



**THE AMERICAN LEGION
DEPARTMENT OF NEW HAMPSHIRE**

**JAMES E. COFFEY POST #3
BY-LAWS**

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BY-LAWS**

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 percent Americanism;

To preserve the memories and incidents of our associations 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 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.

Definitions:

- a) **Member in good standing:** Has a current valid legion membership in this Post.
- b) **Meeting call:** Shall be a brief agenda of the meeting.
- c) **Restricted accounts:** Any committee authorized to raise funds specifically for their program.
- d) **Emergency meeting:** A meeting to discuss an issue that needs to be dealt with between regular meetings. Purpose must be stated in the call of the meeting and sponsored by three (3) elected officers.
- e) **Active Committee Member:** A member who participates in scheduled meetings of the committee, except when excused.

ARTICLE I

Name and Seal

Section 1, Name: The name of the organization shall be the James E. Coffey Post No. 3, The American Legion, Department of New Hampshire.

Section 2, Seal: Any and all seals and literature used by this Post shall bear this inscription.

ARTICLE II

Objects and Purposes

Section 1: The objects and purposes of the James E. Coffey Post No. 3 shall be to promote the principles and policies set forth in the foregoing preamble, the Constitution of the National Organization, and the Constitution of The American Legion, Department of New Hampshire.

ARTICLE III

National Affiliation

Section 1: Having adopted the constitutions of the National Organization and The American Legion, Department of New Hampshire, and amendments thereto, this Post shall act in accordance with their aims and provisions and shall be governed by their decisions.

ARTICLE IV

Membership and Eligibility

Section 1, Eligibility: Eligibility for membership in this Post shall be the same as that adopted by the National Organization and The American Legion, Department of New Hampshire.

Section 2: All applications for new membership into this Post or transfers from another Post shall be presented to the membership at a regular meeting for consideration before the applicant or transferee can be accepted or denied membership in this Post.

ARTICLE V

Officers

Section 1: The elected officers of this Post shall be:

- Post Commander
- Post Senior Vice Commander
- Post Junior Vice Commander
- Post Finance Officer – two (2) year term (Voted in on even years...2018, 2020)
- Post Trust Officer
- Post Assistant Trust Officer
- Post Executive Committeemen (there shall be three (3)); elected at the Annual Meeting
- Post Trustees (there shall be three (3)); One (1) elected at the Annual Meeting

Section 2: The Commander appointed Administrators of this Post shall be:

- Post Adjutant
- Post Judge Advocate
- Post Parliamentarian

Section 3: The appointed Officers of this Post shall be:

- Post Service Officer
- Post Historian
- Post Editor
- Post Chaplain
- Post Sergeant-At-Arms
- Post Athletic Officer

Section 4: The Post Executive Committee shall consist of the "filled" elected Officers identified in Section 1 of this Article and the "filled" appointed Administrators identified in Section 2 of this Article. There shall be no minimum number of members required.

ARTICLE VI

Meetings

Section 1, Regular: The Regular Meetings of this Post shall be held on the first Tuesday of each month unless postponed by the Commander with the consent of a majority of the Executive Committee, or postponed by vote of the members present at a Regular or Special Meeting.

Section 2, Special: Special Meetings may be called by the Post Commander or shall be called upon by a written request made to the Post Commander by ten (10) members in good standing.

Section 3, Executive: The Post Executive Committee shall have an organizational and business meeting within forty-five (45) days after the installation of officers. The Executive Committee shall meet at the call of the Post Commander whenever he / she deems necessary. The Commander shall call a meeting of the Executive Committee upon the joint written request of three (3) or more members of said Executive Committee. The minutes of said meetings shall be read at a

regular meeting and attached to the Post minutes.

Section 4, Annual Meeting: The Annual Meeting shall be held on the first Tuesday in April of each year. Election of the Post officers shall take place at this meeting.

Section 5, Installation of Officers: A Special Meeting shall be called for the Installation of Officers. This meeting shall be held on the Thursday next following the Annual Meeting.

Section 6, Committees: All Standing Committees shall meet at least two (2) times a year. The minutes of said meetings shall be read at a regular meeting and attached to the Post minutes.

ARTICLE VII

Election of Officers

Section 1, Officers: The officers, except those to be appointed by the Commander, shall be nominated and elected at the Annual Meeting of the Post. Notice of the call for nominations and elections shall be made in the issue of The Coffey Cup or by direct mail at least one month prior to the Annual Meeting. This notice shall be sent to all members of the Post.

