give a monthly report to the Executive Committee, with a copy to each committee member, of the condition of the finances of the post.

Shall make recommendations regarding funding necessary to carry on the activities of the Post.

Shall sign all checks disbursing the monies of the post.

Shall furnish such surety bonds in such sums as shall be fixed by _____ the post.

Section 6. Judge Advocate:

The primary duty of the Judge Advocate is to supply professional advice in the conduct of the post or to procure local counsel. He is the guardian of the constitutional form of post government, and is the interpreter of the Constitution and By-Laws of this post and may, at any time be called upon by the Commander and other officers to rule on the legality of their actions and decisions insofar as they affect the good of the American Legion.

He is also charged with protecting the integrity of our organization and keeping a light on the torch of truth and fidelity that symbolizes the high and ennobling ideals under which our great American Legion was founded. He shall be available to the Service officer for legal advice and to Americanism committee on matters to education and naturalization laws.

The Judge Advocate and his legal committee are charged with the duty of auditing post financial accounts, which should be done annually just before the election of officers or more frequently, at their discretion.

All Legionnaires, Foreign or Domestic, have rights and privileges to post and canteen functions.

Section 7. Post Historian:

The post historian shall be charged with the individual records and incidents of the post and of post members, and shall perform other such duties as may properly pertain to the office as may be determined by the Executive Committee. He should be the post photographer and should make pictures of note-worthy events, maintaining a picture file, with each print properly identified and names of people thereon.

Section 8, Post Chaplain:

The Post Chaplain shall be in charge with the spiritual welfare of the post comrades and will offer divine, but Non-sectarian, service in the event of dedications, funerals, public functions, etc. adhere to such ceremonial rituals as recommended by the national or department headquarters from time to time.

Section 9. Sergeant-at-arms.

The sergeant-at arms shall preserve order at all meetings and shall perform such duties as may be assigned to him by the Executive committee.

ARTICLE V-DELEGATES

Section 1. Delegates and alternates to a department convention shall be elected by ballot by the post at a regular meeting of the post to be held at least twenty (20) days prior to the date of such convention.

ARTICLE VI- APPOINTMENTS

Section 1. The Post Commander, immediately upon taking office each year, shall appoint the following standing committees, Americanism Ceremonials, Children and Youth, Economic, Foreign Relations, Finance, Grave Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, National Security, Sons of the American Legion and Visiting.

Section 2. 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 civil phases of instructions in schools; Americanization of aliens; combating anti American propaganda by education of the general public in American ideals through public forums, etc, and activities for community and civic betterment.

Section 3. The Ceremonials Committee shall see all new members are properly initiated. The committee must also concern itself with proper presentation of other rituals outlined in the MANUAL OF CEREMONIES-burial detail and the wearing of legion regalia.

Section 4. The Post Economic Committee is primarily concerned with local employment programs, Veterans preference, and government Employment and re-employment rights.

Section 5. The Children and Youth Committee shall be charged with aid and service to children of veterans, co-operating 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 Legions 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 6. The Finance Committee shall be charged with administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all post funds.

Section 7. The Foreign Relations Committee is charged with the duty of maintaining and securing world peace and friendship abroad through community endeavors. This committee has become active as America has recognized its responsibility as a world leader and their efforts have become as essential as any treaty law.

Section 8. The duties of the Graves Registration and Memorial committee involve the recording of graves sites and complete information on veteran's burial in cemeteries assigned to the Post. Special assistance can be given the servicer in providing flags, headstones or proper interment in national cemeteries.

Section 9. The House and Entertainment Committee shall have charge of all matters pertaining to the care of the post quarters, the promotion of the club advantages and arrangement of social activities.

Section 10. The Legislative Committee needs to know 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 11. The Membership Committee shall have charge of all matters pertaining to membership of this post, including the procuring of new members, re-instatements and eligibility of members.

Section 12. The Public Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with the AMERICAN LEGION MAGAZINE. Department and National Legion news service and by local publicity of Post programs and activities.

Section 13. 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 governments, employment, relief. Etc.

Section 14. The Security Committee shall work with and co-ordinate 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 15. The Sons of the American Legion Committee shall have the supervision over the operations of that Post's Squadron of the "Sons of the American Legion".

Section 16. The Visiting Committee is charged with the visiting of members and their families when sick or bereaved and with visiting ex-servicemen in nearby hospitals.

Section 17. The Bingo chairman, The Post Commander and Lounge Manager shall have the authority to dispense reasonable funds for continued operations.

Section 18. No conflict of interest shall exist between Lounge manager, officers and employees of the post.

ARTICLE VII-RESOLUTIONS

Section 1. All resolutions of state or national scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post 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 this post is taken.

ARTICLE VIII MEETINGS

Section 1. The regular meetings of this Highlands Post No.69, The American Legion shall be held at the American Building at 1301 West Bell Street, Avon Park, Florida, at which meetings may be transacted such business as may properly be brought up for action, such meetings may be converted into entertainment meetings after all business has been taken care of, as may deemed advisable by the officers of the post.

Section 2. The Post Commander or a majority of the Executive Committee shall have the power to call a special meeting of the post at any time.

Section 3. Upon the written request of seven members, the Executive Committee shall call a special meeting of the post.

Section 4. Twelve members shall constitute a quorum at a regular or special post meeting, of which seven (7) members shall be officers.

ARTICLE IX -NOTICES

Section 1. Every member shall furnish the post adjutant with his or her address for mailing purposes, also phone number, if any.

Section 2. The Post Adjutant shall cause written notice of the annual election to be given at least thirty (30) days prior thereto.

Section 3. There shall be no loans on property or real estate which is owned by Post 69 without written notice to all members in good standing and by approval of two thirds (2/3) of the members present at a special called meeting.

ARTICLE X - RULES OF ORDER

Section 1. All proceedings of this post shall be conducted under and pursuant to Roberts Rules of Order, except as otherwise provided.

ARTICLE XI - LIMITATIONS OF LIABILITIES

Section 1. This post shall not incur, or cause to be incurred, any liability or obligations whatever which shall subject to liability any other post, subdivision, group of people, members of the American Legion, or other individuals, corporations or organizations whatever. Other than the requirements set forth in the Post Charter from the Department of Florida, which are fully enforceable.

ARTICLE XII-AMENDMENTS

Section 1. These by-laws may be amended at any regular post meeting by a vote of two-thirds of the members of this post attending such regular meeting; provided that the proposed amendment shall have been submitted in writing and read at the next regular meeting of this post after receipt of the proposed amendment; and, provided, Further that written notice shall have been given to all members at least twenty-one 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 on.

ARTICLE XIII-POST GUIDE

Section 1. The POST OFFICERS GUIDE as published by the National Headquarters of the American Legion, Indianapolis, Indiana is to be the official Post Handbook of Ceremonies of this Post. All meetings of this post shall be conducted with normal adherence to the procedures set forth in this book. The changes to the by-laws made by the Constitution and By-Laws Committee held on September 11, 2008 are superseded.

The Constitution and By-Laws Committee appointed by Post Commander Doug Deierlein is as follows:

**Wendell Pugh, Judge Advocate
Jerry Telling, First Vice Commander
George Christie, Second Vice Commander
Robert Plafchan, Adjutant**

The changes to the by-Laws made by the committee were approved at a meeting of the Committee on January 11, 2013.

These changes were submitted to the Post Membership at the Post meeting on January 14, 2013 and approved at the Post meeting on that same date.

Post Commander Doug Deierlein