



# THE AMERICAN LEGION

## *Department of Florida*

David Pleasanton  
Department Judge Advocate

November 17, 2010

Cdr. Al Porter  
c/o The American Legion  
Department of Florida  
P.O. Box 547859  
Orlando, FL 32854-7859

RE: Douglas A. Monro Post 356  
Constitution and By-Laws

Dear Commander Porter:

I am in receipt of the Constitution and By-Laws of the above referenced Post. Both the Constitution and By-Laws are approved as written and submitted.

For your convenience I have prepared the appropriate Approval Form and have signed same.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

David F. Pleasanton  
Department Judge Advocate

DFP:dc

Enclosure

cc: R. Curtis McNeil, 400 Aberdeen Parkway, Panama City, FL 32405

**APPROVED**

Pursuant to the applicable provisions of the Department Constitution, the foregoing Constitution and By-Laws of American Legion Post 356 have been reviewed and approved this 10<sup>th</sup> day of December, 2010.

David F. Pleasanton  
David F. Pleasanton  
Department Judge Advocate

Approval Confirmed:

Albert E. Porter  
Al Porter  
Department Commander

**Constitution  
of  
Douglas A. Munro Post 356, Inc.  
The American Legion**

As Adopted at the General Membership Meeting of February 24, 1994  
and Amended at the General Membership Meeting of November 10, 1994  
and Amended at the General Membership Meeting of August 9, 2001  
and Amended at the General Membership Meeting of June 26, 2007  
and Amended at the General Membership Meeting of September 5, 2009.

**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 perpetuated a one hundred percent Americanism; to preserve the memories and incidents of our association in the great 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.

**ARTICLE I – NAME**

1. The name of this organization shall be Douglas A. Munro Post 356, Inc., The American Legion, Department of Florida.

**ARTICLE II – NATURE AND PURPOSE**

1. The nature and purpose of the Post shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Department Constitutions of The American Legion.
2. The American Legion is a civilian organization; membership therein does not affect or increase liability for military of police service. Rank does not exist in the Legion; no member shall be addressed by his or her military title in any meeting of this Post.

3. While requiring that every member of the organization perform his full duty as a citizen according to his own conscience and understanding, the organization shall be non-partisan in politics, and shall not be used for the dissemination of partisan principles, or for the promotion of the candidacy of any person seeking public office of preferment.

### **ARTICLE III – MEMBERSHIP**

1. Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion.
2. There shall be no form of class of membership except an active membership, and dues shall be paid annually.
3. Application for membership shall be made in writing under such regulations as may, from time to time, be prescribed by the Executive Board.
4. All applications for membership shall be acted upon at the next Post meeting following the making of such application, and shall at such meeting, be accepted or rejected or referred for further investigation and consideration. If a simple majority of the members present at the meeting vote against the acceptance of said application, then such application shall be recorded as rejected.
5. In the case of disciplinary action concerning any member of this Post, such action shall be in accordance with the procedures set forth in paragraph 14, Article X, of the Constitution of the American Legion, Department of Florida, as amended.
6. A member who has been suspended or expelled from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in a Post meeting, and the payment of dues for the year in which the reinstatement occurs.
7. A member who has been suspended or expelled from this Post shall have the right to appeal to the Department Convention.
8. The provisions of Paragraphs 5, 6, and 7 above, do not apply to disciplinary procedures carried out in compliance with any state or local law, affecting the right of the member to attend Legion Meetings.
9. This Post shall have full power and authority to drop from the membership roll the name of any member not paying their annual dues, as provided in the National Constitution and By-Laws.

10. In the case of disciplinary action concerning officers of this Post, such action shall be in accordance with the procedures set forth in paragraph 14, Article X, of the Constitution of the American Legion, Department of Florida, as amended.

