

**BY-LAWS
OF
THE AMERICAN LEGION WARRINGTON POST #240 DEPARTMENT OF FLORIDA**

**ARTICLE I
NAME**

Section 1. The Post existing under these by-laws is to be known as Warrington Post #240, Inc., The American Legion, Department of Florida.

Section 2. The Objectives of this Post are as set forth in the Post Constitution.

**ARTICLE II
MANAGEMENT**

Section 1. The government and management of the Post is entrusted to the Executive Committee which consists of thirteen elected officers.

Section 2. The Executive Committee shall be elected annually and shall take office in accordance with the Department of Florida Constitution. All elected officers shall be elected by ballot, the five Executive Committeemen by plurality and the other eight officers by majority. Election shall be by ballot except when there is but one candidate for office, the election may be by voice.

Section 3. Any vacancy existing in the Executive Committee, except by expiration of term, shall be filled by a majority vote of the members at the next general meeting following the announcement of the vacancy. The Commander may appoint any member to temporally fill such vacancy until elections are held.

Section 4. Any Post Officer may be reprimanded, suspended or removed from office upon being found guilty of charges based upon disloyalty to the American Legion or the National Government, neglect of duties, dishonesty and/or conduct unbecoming a member or officer of the American Legion. (Refer to the Department of Florida Constitution, for procedures.)

**ARTICLE III
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 (10) days after the installation of the new officers. Thereafter, the Post Executive Committee shall meet at least once every month on the 4th Tuesday of the Month at 6:30PM and as often as the Post Commander may deem necessary. The Commander shall call a special meeting of the Executive Committee upon the joint written request of three (3) or more members of said Committee for that matter for which the request was issued. A majority of the current elected officers that are members of the Executive Committee present shall constitute a quorum of said committee.

Section 2. The Chairperson of the Executive Committee shall be the Post Commander and shall preside over all Executive Committee meetings until expiration of office, resignation, or removal from office.

Section 3. The Executive Committee has the responsibility for the operation, management, and control of the Post headquarters and other buildings and property used by the Post. They shall prescribe the rules governing the use of such buildings and property, and may modify or revoke same. It shall have power to fix penalties for the violation of such rules, and shall have power to enforce or remit same. Any person charged with violation of these rules shall have the right to a hearing before the Executive Committee before any penalty shall be enforced. The Committee shall be responsible for acquiring adequate Post insurance, to include bonding for all persons having custody of Post funds. The final ruling voice of authority in all management affairs pertaining to the post shall be the General Membership. No member, committee, or officer shall at any time over-rule the majority vote of the General Membership. All actions taken under this section shall be reported at the next General meeting.

Section 4. In the absence of a Post directive, the Executive Committee shall have the power to determine the policies of the Post and conduct Post business, with respect to matters that arise during the interval between regular meetings, provided, no expenditures or liabilities are incurred exceeding the sum of five hundred dollars (\$500.00). Any actions taken under this section shall be reported at the next General meeting.

Section 5. No elected officer will be allowed to hold any paid position in the operation or management of the Lounge.

**ARTICLE IV
DUTIES OF ELECTED 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. He/she 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 make recommendations for the ensuing year which shall be read at the annual meeting at the time of, and immediately following, the installation of officers for the ensuing year, and a copy thereof forwarded to the Department Adjutant. He/she may call special meetings of the Post at such times as he/she may deem advisable. He/she shall enforce all rules and regulations of the Post. He/she shall appoint all committees except those covered by these by-laws. The Post Commander or the Post Adjutant shall sign all written contracts, obligations and instruments of the Post and its management. He/she shall perform all other such duties as properly may be required of him/her by the Executive Committee. He/she shall assist the Finance Officer in the preparation of an annual budget for the

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operation of the Post which will be presented at the first meeting after installation.

Section 2. *Duties of the First Vice Commander:* The primary duty of the First Vice Commander is membership. It is his/her responsibility to check the accuracy of all membership applications and transfers. The First Vice Commander should build up the membership of the Post. He/she is responsible to see that new members and transfers are indoctrinated. The First Vice Commander should be familiar with the ceremonies for regular meetings as he/she will be taking over the responsibility of Post Commander in his/her absence. He/she shall be chairperson of the Membership and Publicity (PR) Committees.

