



Post 356

By-Laws

Article I

Name

SECTION 1. The Post existing under these By-Laws is to be known as Muskego American Legion Post 356, Department of Wisconsin.

SECTION 2. The objectives of this Post are as set forth in the Constitution.

Article II

Management

SECTION 1. The government and management of the Post is entrusted to an Executive Committee of eleven (11) members, to be known as the "Executive Committee."

SECTION 2. The Executive Committee shall consist of two (2) members in addition to the officers of the Post and together with the other officers of this Post shall be elected annually in March of each year and take office at the meeting next following that of the election. All elections of officers and executive committeemen shall be by voice vote or ballot. The candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

SECTION 3. All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer who succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

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 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 said Commander may deem necessary. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three or more members of said Post Executive Committee; six (6) members of the committee shall constitute a quorum thereof.

SECTION 2. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of Post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

Article IV

Duties of Officers

SECTION 1. *Duties of Post Commander.* It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the Chief Executive Officer of the Post. The Commander 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 recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. The Commander shall perform such other duties as directed by the Post.

SECTION 2. *Duties of 1st Vice-Commander.* The 1st Vice-Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander. The 1st Vice-Commander will be the chair of the “House and Entertainment Committee”.

SECTION 3. *Duties of 2nd Vice-Commander.* The 2nd Vice-Commander is to assist in all post activities and act as chair to the “Children and Youth Committee”.

SECTION 4. *Duties of Post Adjutant.* The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the Commander handle all correspondence of the Post.

SECTION 5. *Duties of the Finance Officer/Treasurer.* The Finance Officer/Treasurer of the Post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Executive Committee the condition of the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Finance Officer/Treasurer shall sign all checks disbursing the monies of the Post, and shall furnish such surety bonds in such sum as shall be fixed by the Post Executive Committee. The Finance Officer/Treasurer will assist the “Audit Committee”.

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

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

SECTION 8. *Duties of Sergeant-at-Arms.* The Sergeant-at-Arms shall preserve order at meetings, act as chair of the Ceremonials Committee and shall perform such other duties as may be from time to time assigned by the Post Executive Committee.

SECTION 9. *Duties of the Service Officer.* The Service Officer shall have charge of all service activities arising in the Post and shall perform such other duties as are usually incident to such office. The Service Officer will be the Chair of the “Graves Registration and Memorial Committee”, “Veterans Affairs” and “Rehabilitation Committee and the Visiting or VAVS 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 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: Ceremonials, Children and Youth, Finance, Graves Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, and Visiting or VAVS. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post commander.

SECTION 2. *Ceremonials Committee.* The principal duty of the Ceremonials Committee is to insure all new members are properly initiated. The committee also concerns itself with proper presentation of other rituals outlined in the Manual of Ceremonies—burial detail and the wearing of Legion regalia and rifle squad.

SECTION 3. *Children and Youth Committee.* Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child 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 4. *Finance Committee.* The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds.

SECTION 5. *Graves Registration and Memorial Committee.* The duties of this committee involve recording of grave sites and complete information on veterans’ burial in cemeteries assigned to the Post. Special assistance can be given the service officer in providing flags, headstones or proper interment in national cemeteries.

SECTION 6. *House and Entertainment Committee.* The House and Entertainment quarters promotion of club advantages and arrangement for social activities.

SECTION 7. *Legislative Committee.* The Legislative Committee needs to have a knowledge of 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 8. *Membership Committee.* The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

SECTION 9. *Public Relations Committee.* The Public Relations 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 Post programs and activities.

SECTION 10. *Veterans Affairs and Rehabilitation Committee.* 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 government, employment, relief, etc.

SECTION 11. *Visiting or VAVS Committee.* This committee is charged with visiting and comforting members and their families when sick or bereaved, and with visiting ex-service personnel in hospitals.

SECTION 12. *Audit Committee.* The Audit Committee will be organized by the Finance Office/Treasure at the end of each year to audit the finance records of the Post. This will be an internal audit. The Audit Committee will be made up of three members of the Post. They will review the year's financial records for accuracy and report to the Executive Committee.

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 on the subject and copy of same shall be forwarded to the Department headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

Article VIII

Meetings

SECTION 1. The Post will hold regular monthly meetings for the Post membership at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post.

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

SECTION 3. Upon the written request of three (3) members of the Post, the Executive Committee shall call a special meeting of the Post.

SECTION 4. A quorum shall consist of Nine (9) Post members present, as long as five (5) are Post Officers.

Article IX

Notices

SECTION 1. Every member shall furnish the Post adjutant with an address for mailing and email address, if available.

SECTION 2. The Post adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

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 herein otherwise provided.

Article XI

Limitations of Liabilities

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

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 said Post attending such regular meeting; Provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post; and, provided, further, that written notice shall have been given to all members at least thirty (30) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon.