



Lorton American Legion Post 162, Inc.
Post Office Box 12
Lorton, Virginia 22199-0012

CONSTITUTION
AND
BY-LAWS

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This Constitution and By-Laws supersedes
all previous approved Constitution and By-
Laws for the American Legion Post 162.



**CONSTITUTION AND BY-LAWS OF
LORTON AMERICAN LEGION POST 162**

TABLE OF CONTENTS

CONSTITUTION

PREAMBLE	1
ARTICLE I (NAME)	1
ARTICLE II (OBJECTIVES)	1
ARTICLE III (NATURE)	1
ARTICLE IV (MEMBERSHIP)	2
ARTICLE V (OFFICERS AND EXECUTIVE COMMITTEE)	2
ARTICLE VI (FINANCE)	4
ARTICLE VII (CHARTER MEMBERS)	4
ARTICLE VIII (AMERICAN LEGION AUXILIARY/SAL)	4
ARTICLE IX (AMENDMENTS)	4

BY-LAWS

ARTICLE I (GENERAL)	6
ARTICLE II (MANAGEMENT)	6
ARTICLE III (MEETINGS)	8
ARTICLE IV (POST COMMITTEES)	10
ARTICLE V (DUTIES OF OFFICERS)	12
ARTICLE VI (FINANCE)	17
ARTICLE VII (POST MEMBERSHIP)	18
ARTICLE VIII (NOMINATIONS AND ELECTIONS)	19
ARTICLE IX (DISCIPLINE)	20
ARTICLE X (CORPORATE AFFAIRS)	21
ARTICLE XI (POST HOME CORPORATION)	22
ARTICLE XII (AMENDMENTS)	22
ARTICLE XIII (POTENTIAL CONFLICTS)	22

**CONSTITUTION OF AMERICAN LEGION POST 162,
LORTON, VIRGINIA, INCORPORATED**

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 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.

1. ARTICLE I - NAME

Section 1. The name of this organization shall be American Legion Post 162, Lorton, Virginia, Incorporated (herein referred to as the Post.).

2. ARTICLE II –OBJECTIVES

Section 1. The objectives and purposes of this 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.

3. ARTICLE III - NATURE

Section 1. This Post is a civilian organization and membership does not increase or diminish liability for military or police service.

Section 2. This organization shall be absolutely non–political and non-sectarian, and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination or election to, or no incumbent of, any remunerative elective public office shall hold any elective office in this Post. The declaration of candidacy for such public office by any officer of this Post shall cause him/her to vacate their Post officer position – any such vacancy shall be filled as provided by the Post By-Laws.

Section 3. Military rank does not exist in the American Legion and no member shall be addressed by their military title in any meeting of this Post. No military emblem of present or prior rank will be permitted on the cap or uniform of any member of this Post. The emblem denoting branch of service is authorized to be worn on the cap.

Section 4. Discrimination of any kind will not be tolerated in Lorton Post 162.

4. ARTICLE IV - MEMBERSHIP

Section 1. Eligibility for membership in this Post shall be as prescribed by the National Constitution of The American Legion.

Section 2. Application for membership shall be in writing.

Section 3. No eligible person shall be denied membership in this Post because of gender, race, color, religion or national origin.

Section 4. Applications for membership shall be verified and action taken as soon as possible. Application(s) will be accepted, rejected or referred for further investigation and consideration.

Section 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in the Post General Membership meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 6. No person who has been expelled by a Post shall be admitted to membership in this Post without the consent of the expelling Post. Where the expelling Post denies the request for consent, the applicant may then appeal to the Department Executive Committee of the expelling Post for permission to apply for membership in this Post and shall remain ineligible for membership until consent is received.

5. ARTICLE V - OFFICERS AND EXECUTIVE COMMITTEE

Section 1. The administrative affairs of this Post shall be under the supervision of an Executive Committee which shall consist of the elected officers and the appointed Adjutant and Judge Advocate of this Post. The terms of office for the members of the Executive Committee and appointed Adjutant and Judge Advocate

shall be for one year. This Post, by its By-Laws, may provide for such other standing and ad hoc committees as the business of the organization may require.

Section 2. In addition to the Post Executive Committee, the Post has an entity referred to as the Post Trustees. These individuals will be elected for terms of three years each on a staggered basis. Each year the Post shall elect one Trustee for a term of three years to replace the Trustee whose term expires. This election will occur in conjunction with the Post annual election of officers during May of each year and the newly elected Trustee will be installed during the annual Post installation ceremony.