Section 3. *Duties of the Second Vice Commander:* The Second Vice Commander shall assume and discharge the duties of the Post Commander in the absence or disability of the Post Commander and the First Vice Commander. He/she shall be responsible for the Post's inside activities and shall be chairperson of the Entertainment Committee.

Section 4. *Duties of the Third Vice Commander:* The Third Vice Commander shall assume and discharge the duties of the Post Commander in the absence or disability of the Post Commander, First Vice Commander, and Second Vice Commander. He/she shall be responsible for the Post's outside activities and recreation.

Section 5. *Duties of the Post Finance Officer:* The Finance Officer shall be in charge of all finances, see that all money is safely deposited in a bank or banks, and report monthly the condition of the Post finances. All checks disbursing Post funds must be countersigned by two (2) designated / approved Post members. He/she shall be responsible for the collection of all moneys due to the Post. He/she shall keep proper vouchers of all sums disbursed and keep regular accounts in accordance with a system satisfactory to the Executive Committee. He/she shall be chairperson of the Finance Committee.

Section 6. *Duties of Post Historian:* The Post Historian shall compile and keep a record covering important activities of the Post during each year of his/her term of office and, when relieved from such office, shall deliver such records to his/her successor.

Section 7. *Duties of Post Chaplain:* The Post Chaplain shall be charged with the spiritual welfare of the Post members and will offer divine, but nonsectarian, services 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 Sergeant at Arms:* The Sergeant at Arms shall preserve order at all meetings, shall ascertain if all members present have a valid membership card and

introduce to the Post Commander the visiting members, guests, and Post dignitaries to the meetings, and shall perform such other duties as may be assigned to him/her by the Post Commander.

Section 9. *Duties of the Executive Committeemen:* The House Committee shall be comprised of the five (5) Executive Committeemen. The Chairman of the House Committee shall be elected by its five members. The House Committee is responsible to the Executive Committee for maintaining qualified personnel in the positions of Post Janitorial, Maintenance, and Yard/Grounds work. They are further charged with hiring a qualified Lounge Manager, who must be a Post member in good standing. They also oversee the post kitchen operations. They will ensure all personnel carry out their assigned duties in accordance with Post policy/directives, job descriptions and local health guidelines. They shall also provide assistance to the Lounge Manager on an as needed basis. They will report all recommended changes and/or discrepancies (except emergencies) to the Executive Committee before a final approval is made.

**ARTICLE V
DELEGATES**

Section 1. Delegates to the Department convention and Mid-Winter Conference shall be appointed by the Post Commander at a regular meeting to be held not more than fifty (50) days nor less than ten (10) days prior to the Department Convention. Delegates will be ratified by General Membership.

Section 2. The Post Commander shall be an automatic delegate to all Conventions, Conferences, and meetings. Other delegates to District Constitutional Conference and other District, Area, Department or National functions shall be appointed by the Post Commander at a regular meeting prior to such function. Delegates will be ratified by General Membership.

Section 3. The delegates appointed to attend such functions shall have their registration fees paid for by the Post.

Section 4. To be eligible for travel expenses as a delegate, a member must be approved by the Executive Committee and ratified by the General Membership.

Section 5. All paid delegates will receive \$30.00 per day food allowances. Delegates will be required to provide receipts for fuel, lodging and tolls, and a written report of their activities, submitted within 30 days of their return or, reimburse the Post for all monies received in its entirety.

**ARTICLE VI
APPOINTMENTS**

Section 1. The Post Commander, immediately upon taking

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office each year, shall appoint the following officers and standing committees as deemed necessary (with confirmation of the General Membership): Adjutant, Service Officer, Judge Advocate, Membership, Entertainment, Finance, Auditing, Scholarship, Publicity, Americanism, Athletic, Sons of the American Legion Liaison, Children and Youth, Security, Blood, Bingo, Legion Riders Chapter 240 Liaison, and Disaster Preparedness. The Commander may appoint special committees to handle any matters as they arise. The standing committees shall consist of a chairperson and two (2) or more members thereof as shall be designated by the Post Commander. The chairperson may select and appoint members to serve on his/her committee with approval of the Post Commander. The Post Commander shall appoint also those chairpersons as otherwise provided for in these by-laws.

Section 2. *Duties of the Post Adjutant:* The Post Adjutant shall perform all duties prescribed in the Adjutant's Manual and such other duties as directed by the Post Commander. He/She shall review, revise and maintain a current list of Post Standard Operating Procedures.