Section 2, Nomination: Any member nominated to an elective office must be present at the time of nomination or must have submitted a written and signed letter signifying his/her intent to seek the office for which nominated. This letter shall be in the possession of the Post Commander prior to the meeting at which the nomination shall take place.

Section 3, Membership Standing: No member shall be nominated for elective office in this Post who is not in good standing at the time of nomination. No member who is not in good standing may hold an elective or appointed office in this Post. No member may hold more than one (1) elected office in this Post simultaneously unless approved by the Executive Committee to fill an open position.

Section 4, Declining Nomination: If an office will stand vacant by reason of nominees declining nomination, then nominations and election may be made at any regular meeting of the Post without a second notification to the general membership.

Section 5, Term of Office: An officer elected may continue in office until his/her successor is elected or appointed and qualified in accordance with Sections 1 and 2 of this Article.

Section 6, Vacancies: A vacancy created by death, resignation, or removal from office in the office of Post Commander shall be filled by the accession of the Senior Vice Commander. A vacancy created by death, resignation, removal from office, or accession in the office of Senior Vice Commander shall be filled by accession of the Junior Vice Commander. A vacancy in the office of Junior Vice Commander or any other elected office of the Post shall be filled by nomination and election at the next meeting of the Post providing notice is given in the meeting call that the nomination and election will take place.

ARTICLE VIII

Post Officers Duties and Responsibilities

Section 1, Post Commander: The Post Commander shall preside at all Post meetings, shall call special meetings, shall have general supervision over the business and affairs of the Post, and shall be the Chief Executive Officer of the Post. He / She shall be the chairperson of the Executive Committee and a non-voting ex-officio member of all other committees. He / She shall make an Annual Report covering the business of the Post for the year. He / She shall make recommendations for the good of the Post. The Annual Report shall be read at the Annual Meeting. He / She shall perform such other duties as directed by the Post. Two of the following: Post Commander, Post Finance Officer; when acting together and duly authorized by the membership, shall have the power to make business contracts, on behalf of the Post.

Section 2, Senior Vice Commander: The Senior Vice Commander shall assume the duties of the Post Commander when called upon by the Post Commander, or, in the absence or disability of the Post Commander. He / She shall be the chairperson of the Membership Committee (Article XII, Section 4) and shall have the responsibility for overseeing the adjutant's issuing of dues notices and transmitting membership cards to all members. He / She shall, as well as the Post Adjutant, have authority to verify and attest to the eligibility of all prospective new members and transferees to the Post. The Senior Vice Commander shall prepare for and conduct the ceremonies necessary for initiation of all new members of the Post.

The Membership Committee shall be appointed by the Senior Vice Commander. It shall consist of five (5) members or more, who shall have charge of all matters pertaining to the membership of the Post, including recruiting new members, reinstating former members, and verifying the eligibility for membership. His / Her appointments shall be posted on the Post bulletin board by the June meeting. The Senior Vice Commander shall also be the chairperson of the Insurance Committee consisting of the Commander, Senior Vice Commander, Junior Vice Commander, and Finance Officer.

Section 3, Junior Vice Commander: The Junior Vice Commander shall serve in the capacity of the Senior Vice Commander or the Post Commander when called upon to do so by the Post Commander or Senior Vice Commander in their absence or disability. He / She shall be the chairperson of the Entertainment Committee (Article XII, Section 14). The Entertainment Committee shall be appointed by the Junior Vice Commander. It shall be composed of five (5) members who shall seasonally arrange programs for the Post activities, engage speakers, musicians, entertainers, etc., whenever so authorized. His / Her appointments shall be posted on the Post bulletin board by the June meeting.

Section 4, Post Adjutant: The Post Adjutant (a) shall have charge of and keep a full and accurate record of the proceedings of all meetings; (b) shall handle, under the direction of the Post Commander, all correspondence for the Post; (c) shall issue notices and shall actively cooperate with the Post Commander; (d) shall be required to notify all members individually when they are named members of any committee, and shall furnish a copy of the motion that created the committee or authorized the appointment to the Chairperson; (e) shall post on the Bulletin Board the full membership of the committee; (f) the Adjutant's duties do not include preparation or printing of "The Coffey Cup", they do however include assisting the Post Editor in addressing and mailing "The Coffey Cup" and in providing inputs for "The Coffey Cup" to the Post Editor; (g) the Post Adjutant shall