11. No person who has been expelled by a Post shall be admitted to membership in this Post without the consent of the expelling Post, except where such consent has been asked for and denied by such Post, he may then appeal to the state Executive Committee of the department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

#### **ARTICLE IV – MANAGEMENT**

1. The administrative affairs of this post shall, except as may be otherwise provided by the By-Laws, be under the supervision of the Post Officers. The term of office for Post Officers shall be for one year. The Post, by its By-Laws, may provide for other standing or ad hoc committees as the business of the organization may require.

#### **ARTICLE V – OFFICERS**

1. The elected officers of this Post shall be a Commander, a First Vice Commander, a Second Vice Commander, a Third Vice Commander, a Finance Officer, a Sergeant-at-Arms, a Historian, a Chaplain, a House Committee, and a Corporate Board of Directors.

2. The Post Adjutant, Post Service Officer and Post Judge Advocate shall be appointed by the Post Commander-elect, and their names shall be placed before the Post at the first meeting following their appointment, for confirmation by a simple majority of the members present.

3. All Officers and House Committee persons shall hold office until their successors are duly installed or otherwise provided in the By-Laws of this Post.

4. Every member of this Post in good standing shall be eligible to hold office in this Post.

5. The duties of all officers shall be those usually appertaining to such officers as further provided in the By-Laws of this Post.

#### **ARTICLE VI – FINANCE**

1. The revenue of this Post shall be derived from membership or initiation fees; from annual membership dues; and from such other sources as may be approved by the Post Executive Board.

2. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by the General Membership of this Post at a regular meeting by affirmative vote of two-thirds of the members present and voting as prescribed in Article XI – Amendments.

3. The Post shall pay to Departmental Headquarters the National and Departmental annual membership dues for every member of the Post.

## **ARTICLE VII – CHARTER MEMBERS**

1. Members who joined this Post prior to the issuance of charter shall be known as Charter Members.

## **ARTICLE VIII- AUXILIARY**

1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of Douglas A. Munro Post 356, Inc., The American Legion, Department of Florida.

2. Membership on the Auxiliary Unit shall be as prescribed by the National Constitution of the American Legion Auxiliary.

## **ARTICLE IX – SONS OF THE AMERICAN LEGION**

1. This Post recognizes a subordinate organization to be known as Sons of The American Legion Squadron of Douglas A. Munro Post 356. Inc., The American Legion, Department of Florida.

2. All members of the Sons of the American Legion Squadron of Douglas A. Munro Post 356 shall pay dues as prescribed by that organization. However, upon attaining the age of twenty-one years, members will be required to pay the same dues as regular members.

## **ARTICLE X – AMERICAN LEGION RIDERS**

1. This Post recognizes a Riders Group as an activity within the Post, known as American Legion Riders (ALR) Florida Chapter 356.

2. As an activity within the Post, ALR Chapter 356 should provide a copy of all reports (insurance, activity, etc.) and correspondence generated by the activity to the Post 356 Adjutant for inclusion in Post 356 records. Official Events help by ALR Chapter 356 that utilize Post property should be coordinated with and approved by the post Executive Board.

## ARTICLE XI – AMENDMENTS

1. This constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Constitution of the Department of Florida, and any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of the conflict.
2. This Constitution may be amended at any regular Post meeting by affirmative vote of two-thirds of the members present and voting, providing that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting.

## CERTIFICATION

We the undersigned, hereby certify that the Constitution, foregoing herein, was properly presented to and accepted by, the membership of Douglas A. Munro Post 356, Inc., The American Legion, Department of Florida, at a regular meeting on September 5, 2010.

ATTEST:

/s/   
David Miller, Post Commander

/s/   
Doug Skaggs, Post Adjutant

/s/   
R. Curtis McNeil, Post Judge Advocate

APPROVED:

/s/ \_\_\_\_\_  
David Pleasanton, Department Judge Advocate

**By-Laws  
of  
Douglas A. Munro Post 356, Inc.  
The American Legion  
Department of Florida**

As Adopted at the General Membership Meeting of February 24, 1994  
and Amended at the General Membership Meeting of November 10, 1994  
and Amended at the General Membership Meeting of August 9, 2001  
and Amended at the General Membership Meeting of June 26, 2007  
and Amended at the General Membership Meeting of September 5, 2009.