Section 3. *Duties of Post Service Officer:* The Post Service Officer shall give aid and assistance to veterans of all wars, their spouses, and dependents, as may be requested of him/her and which lie within his/her power to perform. He/she shall represent the Post in all matters pertaining to assistance to veterans, their spouses, dependents or survivors. He/she shall be authorized to correspond in the name of the Post with Departments of Federal, State, and County Governments and any and all other persons when such correspondence shall be necessary.

Section 4. *Duties of Post Judge Advocate:* He/she shall be the interpreter of the Constitution and Bylaws of the Post, and may at any time be called upon by the Post Commander and other officers and members of the Post to rule on the legality of their actions in so far as they affect the good of the American Legion. He/she shall supply professional advice in the conduct of Post business or to procure proper counsel. He/she is the guardian of constitutional form of Post government. He/she shall be the chairperson of the Auditing and Bylaws Committees.

Section 5. *The Membership Committee* shall have charge of all matters pertaining to membership of the Post including the procuring of new members, reinstatements, and eligibility of members. The First Vice Commander shall be chairperson of this committee.

Section 6. *The Entertainment Committee* shall have charge of all matters pertaining to the promotion of Post functions and arrangements for social affairs. The Second Vice Commander shall be chairperson of this committee.

Section 7. *The Finance Committee* shall be charged with the administration of the financial policy. They shall assist in

the preparation of the Annual Budget recommendations, and have supervision of receiving, disbursing, and accounting of all Post funds. The Finance Officer shall be chairperson of this committee.

Section 8. *The Auditing Committee* shall be charged with an audit of the Post financial accounts and Lounge accounts at least annually before the election of new officers, or more frequently as the need arises. It is highly desirable that at least one member of this committee be a qualified accountant. The Judge Advocate shall be chairperson of this committee.

Section 9. *The Scholarship Committee* shall have charge of all matters pertaining to the awarding of financial assistance to deserving high school graduates seeking to further their education. Personnel recommended for receiving financial assistance are subject to approval by the General Membership.

Section 10. *The Publicity 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 the Post programs and activities. The First Vice Commander shall be the chairman of this committee.

Section 11. *The Americanism Committee* shall be charged with the inspiration of patriotic and good citizenship through patriotic observances; patriotic and civic instruction in schools; Americanization of aliens; information on anti-American propaganda; youth activities such as Boy's State, Scouts, oratorical contest; school awards and medals; flag etiquette; and other similar community service.

Section 12. *The Athletic Committee* shall be charged with the promotion of physical development and clean sports by the organization of Post athletic teams, recreation, etc., and by cooperation and support in the general recreational and athletic programs of the community.

Section 13. *The Sons of the American Legion Committee* shall have jurisdiction over the operation of this Post's Squadron of the Sons of the American Legion.

Section 14. *The Children and Youth Committee* shall be charged with aid and service to children of veterans, cooperating with 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 15. *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.

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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. *The Blood Committee* shall work closely with the local area blood bank and the Post to ensure that an adequate supply of blood is on hand for the community. He/she will keep records of all blood donors and submit an annual report to the Post.

Section 17. *The Bylaws Committee* shall review the bylaws annually and recommend necessary changes to the General Membership for consideration and/or approval. The—Judge Advocate shall be chairperson of this committee.

Section 18. *The Bingo Committee* shall consist of the Bingo Chairman and Bingo callers. The appointed Bingo Chairperson and committee members will follow to the letter of the law the conduct of the games. The Bingo Chairman shall be responsible for accurate record keeping and using modern accounting methods.

Section 19. *Disaster Preparedness Committee* will meet 72 hours before any major Hurricane or Tropical Storm to review the Disaster Preparedness Guidelines and make recommendations to the Executive Committee on protecting the Post Home and employees.

Section 20. All committee chairpersons shall submit their annual budget recommendations to operate their committees in writing to the Finance Committee as soon as possible after receiving their appointment or election as committee chairpersons and may spend no more than \$250 without approval of the Executive Committee

**ARTICLE VII
RESOLUTIONS**

Section 1. All resolutions of State or National scope presented to the Post by a member or reported to the 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
GENERAL MEETINGS**

Section 1. The general meetings of the Post shall be held at the Post Home on the second Tuesday of each month at 6:30 p.m., except on legal holidays, at which may be transacted such American Legion business as may be brought up for action.