receive an annual salary of an amount established by vote of the General Membership and entered into the minutes. This salary shall be payable monthly by the Finance Officer from Post funds; (h) all notices for special meetings (excluding the Executive Committee) shall be by mail, electronic mail (e-mail) or telephone by the Post Adjutant to all members of the Post committee in good standing. Notices shall be mailed, e-mailed, telephoned at least five (5) days prior to the meeting; (i) shall, under the direction of the Post Commander, notify all members of the Executive Committee of all meetings for the committee; such notice may be by mail, e-mail or telephone; (j) shall provide a copy of all minutes excluding financial reports to the elected officers no later than ten (10) days after the meeting; (k) shall have the responsibility for issuing dues notices and transmitting membership cards to all members; [moved from Sr. Vice] (l) He / She shall, as well as the Sr. Vice, have authority to verify and attest to the eligibility of all prospective new members and transferees to the Post; (m) shall be bonded during his / her term for faithful and honest performance of duties, in the amount of not less than ten thousand dollars (\$10,000.00) by a responsible Surety Company, the cost of such bond shall be paid from Post funds. The bond shall be deposited with and held by the Post Commander, who shall see that this bond is correct and current.

Section 5, Post Finance Officer: Elected every **EVEN** year and shall serve for a two (2) year term. The Post Finance officer shall be the Chief Financial Officer (CFO) of the Post and be the custodian of all money. He / She shall: (a) be responsible for prompt payment of all bills that have been properly approved for payment in the manner prescribed by these By-Laws. All such bills in the amount of fifty dollars (\$50.00) or more shall be paid by check or electronic payment; (b) shall collect and make proper record of all monies received by him / her from dues, fees, and assessments, if any; proceeds from Post activities; Trust Funds; and all other sources of Post income; (c) shall deposit such funds in the name of the Post in one or more local banks; (d) shall maintain in permanent form, (i.e. a receipt book) or electronic records (i.e. digital copies of receipts) for purposes of record and audit; (e) shall keep regular accounts with the National Organization and The American Legion Department of New Hampshire; (f) shall keep a complete set of records and accounts in a correct, up-to-date, and orderly manner, in proper books provided by the Post for such services, (title to such books and records shall remain vested in the Post); (g) shall submit a complete report of all funds received and spent at each regular meeting of the Post; (h) shall be prepared to furnish a full and complete report of Post finances at any Special or Executive meeting; (i) shall present his / her books and records for audit whenever requested by the Post; (j) shall be bonded during his / her term for faithful and honest performance of duties, in the amount of not less than ten thousand dollars (\$10,000.00) by a responsible Surety Company, the cost of such bond shall be paid from Post funds. The bond shall be deposited with and held by the Post Commander, who shall see that this bond is correct and current; (k) shall be entitled to remuneration for his service in the annual amount established by the General membership and entered into the minutes. This amount shall be payable monthly by the Post Finance Officer from Post funds; (l) at the expiration of his / her term in office or in the case of his / her resignation or removal from office, he / she shall deliver immediately to his / her successor or to the Post Commander all monies, books, records. and other property in his / her possession or under his / her control that belongs to the post.

Section 6, Post Historian: The Post Historian shall keep a chronological account of the Post during his / her term of office and maintain any and all memorabilia of the Post history. All property and records shall be vested in the Post and storage shall be in the Post home. An inventory of the property under the Historian's supervision shall be attached to the annual Post minutes.

Section 7, Post Chaplain: The Post Chaplain shall perform the duties ordinarily performed by a Chaplain of a Veteran's Organization. (a) Shall provide leadership for the following positions:

Assistant Chaplain: Dedications
Assistant Chaplain: Funeral Services
Assistant Chaplain: Public Ceremonies

Their duties shall include offering prayers at dedications, funerals, and public ceremonies in which this Post takes part; (b) shall perform as part of the Post's ritual whenever called upon to do so. He / She shall be Chairperson of the Post Visiting Committee and Post Funeral Committee; (c) shall cooperate with the Funeral Committee and Memorial Day Committee in supplying available information concerning the location of graves and markers.

Section 8, Post Sergeant-At-Arms: The Post Sergeant-At-Arms (a) shall preserve order and decorum at all meetings; (b) shall be accountable for and have an inventory of the flags and colors and military equipment owned by the Post and be responsible for the raising and lowering of the post flag under the direction of the Commander; (c) shall greet and introduce all new members and visitors to the Post meetings; (d) shall obtain and give the Post Commander the name and titles of all visitors to the Post meetings.

Section 9, Post Trustees: There shall be three (3) Post Trustees. One (1) elected at the Annual Meeting each year to serve for three (3) years. The committee shall have one (1) three-year member, one (1) two-year member and one (1) one-year member. The Post Trustees (a) shall be the auditing committee of the Post and shall be responsible for conducting or having conducted an Annual Audit of all records and accounts of the Post Finance Officer, and all committees responsible for Receiving, Contracting for, or Disbursing funds in any amount exceeding one hundred dollars (\$100.00); (b) shall act in an advisory capacity to the Trust Officer and Assistant Trust Officer and shall have equal voting rights in the purchase or sale of stocks, bonds, or other financial dealings of the Trust Officer and Assistant Trust Officer.

Section 10, Post Trust Officer and Post Assistant Trust Officer: (a) The Post Trust Officer and the Post Assistant Trust Officer shall supervise the Trust Property and shall submit a complete and accurate accounting of their stewardship at the Regular Meeting held in September and February of each year; (b) The Post Trust Officer and the Post Assistant Trust Officer shall, in consonance with the Post Trustees, and Post Finance Officer, supervise the purchase or sale of stocks, bonds, or other financial dealings of the Trust Property.

Section 11, Post Editor: The Post Editor shall (a) be responsible for preparing and e-mailing (with the assistance of the Post Adjutant) "The Coffey Cup"; (b) shall receive remuneration established by the General Membership and entered into the Post minutes. This amount shall be payable monthly by the Post Finance Officer from Post funds; (c) maintain an electronic mail (e-mail) list for the e-mailing of the monthly "Coffey Cup"; (d) shall be the chairperson of the Publicity Committee which shall consist of not less than two (2) members who shall keep in proper contact with The American Legion News Monthly, the Department of New Hampshire, and the National Legion News Service, and all other forms and types of media. His / Her appointments shall be posted on the Post bulletin board by the June meeting.

Section 12, Service Officer: There shall be a Service Officer appointed by the Post Commander, whose duty shall be to assist comrades and their relatives on claims, insurance compensation, etc., with the United States Federal or State Governments, and with other support agencies. Funds raised or donated for the Service Officer shall be restricted and used for this purpose only.

Section 13, Athletic Officer: The Athletic Officer shall be charged with the promotion of physical development, sports, and youth athletic programs. The Athletic Officer shall appoint three (3) members for his/her committee. The committee appointments shall be posted on the Post bulletin board by the June meeting.

Section 14, Judge Advocate: The Judge Advocate shall be the interpreter of the Post By-Laws. He / She shall (a) contact and consult with outside counsel when directed by the Post membership or the Executive Committee; (b) shall be the ruling authority at any disciplinary hearing of a Post member; (c) shall ensure the disciplinary procedures stated in the Officers Guide and Manual of Ceremonies are followed for all cases presented to the Judge Advocate; (d) shall provide legal counsel to any Post Officer when requested in writing.

Section 15, Parliamentarian: The Parliamentarian shall provide an opinion on Parliamentary Law. An opinion shall only be on the point in question. The ruling or decision based upon this advice must be stated by the Presiding Officer.

ARTICLE IX

Notices

Section 1, Official Publication: “The Coffey Cup” shall be the official published newsletter of this Post. All notices in “The Coffey Cup” shall satisfy the requirements for notices required by these By-Laws.

Section 2, Nominations and Elections due to Vacancy: Notice of all nominations and elections to fill vacancies created by death, resignation, or removal from office shall be sent to all members by the “The Coffey Cup”, postcard, or e-mail, in the call for the Regular or Special Meeting called for that purpose.

ARTICLE X

Quorum

Section 1, Regular Meetings and By-Law Changes: Six (6) members in good standing shall constitute a quorum at all Regular Meetings. For quorum to change the By-Laws (See Article XVIII, Section 1).

Section 2, Executive Committee: A majority of the members of the Executive Committee shall constitute a quorum of that committee.

Section 3, Committees: A majority of the members of all Post committees shall constitute a quorum of that committee.

ARTICLE XI

Dues

Section 1, Annual Dues: The annual dues shall be voted on and approved prior to the March meeting by the members present. A motion must be carried by a simple majority of the membership present for an increase. Any increase in dues shall be posted in the next newsletter and electronic newsletter stating the purpose of the increase. A notice is not required as the date and time are stated

in the By-Laws.

ARTICLE XII COMMITTEES

Section 1, Appointments: The Post Commander, immediately upon being installed into office, shall make his / her appointments to standing committees. No person shall be appointed to a committee who is not a member in good standing of this Post. His / Her appointments shall be posted on the Post bulletin board by the June meeting.

Section 2, Executive Committee: Except as otherwise provided by these By-Laws, the administration of the affairs of this Post shall be under the supervision and direction of the Executive Committee. The members of this committee shall be as stated in Article V Section 4. The minutes of this committee shall be read at the next regular meeting of the General Membership.

Section 3, Visiting Committee: There shall be a Visiting Committee composed of the Post Chaplain and three (3) members who shall be charged with visiting and comforting members and their families when sick or bereaved, and with visiting ex-servicemen in nearby hospitals.

Section 4, Membership Committee: The Membership Committee shall be appointed by the Senior Vice Commander. It shall consist of two (2) members or more, who shall have charge of all matters pertaining to the membership of the Post, including recruiting new members, reinstating former members, and verifying eligibility for membership. The Post Adjutant shall be a standing member of this committee. The Membership Committee shall verify and attest to the eligibility of all prospective members and transfers to this Post. The committee shall present any member with over fifty (50) years of continuous membership and fifteen (15) years of continuous membership in this Post to the membership at a regular meeting for approval of exemption from Post portion of membership dues. The fifty (50) plus year members would only be responsible for the Department and National portion of the membership dues. The committee shall present to the membership at a regular meeting any new active-duty serviceperson that applies for membership in this Post. Active-duty Service persons shall have their first-year dues paid by the Post. The committee appointments shall be posted on the Post bulletin board by the June meeting. All Post-paid hardship dues shall be reviewed and approved annually by a committee consisting of the Membership chairman, Service Officer and Finance Officer.

Section 5, Publicity Committee: The Post Editor shall be Chairperson of the Publicity Committee which shall consist of not less than two (2) members who shall keep in proper contact with The American Legion News Monthly, the Department of New Hampshire, and the National Legion News Service, and all other forms and types of media. They shall be responsible for all publicity for the Post programs and activities. The committee appointments shall be posted on the Post bulletin board by the June meeting.

Section 6, House Committee: The committee meets monthly on a day decided by the chairperson with at least 30 days advanced notice and may meet as needed at the discretion of the committee. The committee will be made up of a minimum of three (3) to a maximum of eight (8) Legionnaires with voting authority, who are active members in good standing of this Post. They shall not be employees of the Lounge. The Senior Vice and the Finance Officer shall be a standing member of this committee. The Squadron Commander and the Auxiliary President shall be non-voting ex-

officio members; The Post Commander shall appoint two members upon his / her installation to serve for a term three (3) years beginning and ending on the second Tuesday in May. Members who have missed three (3) consecutive meetings or whose erratic attendance in the opinion of the committee will be asked to resign. Recommendations to the Post Commander for removal for cause from the committee can be made by a majority vote of the committee. Vacancies shall be reported to the Post Commander who shall appoint a replacement as soon as possible. The officers of this committee shall be a Chairperson and a Secretary. They shall be elected at the regular house committee meeting in May to serve a one (1) year term. These officers shall perform the duties prescribed in the Rules and Procedures Manual of this committee. The House Committee shall have charge of all matters pertaining to the care and use of the Post Quarters. Each member appointed to fill the unexpired term of a member who resigns or is removed from the committee shall serve for the remainder of the term to which he / she is appointed.

Section 7, Athletic Committee: The Athletic Committee shall be charged with the promotion of physical development and sports. They shall be charged with organizing Post athletic teams; junior teams, recreational projects, etc., and shall cooperate with and assist in general recreational and athletic programs of the community.

Section 8, Budget/Finance Committee: There shall be a Budget/Finance Committee comprised of four (4) members; the Post Finance Officer and three (3) other members. One member shall be appointed by the Post Commander to serve for three (3) years. The committee shall: (a) prepare an Annual Budget showing estimated receipts and disbursements for the ensuing year; (b) the first presentation of the proposed budget shall be at the Annual Meeting. Copies of the Proposed Budget shall be made available to members at the Annual Meeting. There shall be no action taken or discussion permitted at this meeting. The Budget/Finance Committee shall read the Proposed Budget at the June meeting and shall call for a vote of acceptance; (c) shall provide an item in the budget for contingencies; (d) shall approve or disapprove any proposed appropriations submitted to the said committee by any other committee, the Post Commander, or any ten (10) members of the Post if in the judgment of said committee the proposed appropriation is clearly consistent with a conservative financial policy; (e) shall from time to time make such reports and recommendations in relation to financial matters as the committee deems desirable. They shall have the authority to adjust the Post Budget as necessary. These adjustments shall be read at a Post or Executive Committee meeting and attached to the minutes.