**ARTICLE I – POST NAME**

1. The Post existing under these by-laws shall be known as Douglas A. Munro Post 356, Inc., The American Legion Department of Florida.

**ARTICLE II – MANAGEMENT**

1. The government and management of this Post is entrusted to the Post officers. Organization structure of Post Officers is as depicted in Attachment 1. A committee of 14 officers, known as “The Executive Board” shall consist of? Commander, 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Vice Commanders, Adjutant, Finance Officer, Judge Advocate, Historian, Sergeant-at-Arms, Chaplain, House Committee Members, and Service Officer. Additional Officers include Post Corporate Board of Directors.
2. The House Committee shall consist of three members.
3. In all cases or questions regarding matters of serious or grave importance concerning the management and affairs of this Post and in particular, the expenditure of Post funds in excess of seven hundred fifty dollars (\$750.00) (with the exception of necessary operating, overhead, and emergency expenses), the power of final decision is reserved to the General Membership of this Post, and such cases and questions shall be brought before the General Membership by the Post Commander for final decision.



## **ARTICLE III – EXECUTIVE BOARD**

1. The Post Officers govern at the pleasure of, and with the consent of the General Membership of this Post. However, no officer shall be removed without due process as prescribed in Paragraph 5, Article III – Membership, of the Constitution of this Post.
2. The Post Commander shall chair the Post Executive Board, but shall have no vote on any question except in the case of a tie vote by the Board.
3. The Post Officers shall meet for organization and such other business as may come before it at the call of the Post Commander within ten days after the installation of the newly-elected and appointed officers. Thereafter, the Post Executive Board shall meet at the call of the Post Commander at least every month and as often as said Commander may deem necessary.
4. The Post Commander shall call a meeting of the Post Executive Board upon the joint written request of three or more members of said Board, and seven members present at a meeting of the Board shall constitute a quorum thereof.
5. The Post Executive Board shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bond from all persons having custody of Post funds; shall hear reports of all Post Committee Chairpersons and shall exercise oversight authority over the programs, activities, and financial practices of all other Committees of this Post; and generally, shall have charge of, and be responsible for, the management of the affairs of this Post.
6. All vacancies existing in office of this Post from any cause other than expiration of the term, shall be filled by a majority vote of the remaining officers, and the person so appointed shall hold office for the unexpired term of the member of the Board or Officer, whom he or she succeeds.
7. In the performance of their duties, Officers are expected to attend all General Membership Meetings and Executive Board Meetings of the Post. Three successive unexcused absences from meetings may be interpreted as “neglect of duty” as contemplated in paragraph 14, Article X, of the Department Constitution.

## **ARTICLE IV – ELECTION OF OFFICERS**

1. The Post Adjutant shall give notice of the Annual Election of Officers a minimum of two weeks prior thereto. Such notice shall be published in the Post news letter; announced at the General Membership Meeting in the month of March preceding the nomination of candidates for

office at the General Membership Meeting in the month of April and shall be posted on the bulletin boards in the Post home.

2. During the Month of March, the Post Commander shall appoint a Chairperson, for an ad hoc Nomination and Election Supervisory Committee to plan, organize and provide the necessary means and materials to facilitate balloting; to count ballots; and to ensure the security of ballots during and subsequent to voting.
3. The Annual Election of Officers of this Post shall be held during a regular General Membership Meeting not less than thirty days or more than ninety days prior to the Annual Department Convention.
4. Voting shall be by secret ballot. A slate of candidates standing for election to each office, plus three members to the House Committee and three members to the Board of Directors of the Corporation shall be furnished to the Membership present at the meeting.
5. All candidates standing for election to any position shall be given the opportunity to deliver a brief statement to the Membership of their intended objectives while holding that position if elected.
6. Immediately after each round of balloting for each position, ballots shall be collected by the tellers, the ballot count made and the member elected to that position announced.
7. In the event of a tie vote, additional balloting for the particular position shall be taken until the tie is broken, or one of the tied candidates concedes to the other.
8. Balloting shall commence for the office of Corporate Board of Directors and proceed in the following order: House Committeemen; Post Chaplain; Post Historian; Post Sergeant-at-Arms; Post Finance Officer; Post Third Vice Commander; Post Second Vice Commander; Post First Vice Commander; and Post Commander.
9. Post Commander elect shall subsequently appoint the Post Service Officer, the Post Judge Advocate; and the Post Adjutant in accordance with Paragraph 2, Article V – OFFICERS, of the Constitution of this Post.

## **ARTICLE V – DUTIES OF OFFICERS**

1. The Post Commander shall have general supervision of the business and affairs of the Post; and such officer shall be the Chief Executive Officer of the Post. He or 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 recommendations for the ensuing year, which shall be read at the annual meeting preceding the installation of newly-elected officers and a copy thereof shall be immediately forwarded to the Department Adjutant. Duties include but are not limited to:

- Lead Post 356 (Officers and Members)
- Chair Meetings
- Call Special Meetings
- Represent Post at Civic Functions
- Represent Post at Legion Functions (State & National)
- Perform the Duties of Each of the Vice Commanders In Their Absence
- Member of Post Executive Board

2. The **First Vice Commander** duties include but are not limited to:

- Help Lead Post 356
- Coordinate Legion Business
- Perform the Duties of the Adjutant and Historian In Their Absence
- Represent the Post at Civic Functions
- Represent Post at Legion Functions (State & National)
- Perform the Duties of the Commander In His Absence
- Member of Post Executive Board

3. The **Second Vice Commander** duties include but are not limited to:

- Help Lead Post 356
- Coordinate Post Business
- Perform the Duties of the Finance Officer and House Committee Chairman In Their Absence
- Represent the Post at Civic Functions
- Represent Post at Legion Functions (State & National)
- Perform the Duties of the Commander In The Absence of the 1<sup>st</sup> Vice
- Represent House Committee Activities to the Executive Board
- Member of Post Executive Board

4. The **Third Vice Commander** duties include but are not limited to:

- Help Lead Post 356
- Coordinate the Infrastructure Business of the Post
- Insure Maintenance of Facilities is Kept Up
- Perform the Duties of the Chaplain and House Sergeant-at-Arms In Their Absence
- Represent the Post at Civic Functions
- Represent Post at Legion Functions (State & National)
- Perform the Duties of the Commander In The Absence of the 1<sup>st</sup> and 2<sup>nd</sup> Vice

- Member of Post Executive Board
5. The **Post Adjutant** duties include but are not limited to:
    - Keep Post Records
    - Record Proceedings of Meetings
    - Coordinate Records with State and National Organizations as required
    - Coordinate Correspondence of Post
    - Maintain and Update Membership Roles
    - Member of Post Executive Board
  6. The **Post Finance Officer** duties include but are not limited to:
    - Maintain Post Finances Safely in Banking Institutions
    - Chair Finance Committee
    - Maintain Bank Accounts
    - Provide Monthly Finance Reports to Membership
    - Disperse Post Finances as Required
    - Member of Post Executive Board
  7. The **Post Judge Advocate** duties include but are not limited to:
    - Keep Constitution and By-Laws Current
    - Advise Commander and Staff on Rules, Regulations, and Legal Actions
    - Investigate and Process Legitimate Complaints
    - Coordinate with State and National JAGs
    - Member of Post Executive Board
  8. The **Post Service Officer** duties include but are not limited to:
    - Coordinate Veterans Affairs Activities
    - Represent Post 356 with Veterans Affairs Organizations
    - Principal Contact for Vets Needing Assistance Filing Claims
    - Administer Post Veterans Assistance Fund
    - Member of Post Executive Board
  9. The **Post Historian** duties include but are not limited to:
    - Record and Maintain Post and Member Event Records
    - Coordinate Yearbook Activities
    - Member of Post Executive Board
  10. The **Post Chaplain** duties include but are not limited to:
    - Look After the Spiritual Affairs of the Post

