

BY-LAWS
OF
HORACE ORR POST 29, INC.
THE AMERICAN LEGION
DEPARTMENT OF GEORGIA

01 FEBRUARY 2020

ARTICLE 1 – NAME

This Post existing under these By-Laws shall be known as Horace Orr Post 29, Inc., herein known as Post 29.

ARTICLE II – POST EXECUTIVE COMMITTEE

Section 1. There shall be a Committee charged with responsibility of the operation of the Post 29 known as the Executive Committee. The membership of said Committee shall be as follows: The Commander, Senior Vice Commander, two Junior Vice Commanders, Finance Officer, Judge Advocate, Chaplain, Historian, Service Officer, Sergeant at Arms, and an Adjutant. Election/appointments to these offices shall automatically be deemed election to said Committee. The Post Adjutant will be ex-officio member of the Executive Committee with voice but no vote. The Committee will consist of 11 members. Six members shall be deemed a quorum.

Section 2. The Post 29 Executive Committee shall authorize and approve all expenditures; shall require adequate bonds from all persons having custody of Post 29 funds; shall hear the reports of Post 29 committee chairs; hear appeals from employees of the Social Quarters; and generally shall have charge of and be responsible for the management of the affairs of Post 29.

Section 3. The Commander may appoint, subject to ratification by the Executive Committee, a Post Manager to operate the Social Quarters and maintain the building maintenance. The Manager shall report the operational and financial status of his responsibilities for the approval of the Executive Committee at every monthly Committee Meeting.

ARTICLE III – DUTIES OF POST OFFICERS

Section I. The Commander shall be the Chief Executive and Administrative Head of Post 29, with full power to enforce the provisions of the Constitution and By-Laws of this Post. The Commander shall:

- a. Be the Chairperson of the Executive Committee;
- b. Supervise the affairs and functions of the Post, and coordinate its activities;
- c. Be responsible for and supervise the managerial functions within the Post;
- d. Consult with and be assisted by the Senior Vice Commander, the Junior Vice Commanders, and all other officers of the Executive Committee in furthering the objective and policies of the Post;
- e. Appoint all standing and special committee chairpersons, subject to the ratification of the Executive Committee;
- f. Perform such duties as are usually incumbent upon the chief officer of a parliamentary organization;

g. Be the signatory on all financial accounts of the Post.

Section 2. The Senior Vice Commander shall;

- a. Function under the jurisdiction of the Commander in carrying out the policies of the Post;
- b. Perform such coordinating duties assigned by the Commander.
- c. In the event the Commander is not available to preside over any function or meeting, assume the jurisdiction and duties of the Commander for the function or meeting;
- d. In case of the resignation or permanent absence of the Commander, assume the jurisdiction and duties for the remainder of the term of the former Commander.
- e. Be Chairperson of the Membership Committee;
- f. Perform such other duties as are required by the Post, Department and National Constitution.

Section 3. The Junior Vice Commanders shall perform the specific functions respectively as assigned to them by the Commander and such other duties as are usually incident to the office. One Junior Vice Commander will be responsible for the Facilities and the other Junior Vice Commander be responsible for Boys State.

Section 4. The Finance Officer shall:

- a. Be the custodian of all funds of the Post;
- b. Disperse all funds with the advice and consent of the Commander;

- c. Render to each meeting of the Executive Committee and General Membership an itemized report on the financial condition and actions of the Post.
- d. Be charged with the execution of the policies and mandates of the Post, Executive Committee and Commander;
- e. Insure that there are two signatures on all Post checks;
- f. Be signatory on all financial accounts of Post 29;
- g. Perform such duties as are usually incident of the office.

Section 5. The Adjutant shall:

- a. Be appointed by the Commander;
- b. Be charged with the execution of the policies and mandates of the Post, Executive Committee, and Commander;
- c. Perform such other duties as are usually incident to the office.
- d. Insure that there are two signatures on all Post checks.

Section 6. The Judge Advocate shall be the advisor of the Commander and other Post Officers on legal questions and upon all matters involving interpretation of parliamentary procedure and of the Constitution and By-Laws of the Post.

Section 7. The Chaplain shall conduct memorial exercises and render such spiritual and religious services as may be appropriate in accordance with the ritual of the Post.

Section 8. The Historian shall preserve the records and archives of the Post.

Section 9. The Service Officer shall:

- a. Provide veterans in the community with basic Veterans Administration information;
- b. Refer veterans to Federal and/or State services as required, including The American Legion Department Services Officer, if necessary;
- c. Provide any assistance to any needy individual or family, provided the needs are within the guidelines of the Post.

Section 10. The Sergeant-At-Arms shall:

- a. Assist the Commander in maintaining order and decorum at all meetings;
- b. Introduce visiting distinguished guests;
- c. Be the custodian of all paraphernalia and colors, and see that they are properly displayed;
- d. Perform such other duties as prescribed by the Commander.

Section 11. In addition to the above named duties, the duties specified in The American Legion Officer's Guide shall be a guide to all Post 29 Officers.

Section 12. In the event of a vacancy in any office, except Commander, the Executive Committee shall elect a replacement at the next meeting of the Executive Committee.

Section 13. Any Post Officer suspended or expelled under provisions of the Post Constitution, Article V, Section 5, will automatically be removed from office and the office shall be filled under the provisions of Section 12 of this Article.

ARTICLE IV – DELEGATES

Section 1. For Department and District Conventions, Post 29 is entitled to five delegates and one additional delegate for each 25 members, or major fraction thereof, whose current dues have been received by the Department Adjutant ten days prior to the meeting of said convention, and one alternate for each delegate.

Section 2. Normal expenses incurred by an officer or member while on Post business shall be reimbursed by the Post. Allowable expenses shall include transportation, lodging in accordance with the guidelines of the Executive Committee, and expenses for meals and incidentals conforming to the expense policy of the Post.

ARTICLE V – APPOINTMENTS

Section 1. The Post Commander immediately upon taking office each year or at the next regular meeting after installation, shall appoint the following standing committee

chairpersons. The Chairperson shall name the other members of their committee except as noted.

Section 2. Americanism Committee. The Americanism Committee will be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions, encouragement of patriotic and civic phases of instruction in schools, Americanization of aliens, combating anti-American propaganda and youth activities by education of the general public in American ideals through public forums, etc., and activities for the community and civic betterment.

Section 3. Children and Youth Committee. The Children and Youth Committee will 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 World War veteran shall be in need of the necessities of Life" and "A square deal for every child."

Section 4. Finance Committee. The Commander shall appoint, subject to ratification by the Executive Committee, a Finance Committee, to be composed of three members named by the Commander. Each appointee shall serve for one year or until removed by the Commander. The Finance Officer shall be the chairperson of the Committee. The Committee shall be charged

with preparing the annual budget and presenting it for approval to the General Membership at the Post meeting in October; verifying that the obligation of funds conforms to the Post budget; and supervising the receipt and accountability of all Post funds. The fiduciary matters of the Post and committee will be subject to an audit no less than annually by an outside accounting firm.

Section 5. Election Committee. The Commander shall appoint, subject to ratification by the Executive Committee, an Election Committee, to be composed of three members named by the Commander to conduct elections for Post Officers. The committee shall name a regular meeting date for the election in accordance with these By-Laws and at least two members shall be present while voting takes place and the ballots will be counted during the meeting. No candidate for elected office shall be a member of the Election Committee.

Section 6. Membership Committee. The Membership Committee will have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatement and eligibility of members.

Section 7. Boys State Committee. The Boys State Committee will be charged with recruiting qualified boys to send to Boys State.

Section 8. Scouting Programs Committee. The Scouting Programs Committee will coordinate the Post's efforts in supporting local Scouting programs.

Section 9. Investment Committee. The Investment Committee shall be made up of at least three members in addition to the Post Finance Officer. A quorum must be present to conduct business.

- a. The Post Commander, the Post Finance Officer and the Investment Committee chairman shall be the authorized agents on the investment account.
- b. The Investment Committee will report directly to the Executive Committee.
- c. The Investment Committee shall meet at least quarterly to review investments.
- d. The Investment Committee shall keep minutes of all meetings.
- e. The Investment Committee shall keep a trade blotter of all purchase and sell transactions.
- f. All Investment Committee statements and minutes shall be kept at the Post, in the Finance Officers' quarters.
- g. Each year the Investment Committee in conjunction with the Finance officer will insure that the authorized signing agents at the brokerage firm are updated. The Investment Committee chairman shall meet with the brokerage firm at least annually.
- h. No new single investment should exceed 10% of the Post investment portfolio.
- i. Post investments should maintain a high level of diversity within the portfolio.

- j. The brokerage firm will issue an invoice to the Investment Committee for services rendered on an annual basis.
- k. The above Investment Committee By-Laws shall be reviewed annually and updated as required by the Investment Committee and/or the Finance Officer of the Post.

Section 10. Sons of the American Legion (SAL) Committee.

The SAL Committee chairperson shall be the coordinator of the Post's Squadron of the SAL. The chairperson shall be designated as the SAL Commander.

Section 11. Shooting Sports Committee. The Shooting Sports Committee will develop a shooting sports program to include a shooting team and teaching gun safety.

Section 12. Legion Riders Committee. The Legion Riders Committee will promote the Legion Riders by recruiting Post 29 members who are bike enthusiasts interested in furthering American Legion objectives. The Legion Riders Committee chairperson shall be the coordinator of the Post's Legion Riders Committee.

Section 13. The Post Manager reports to the Commander and has the responsibility for Post maintenance and the operation of the Social Quarters including hiring and firing of personnel therein. However, all employees have the right to appeal to the Executive Committee all punitive actions by the Post Manager.

Section 14. There shall be created such other committees, as the Post, Executive Committee and the Commander may deem necessary.