Section 9, Education and Scholarship Committee: The Education and Scholarship Committee shall consist of six (6) members in good standing in the Post. Each Post Commander shall appoint two (2) members to serve for three (3) years. The committee shall; (a) the committee shall elect a chairperson each year. The name of the chairperson shall be announced to the Commander in writing; (b) the Education and Scholarship Committee shall be empowered to develop necessary Guidelines and Application Forms which shall be presented to the General Membership for acceptance or modification if required; (c) the committee shall meet as required by the chairperson, but shall not meet less than two (2) times within each fiscal year of the Post; (d) the committee shall review all applications for the James E. Coffey Post No. 3, The American Legion, Department of New Hampshire Education and Scholarship and/or awards. They shall present their recommendations to the General Membership at the regular meeting of the Post in May of each year; (e) the committee shall report to the General Membership if there are to be no recipients of the awards; (f) funds for the Education and Scholarship Program shall be provided for in the Annual Budget; (g) no member of the committee shall serve more than two (2) consecutive terms of three (3) years; (h) the number of Education and Scholarship Awards to be awarded shall be determined by the committee and shall not

exceed the budgeted amount.

Section 10, Awards Committee: The Awards Committee of five (5) members is established to review the credentials, background, and contributions made by any Legionnaire of this Post that is recommended for Life Membership or Legionnaire of the Year. All Post awards shall be presented to this committee for review prior to being awarded. The Post Commander shall appoint one (1) member to this committee who shall serve for a period of five (5) years. The committee shall meet at least twice a year and shall present the minutes of its meeting at the next regular meeting of the Post, after the committee meeting. The committee shall have an established budget for Life membership Awards; (a) eligibility for Life Membership or Legionnaire of the Year shall be determined by a member's contributions to this Post, to The American Legion, the community, the State of New Hampshire, and to the United States of America. Life Membership shall not be awarded on the basis of longevity in The American Legion alone. Any member in good standing of this Post may be recommended for Life Membership or Legionnaire of the Year. A member in good standing may recommend another member of this Post for Life Membership or Legionnaire of the Year at any regular meeting of this Post. This recommendation must be forwarded to the committee for review and approval. Recommendations received by the committee shall be reviewed to determine eligibility in accordance with the provisions of this article. The results of this review shall be presented to the General Membership at a regular meeting of the Post. No member shall be nominated for Life Membership without review by the committee. No more than two (2) members shall be elected for Life Membership in any one (1) fiscal year of the Post. A member awarded Life Membership shall receive an engraved card symbolic of the award of the kind and style previously awarded by this Post. Any Honorary Life Membership is subject to review for revocation by the Executive Committee upon recommendation of a member in good standing. Should the Executive Committee find in favor of revocation, said revocation will be placed on the agenda of the next post business meeting for a vote of all members in attendance.

Section 11, Funeral Committee: The Funeral Committee shall consist of the Chaplain plus three (3) members appointed by the Post Commander to perform the following: (a) whenever a member of this Post dies, the Chaplain shall have the duty to contact the relatives of the deceased to offer whatever assistance and comfort can be given; (b) provide a suitable memorial piece or donation in lieu of a memorial piece which shall be sent in the name of the Post to a charity of the family's or relative's choice, such donation shall not exceed the amount established by the General Membership and entered into the minutes; (c) a Firing Squad may be provided, if possible, and in consonance with the wishes of the family or relatives. This Post shall make every effort to conduct services for the deceased member at the wake and at the grave side in accordance with the rituals of The American Legion and the wishes of the family and relatives.

Section 12, Vacancy: In the event a vacancy occurs within any appointed committee, the Post Commander shall fill the vacancy as soon as possible.

Section 13, Special or Ad-Hoc Committees: Shall be created at the request of the Post Commander and approved by the Post Executive Committee or the Post body. This committee shall be created for a specific purpose and have a specified time limit. The Post Commander shall determine the size of the committee and make the necessary appointments. When approved by the Post Executive Committee, the Post Commander shall report to the Post body at the next scheduled Post meeting.