- Offer Blessings at Official Functions
- Advise the Membership of Sick and Departed Members
- Coordinate Post Spiritual Ceremonies
- Member of Post Executive Board

11. The **Post Sergeant-at-Arms** duties include but are not limited to:

- Preserve Order at Post Meetings and Ceremonies
- Insure Proper Set-Up of Meeting and Ceremonial Room, Furniture, Flags, and Equipment
- Conduct Membership Status Checks at All Membership Meetings
- Member of Post Executive Board

12. The **House Committee** duties include but are not limited to:

- Coordinate the Activities of the Post as a Business
- Supervise the Head Bartender
- Maintain Current Real Property Inventory
- Audit and Update Bar Inventory Against Sales Receipts
- Member of Post Executive Board

13. The **Post Board of Directors** duties include but are not limited to:

- Legal Corporate Representatives to Local, State, and Federal Authorities
- Coordinate Post Organization Business as a Corporation
- Responsible for Corporate Assets (Land, Real Property) and Corporate Business Dealing with the Community

## ARTICLE VI – APPOINTMENTS

1. The Post Commander, immediately upon taking office each year, shall appoint the following committees: **Americanism, Audit, Ceremonials, Children and Youth, Finance, Entertainment, Membership, Public Relations, Veterans Affairs and Rehabilitation, and Sons of the American Legion.** Such standing committees shall consist of such members and the Chairperson thereof, as shall be designate by the Post Commander, subject to the approval of the Post Executive Board.

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

3. The **Audit Committee** is charged with the responsibility of ensuring the financial records and property and consumables inventory records of the Post are accurate and properly maintained and made available for inspection by the General Membership at such times as are deemed appropriate by the Post Executive Board.
4. The principal duty of the **Ceremonials Committee** is to ensure that all new members are properly initiated. The committee must also concern itself with proper presentation of other rituals outlined in the Manual of Ceremonies such as burial detail and the wearing of Legion regalia.
5. The **Children and Youth Committee** shall be charged with aid and service to children of veterans; cooperation with other established agencies in the community; laboring for the betterment of child conditions and in coordinating service 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."
6. The **Finance Committee** shall be charged with the administration of the Post financial policy, preparation of budget recommendations and supervision of receiving, disbursing and accounting of all Post funds. The Finance Committee shall be chaired by the Post Finance Officer.
7. The **Entertainment Committee** shall concern itself with ways and means to promote the advantages of the Post and shall arrange and coordinate appropriate entertainment and guide the social activities of the Post.
8. The **Membership Committee** shall have charge of all matters pertaining to the maintenance of a viable body of members of the Post, including the recruitment of new members, reinstatements and eligibility of applicants. In addition, this committee shall provide a welcoming sub-committee for the purpose of officially greeting new members and familiarizing them with the routine operations of the Post, and soliciting volunteers to aid in work of the Post.
9. The **Public Relations Committee** shall be charged with the promotion of public support of Legion programs by the establishment of proper contact with the American Legion Magazine, Department and National Legion news services, and by local publicity of Post programs and activities.
10. The **Sons of the American Legion Committee** is charged with the supervision over the operation of the Post's Squadron of the Sons of The American Legion.

11. The **Veterans Affairs and Rehabilitation Committee** shall supervise all matters pertaining to service to comrades, including the prosecution of all just claims against the United States, or State Governments, and employment and financial assistance, and such other services as may be offered by the Post.

12. The Chairperson of all Post Committees whether standing or ad hoc, shall provide the Post Adjutant with a copy of the minutes of each meeting of such committees for inclusion in the official Post records. The Adjutant shall, at his or her discretion, or by direction of the Post Commander, relate summaries of these minutes at Executive Board Meetings and/or General Membership Meetings when such is considered to be of special interest or great importance to the General Membership of the Post.

13. All Committees of this Post shall meet within ten days after being appointed for the purpose of organization, policy and program planning, and budget estimates for the ensuing year's activities. They shall submit a copy of such budget estimates to the Post Executive Board immediately thereafter.

## **ARTICLE VII – VETERANS ASSISTANCE FUND**

1. The Veterans Assistance Fund has been established as a fund entirely separate from the General Fund of this Post for the express purpose of having ready cash available at all times for the assistance of veterans in dire and emergency circumstances.

2. The Post service Officer shall administer this fund and maintain complete and accurate records of all transactions, including receipts, and shall render monthly reports of such to the Post Executive Board.

3. Ordinarily, the expenditure of money from this fund shall be authorized by the Post Executive Board. In extraordinary cases of desperate need by veterans, whether members of this Post or not, wherein approval of requests by the full Post Executive Board can not be granted in a timely manner, the Post Service Officer shall obtain the concurrence of a minimum of two other members of the Post Executive Board prior to disbursing any money for this fund.

4. The monies in this fund shall ordinarily be loaned or granted only to members of this post. However, in cases of itinerant veterans requesting financial aid, the Post Service Officer shall not loan or grant any money to such veteran without verifiable documentation that such veteran is a paid-up member, in good standing, of the American Legion. He shall obtain a signed receipt showing the full name, post number and address and telephone number, and member number, address and telephone number, from any such itinerant veteran requisition a loan or grant of

money from the veterans assistance fund and shall verify the American Legion Post affiliation of the requester prior to loaning or granting any funds to such requester.

### **ARTICLE VIII – DISCRETIONARY SPENDING**

No member of this Post shall be authorized to exercise sole authority to expend funds of this Post at his or her exclusive discretion, and any such authorization heretofore granted is hereby revoked. However, this Article shall in no way effect the authorization of the Post Finance Officer or other Post personnel and employees to expend funds of this Post in the normal discharge of their official duties.

### **ARTICLE IX – NEW AND TRANSFER MEMBERS**

All new and transfer members applying for membership in this Post, after completing the necessary application documents, and having paid their annual membership dues, shall attend the next consecutive General Membership Meeting and present their documentation to the Chairperson of the Membership Committee and be formally introduced to the Membership. In any instance wherein this requirement would pose an undue hardship upon such applicant, he or she, shall attend the next regularly scheduled Membership Meeting for the above state purpose. This Article affects only those applicants residing within a fifty-mile radius of the City of Lynn Haven, Florida.

### **ARTICLE X – NOTICES**

1. Every member of this Post shall furnish the Post Adjutant with a current address for mailing purposes.
2. Notices to the membership may be made by announcement at General Membership Meetings, by posting on bulletin boards, by announcements in the Post newsletter or by special mailings, depending upon the urgency and timeliness requirements of the content of the notice, as provided elsewhere in these By-Laws.

### **ARTICLE XI – DELEGATES**

Delegates and alternates to a Department Convention shall be elected by the Post at a regular meeting of the Post to be held at least twenty days prior to the date of such Convention.



## **ARTICLE XII – RESOLUTIONS**

1. All resolutions of state or nation scope presented to this Post by a Member, or reported to this Post by a Committee, shall only reflect the opinion of this Post on the subject and a copy of same shall be forwarded to the Department Headquarters for approval before any publicity is given, or action taken other than passage by the Post.