Section 15. All members of all committees appointed by the Commander shall be subject to removal at the pleasure of the Commander, provided however, the Executive Committee, by majority vote at any regular meeting shall have the right to override the action of the Commander.

ARTICLE VI – MEETINGS

Section 1. Regular meetings of the members of this Post shall be held at Post 29 on the first Thursday of each month at which may be transacted such business as may properly be brought up for actions; such meeting may be converted in an entertainment meeting, as may be deemed advisable by the General Membership.

Section 2. The Commander or a majority of the Executive Committee may call a special meeting of the Post, if required.

Section 3. Upon the written request of ten members in good standing, the Commander shall call a special meeting of the Post.

Section 4. At all regular or special meetings of the Post, 15 members in good standing who remain in attendance shall

constitute a quorum for the transaction of business unless otherwise provided by the Constitution.

Section 5. A regular meeting of the Executive Committee shall be held monthly. The Commander may call a special meeting of the Executive Committee by notifying all Board members 48 hours in advance by voice and/or electronically.

Section 6. Minutes and a record of attendance shall be kept of all meetings; both regular and special, and such minutes and attendance records shall be retained by the Adjutant and kept on file. The minutes of the monthly meetings will be read, discussed and voted upon by members in attendance.

ARTICLE VII – MONEY AND COLLECTIONS

Section 1. All bills payable, notes, and checks or other negotiable instruments of the Post shall be made in the name of the Post. The Commander and/or the Finance Officer shall sign all such negotiable instruments; however, the Commander and Finance Officer may from time to time transfer such sums of money to administrative accounts, including payroll accounts, petty cash accounts and such other accounts as may be necessary to meet administrative and current obligations of the Post. The Commander and Executive Committee may jointly designate properly bonded employees to sign checks for and draw upon such administrative accounts. All persons authorized to sign any negotiable instruments for the Post shall

be bonded in an amount commensurate with the amount of funds over which they have control.

Section 2. The Commander and the Finance Officer of the Post shall jointly have the power to transact all fiduciary matters in the name of Post 29 as expressly prescribed and provided for in the Post Constitution and By-Laws.

Section 3. Funds from the Investment and Certificate of Deposit accounts, and expenditures on Post property, cannot be spent without a two-thirds approval vote of the membership present at a General Membership Meeting. The membership must be notified 25 days in advance of the vote. Interest accrued during the previous 12 months in all counts can be used with General Membership approval. No more than 12 months accrued interest can be used in a given year.

Section 4. Three bids are needed on all obligations over \$5000.00, except in an emergency situation.

Section 5. Travel allowance and expense, or either of the same, for persons authorized to travel at the expense of Post 29 and approved by the Executive Committee, shall be paid by reimbursement following the completion of such travel and upon proper vouchers submitted in proof of an expenditure made, and not otherwise.

Section 6. The fiscal year shall commence on August 1.

ARTICLE VIII – PARLIAMENTARY PROCEDURES

At any meeting of members held under the provision of the By-Laws, all questions of parliamentary laws and rules of order not specifically provided for in the By-Laws shall be decided according to the principles laid down in the most current published edition of Robert's Rules of Order, published by the trustee for the Robert Rules Association, except that, when voting by roll call, the secret ballot provision shall not apply.

ARTICLE IX- SALE, ACQUISITION OR TRANSFER OF REAL PROPERTY

Section 1. The sale, acquisition and the transfer of real property shall be accomplished only by the vote of two-thirds of the members present at a regularly scheduled legal meeting; provided that the proposed sale, acquisition or transfer of said real property shall have been submitted to the members of the Post by written notice at least 25 days prior to the scheduled meeting at which said vote shall be recorded, and, the terms of said proposed sale, acquisition or transfer of said property shall be posted on the Post bulletin board and shall be read from the

floor to the members at two consecutive regularly scheduled Post meetings immediately preceding the meeting at which said vote shall be recorded. Section 2. Department headquarters is to be notified in writing of any plans to sell, transfer or acquire real property to said action.

ARTICLE X – AMENDMENT OF BY-LAWS

These By-Laws may be amended, added to, or any part or parts thereof may be repealed or suspended by an affirmative two-thirds majority vote of the members of said Post attending any regular Post meeting, providing that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post meeting, and providing further, that written notice shall have been given to all members at least 25 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. The By-Laws can be amended in the event of a local, state, or national State of Emergency, or acts of God that require immediate action.

- a. The Commander has the authority to declare a State of Emergency verified by 2/3 positive vote of the Executive Committee. The Executive Committee, being duly elected by the Membership, will have the authority to immediately take the necessary actions for the betterment of the membership of Post 29. State of Emergency mandates and actions will supersede Post 29

By-Laws and House Rules where applicable. A State of Emergency will terminate by 2/3 vote of the Executive Committee.

ARTICLE XI – POST DOCUMENTS

Section 1. All Post documents are the sole property of the Post and shall not be distributed or released to anyone outside of the Post unless approved by the Executive Committee.

Section 2. All Post documents are subject to inspection by the Department headquarters.