Section 14, Entertainment Committee: The Entertainment Committee shall consist of five (5) members whom shall have charge of providing all Post activities for the membership during the year. This committee shall promote the atmosphere of fun while still doing the work of this Post.

Section 15, Insurance Committee: The Insurance Committee shall meet to review all the Post insurance policies and recommend to the Post membership any changes. Any recommendation shall be presented at the March or April meeting and attached to the minutes.

Section 16, By-Laws Committee: This committee shall consist of a minimum of four (4) members with three (3) members being the Judge Advocate (chairperson), the Parliamentarian, and the Finance Officer, and one (1) appointed annually by the Post Commander. The By-Laws Committee shall review all requested changes to the By-Laws. All changes shall be presented to the committee for review and recommendation prior to being presented to the Post membership. The committee shall ensure copies of the By-Laws are available at the Post during the year.

Section 17, Committee Member Attendance: Members who have missed three (3) consecutive meetings or whose erratic attendance in the opinion of the committee will be asked to resign.

ARTICLE XIII

Reports

Section 1, Minutes: The Post Adjutant shall prepare a full and accurate record (minutes) of all happenings at all Regular, Special, and Executive meetings. This record shall be read at the regular meeting of the Post next following the meeting at which the record was made. As an alternative to reading of the minutes, and at the discretion of the Post Commander, the minutes may be published via email to all members excluding the financial reports for review prior to the next meeting and approved at the meeting, subject to corrections or additions. This record shall be bound in a book and made a permanent part of the Post history. The minutes shall be posted on the Post bulletin board excluding the financial reports for review by the General Membership.

Section 2, Committee Reports: The chairpersons of all standing committees shall: (a) make a report at each regular meeting that summarizes the actions and happenings of their individual meetings. They shall present to the Post Adjutant a full and accurate account of the actions and happenings of their meeting. This record shall be appended to and bound with the minutes of a regular or special meeting and need not be read by the Post Adjutant as part of the minutes of the Post meeting; (b) all committees, Standing, Special, or Ad-Hoc shall keep records (comments) of the actions and happenings of each meeting called to do the business of the committee.

Section 3, Special or Ad-Hoc Committees: The chairperson of Special or Ad-Hoc Committees shall make a report that summarizes the actions and happenings of their individual meeting. The chairperson shall provide to the Post Adjutant a copy of the full and accurate happenings of each meeting. The committee minutes shall be appended and bound with the minutes of the meeting; they need not be read by the Post Adjutant as part of the minutes of the Post meeting.

ARTICLE XIV

Delegates

Section 1, Delegates and Alternates: Delegates and Alternates to a Department Convention shall be elected by ballot at a regular meeting of the Post held at least twenty (20) days prior to the date of such convention.

Section 2, Automatic Delegates: The immediate Past Post Commander, the Post Commander, the Post Senior Vice Commander, and the Post Junior Vice Commander shall, by virtue of their office, automatically be delegates to the Department Convention. They shall obtain a copy of the convention minutes and create a summary to be posted on the Post bulletin board within sixty (60) days of the convention.

Section 3, Delegates: The delegates attending the Department Convention shall receive appropriate compensation from the Post as authorized in the Annual Budget.

Section 4, Delegates-At-Large: Those members of this Post designated by the Department of New Hampshire and who are permitted to vote as Delegates-At-Large at the Department Convention shall be recognized as delegates of the Post and shall receive equal compensation as a delegate as provided for in Section 3 of this article.

ARTICLE XV

Rules of Order

Section 1, Sequence of Order: All proceedings of this Post shall be in consonance with the Rules of Order established by The National Organization; The American Legion, Department of New Hampshire; Special Rules of Order established by the Post, and Robert's Rules of Order Revised.

Section 2, Precedence: Precedence concerning Rules of Order in case of conflict shall be: (a) The National Organization; (b) The Department of New Hampshire Rules of Order; (c) Special Rules of Order established by the Post; (d) Robert's Rules of Order Revised.

Section 3, Regular Meetings: The regular meetings shall be conducted according to the Post Officers' Guide and Manual of Ceremonies.

Section 4, Conduct: All members attending a meeting of this Post shall conduct themselves in an orderly fashion, they shall raise their hand and upon recognition by the Post Commander or chairperson, they shall address the Post Commander or chairperson and then shall speak on the subject.

Section 5, Motions or Resolutions: No motion or resolution involving the appropriation or expenditure of money in excess of one thousand dollars (\$1000), whether moneys on hand or to be received, except the motion for the adoption of the Annual Budget, shall be in order unless the appropriation or expenditure is approved by three-fourths (3/4) of the members present at a meeting of which a notice stating the proposed appropriation or expenditure shall be sent to each member of this Post. (See Article IX Section 1)

Section 6, Budget: The Annual Budget as proposed by the Budget/Finance Committee shall be open to amendment but, only if three-fourths (3/4) of the members present vote affirmatively for such amendment. The adoption of the Annual Budget shall constitute an appropriation of all expenditures shown therein. The vote by which the Annual Budget shall be adopted shall not thereafter be open to reconsideration, amendment, or revision.

Section 7, Receipts: All receipts in connection with any dance, entertainment, or other project shall be paid to the Post Finance Officer. All persons acting in behalf of or in the name of this Post shall account to this Post for all expenditures and income made or derived from any dance, entertainment, or other project of this Post.

Section 8, Restricted Accounts: Restricted accounts (a) must be approved at the Annual Meeting; (b) all monies raised or donated shall be used by that committee for the purpose stated; (c) any unused money may be carried forward to the next budget year; (d) restricted money shall be used prior to the budgeted money.

Section 9, Disciplinary Actions: All matters of a disciplinary nature shall be presented to the Post Judge Advocate in writing and signed by the member presenting the charge or charges. These charges shall be based on disloyalty, neglect of duty, dishonesty, and conduct unbecoming a member of this Post and The American Legion.

ARTICLE XVI

Emblem

Section 1: The emblem of this Post shall be that adopted by the First National Convention of The American Legion, held in Minneapolis, November 10-12, 1919. It shall be used, displayed, or worn only as prescribed by The National Organization.

ARTICLE XVII

Trust Fund

Section 1, Post Trust Fund: The Post Trust Fund shall be held in trust by an institution, firm or agency in agreement with the Post Trust Fund Committee and approved by the Post body.

Section 2, Committee: The Trust Fund Committee shall consist of the Post Trust Officer, Post Assistant Trust Officer and the Post Finance Committee.

ARTICLE XVIII

Changes to the By-Laws

Section 1, Amendments: The By-Laws of this Post may be amended, repealed, or added to at any regular or special meeting by a two-thirds (2/3) vote of the members in good standing (minimum of 8) attending such meeting, provided that notice of the general nature of the proposed action is stated in the call for the meeting. (See Article IX Section 1)

Section 2, Changes: Changes to the salaries, remunerations, and values of donations

established by the General Membership and entered into the minutes shall not be changed except as provided for in Section 1 of this Article.

Section 3, Abrogation: These By-Laws and all changes thereto made on this date, August 5, 2025, abrogate all previous By-Laws, changes, revisions, alterations, and additions.

ARTICLE XIX

Appendices

A.) Appendices shall be allowed to these By-Laws by this Post only.

B.) Appendices shall be only those Rules of Operation for Committees.

C.) All Rules of Operation for Standing Committees of this Post shall be presented for a vote by the General Membership at a regular or special meeting of this Post and shall become appendices to these By-Laws.

D.) Once accepted as an appendix, the rule shall become a permanent part of these By-Laws and shall not be changed or altered except as provided for in Article XVIII.

The unchanged portions of these By-Laws were accepted at a meeting held for that purpose on December 2nd 2008. The changes revising these By-Laws and incorporated herein were made by vote at regular post meetings held on January 8, 2019; November 5, 2019; February 6, 2024; and August 5, 2025.

Changes APPROVED by the By-laws Committee, 24 August 2018.

Changes APPROVED by Executive Board, 1 November 2018.

Changes APPROVED by post membership at a regular meeting, 8 January 2019.

National mandated change to the preamble APPROVED by the By-laws Committee and Executive Board, 26 October 2019.

National mandated change to the preamble APPROVED by post membership at a regular meeting, 5 November 2019.

Changes APPROVED by the By-laws Committee, 6 December 2023.

Changes APPROVED by Executive Board, 6 December 2023.

Changes APPROVED by post membership at a regular meeting, 6 February 2024.

Changes APPROVED by post membership at a regular meeting, 5 August 2025.

Adjutant and By-Laws Committee member; Donald P. Vincent

Name

08-05-2025

Date