## **ARTICLE XIII – MEETINGS**

1. The meetings of this post shall be held as follows: The Executive Board shall meet at 9:00 A.M. on the first Saturday of the month. The General Membership Meeting shall be held at 10:00 A.M. on the first Saturday of the month. Each meeting being for the purpose of transacting such business as may be properly brought up for consideration or action. At regular General Membership Meetings, excepting those where a motion is to be made to amend the Post Constitution and/or By-Laws, a simple majority of Members present and voting shall decide the issue in question. In the case of proposed amendments, a two-thirds majority vote in favor of the amendment by Members present and voting shall be required to carry the motion.

2. The General Membership Meetings may be followed by social or entertainment activities as may be deemed desirable by the Officers of the Post.

3. The Post Commander, or three members of the post Executive Board are empowered to call a special meeting of the Post at any time provided that notice of such meeting is posted conspicuously in the Post at least seven days prior to such meeting and shall bear the name, or names, of the persons, calling such special meeting and the reason, or reasons, therefore.

4. Upon the written request of at least eight members of the Post Executive Board, the Post Commander shall call a special meeting of the Post. Such requests shall adhere to the requirements of paragraph 3, above.

5. A minimum quorum of seven officers shall be necessary to conduct and carry on the business of the Post.

6. At such special meetings a simple majority of the members present and voting shall decide the issue in question.

## **ARTICLE XIV – PARLIAMENTARY PROCEDURE**

All proceedings of this Post shall be conducted under and pursuant to “Robert’s Rules of Order,” latest revision, except as may be otherwise provided herein.

## **ARTICLE XV – DISCIPLINARY ACTION**

All disciplinary actions taken by this post shall be in conformance with, and shall strictly adhere to, such procedures as are stipulated in the Post, National and Departmental Constitution and By-Laws.

## **ARTICLE XVI – CUSTODY OF POST DOCUMENTS**

1. All official Post documents excepting those routinely submitted to the Post Adjutant shall remain in the custody of the Officer or Committee Chairperson having responsibility for originating and use of such, until the expiration of the term of office of the Officer or Committee Chairperson.
2. Upon the expiration of the term of office of Officers and Committee Chairpersons, or the completion of duties of an ad hoc Committee, all official Post documents in their custody shall be surrendered to the custody of the Post Adjutant.
3. The Post Adjutant shall, upon the election and appointment of new officers and Committee Persons, give temporary custody of appropriate documents to those new Officers and Committee Chairpersons having need of such for the proper discharge of their official duties during their tenure of office.
4. The Post Adjutant shall be the permanent custodian of all Post records.

## **ARTICLE XVII – DELINQUENCY, RESIGNATION, AND TRANSFER**

The administrative procedures for dues delinquencies, resignations, and membership transfers shall be those prescribed by National and Department Constitutions and By-Laws, National Policy, and decisions of National Judge Advocates, which are contained in the American legion Post Officers Guide.

## **ARTICLE XVIII – AMENDMENTS**

These By-Laws may be amended at any regular Post meeting by affirmative vote of two-thirds of the members present and voting, providing that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post, and providing, further that written notice shall have been given to all members at least fourteen days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a motion to amend the By-Laws is to be voted upon.

## ARTICLE XIX – REPEALING CLAUSE

By adoption of the foregoing Constitution and these By-Laws by the Membership of this Post, all previous Constitutions and By-Laws of this Post, and all amendments thereto, are hereby revoked and annulled.

### CERTIFICATION

We the undersigned, hereby certify that the By-Laws, foregoing herein, was properly presented to and accepted by, the membership of Douglas A. Munro Post 356, Inc., The American Legion, Department of Florida, at a regular meeting on September 5, 2010.

ATTEST:

/s/ David Miller  
David Miller, Post Commander

/s/ Doug Skaggs  
Doug Skaggs, Post Adjutant

/s/ R. Curtis McNeil  
R. Curtis McNeil, Post Judge Advocate

APPROVED:

/s/ \_\_\_\_\_  
David Pleasanton, Department Judge Advocate