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 written request of fifteen (15) Post members, the Post Commander or the Executive Committee will call a special meeting of the Post at any time.

Section 4. Fifteen (15) Post members present at a regular or special meeting of the Post shall constitute a quorum.

**ARTICLE IX
NOTICES**

Section 1. Every member shall furnish the Post Adjutant with his/her address for mailing purposes.

Section 2. Notice of elections of Post Officers shall be published at least thirty days prior to the date of the elections.

**ARTICLE X
POST REVENUE**

Section 1. There shall be no associate members of the Post.

Section 2. In regard to delinquent members reference is made to the Post Officers Guide.

Section 3. There shall be no gambling nor gaming devices on Post property except as authorized by Florida State and Escambia County Statutes.

**ARTICLE XI
POST FUNDS**

Section 1. All Post Officers handling Post funds shall be bonded by an accredited Bonding Agency. The General Fund shall be composed of dues and such other sources of revenue as the Post may receive that is not specifically earmarked for another fund.

Section 2. The Bingo Fund shall be separate from all other Post funds and will rely on its income solely from the operation of bingo games in the Post Home, and strictly in accordance with the current laws of the State of Florida. The appointed Bingo Chairperson and committee members will follow to the letter of the law the conduct of the games.

Section 3. The Sons of the American Legion Fund shall be composed of dues from SAL members and such sources of revenue as voted upon by the Squadron and approved by the Post.

Section 4. The Post 240 Lounge Fund shall be administered by the Lounge Manager who shall render monthly reports to the Post through the Executive Committee. Lounge funds shall be generated from the sale of food,

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beverages, and usage of coin operated machines. Expenses paid from this fund shall include employee's salaries, state and local taxes, social security, unemployment insurance, accounting fees, costs of food and beverages for resale, and miscellaneous costs inherent in the operation of the club. The Lounge Manager shall be responsible for accurate record keeping and using modern accounting methods.

Section 5. Additional funds may be established when deemed necessary by the Post on the recommendation of the Executive Committee and by majority vote of members present at a regular meeting.

**ARTICLE XII
RULES OF ORDER**

Section 1. The Post shall use and follow the American Legion Manual of Ceremonies as provided by National Headquarters in conducting all its business and special meetings, initiations, and other ceremonies prescribed therein. The Post Officers Guide shall be read by each officer of the Post in order to get a clear understanding of the duties of his/her office.

Section 2. The proceedings of the Post shall be in accordance with "*ROBERT'S RULES OF ORDER, NEWLY REVISED*", except as otherwise provided herein.

**ARTICLE XIII
HONORARY LIFE MEMBERSHIP**

Section 1. The citation of an individual Legionnaire to honorary life membership in the Post is a testimonial by those who know him/her best, and that he/she has served the American Legion well.

Section 2. Honorary life membership shall not be conferred on any member unless he/she has done an outstanding amount of work for the good of the Legion and for the Post.

Section 3. No member will receive an honorary life membership from the Post, unless he/she has been an active member for at least five (5) consecutive years.

Section 4. Honorary life membership will not be conferred by a vote of the Post unless all members are notified in advance of the regular meeting that the voting is to take place. This notice is to give the name of the member to be voted upon and his/her qualifications.

Section 5. No honorary life membership conferred by the Post can be revoked except when the member who has received the life membership transfers from the Post or is expelled for a major infraction.

**ARTICLE XIV
LIMITATIONS OF LIABILITIES**

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

**ARTICLE XV
AMENDMENTS**

Section 1. These Bylaws may be amended at any regular meeting of the Post 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 preceding regular meeting of said Post; and further provided; that written notice shall have been given to all members at least ten (10) days in advance of the date such amendment is to be voted upon, and notifying said members that at such meeting a proposal to amend the Bylaws is to be voted upon, and stating the amendment.

REVIEWED

//s//Jimmy Lee Martin
JUDGE ADVOCATE, POST #240 / DATE

ATTESTED

//s//Michael Holdener
COMMANDER, POST #240 / DATE

//s//Ronald (Bull) Woolsey
ADJUTANT, POST #240 / DATE

APPROVED

DEPARTMENT JUDGE ADVOCATE / DATE

FINAL APPROVAL

DEPARTMENT ADJUTANT / DATE

DEPARTMENT COMMANDER / DATE