Section 3. The elective officers of this Post shall be:

Post Commander
First Vice Commander
Second Vice Commander
Third Vice Commander
Finance Officer
Service Officer
Historian
Chaplain
Sergeant-at-Arms
Post Trustees

Section 4. All officers, except the Post Adjutant and Judge Advocate, shall be elected annually and hold office until their successors are duly installed or as otherwise provided. Any officer or member of the Executive Committee may be removed for inefficiency by the Executive Committee, a two-thirds vote of said Committee members being necessary to effect such removal.

Section 5. Other officers, as may be deemed necessary by this Post, shall be elected or appointed as provided by the By-Laws.

Section 6. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 7. The duties of the elected and appointed positions shall be those usually pertaining to such positions and as further described in the By-Laws.

Section 8. Elected Officers may be removed from office for missing three consecutive and unexcused meetings.

6. ARTICLE VI - FINANCE

Section 1. The revenues of this Post shall be derived from annual membership dues or from such other sources as may be approved by the Executive Committee or by the Post membership.

Section 2. The Post Executive Committee will determine the cost of annual dues or other fees.

Section 3. The Post shall pay to the Department of Virginia the National and Department annual membership dues for every Post member except those who are Paid-Up-For-Life members.

7. ARTICLE VII - CHARTER MEMBERS

Section 1. Persons who became members of this Post prior to October 27, 1938, shall be known as Charter Members of American Legion Post 162, Inc., Department of Virginia, The American Legion.

8. ARTICLE VIII - AMERICAN LEGION AUXILIARY/SONS OF THE AMERICAN LEGION/AMERICAN LEGION RIDERS

Section 1. This Post recognizes an Auxiliary organization to be known as Auxiliary Unit 162 of Lorton Post 162, Department of Virginia, Squadron 162 of the Sons of the American Legion (SAL) of Post 162, Department of Virginia, and Chapter 162 of the American Legion Riders (ALR) of Post 162, Department of Virginia.

9. ARTICLE IX - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National and Department of Virginia Constitutions. Any changes to the National or Department Constitution which create a conflict with any provisions of this Post

Constitution shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of the conflict.

Section 2. This Constitution and Post By-Laws may be amended at any time. All proposed changes must be in writing and brought before the membership at any regularly scheduled meeting. A vote on the proposed changes will not be taken until the entire Post membership has been alerted via the Post Newsletter, Post Bulletin Board, and Post Website to the proposed amendment(s) at least 30 days prior to the actual vote. A simple majority vote is needed before any changes can be made.

DRAFT

**BY – LAWS
of
Lorton Post 162
The American Legion
Department of Virginia**

ARTICLE I – GENERAL

Section 1. The Post existing under these By–Laws is to be known as American Legion Post 162, Lorton, Virginia, Inc.

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 to be known as the “Post Executive Committee.”

Section 2. The Executive Committee shall consist of the elected officers of the Post and the appointed Post Adjutant and Judge Advocate. The Club Manager and assigned Committee Chairpersons are non-voting members of the Executive Committee.

Section 3. The Executive Committee is the operating arm of the Post. 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 committees; and generally, shall have charge of and be responsible for management of the affairs of the Post, to include the Post Club.

Section 4. The Executive Committee shall hear the report of the Minutes of the previous Executive Committee meeting and Post Finance reports each month and shall approve these reports, as appropriate.

Section 5. The Post Executive Committee shall be responsible for the hiring and/or firing of the Club General Manager.

Section 6. Any 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 appointment by the Post Commander and the person so appointed shall hold office for the un-expired term of the member of the Committee or officer he/she succeeds. In the event that a vacancy occurs for any reason in the office of Commander, the office will be filled, to the extent possible, by the progression of the Post Vice Commanders. If any of the Vice Commanders do not accept the Post Commander's position, an election must be held.

Section 7. A vacancy shall exist when a member or officer is absent from their Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee. Unexcused absences from three consecutive Executive Committee and/or Post Membership meetings shall be valid cause for removal from the Executive Committee.

Section 8. A House Committee, consisting of three (3) or more Legionnaires, shall be established by the newly elected officers as soon as practical following their respective installations. The House Committee shall be composed of three or more members. The newly elected Post Commander shall appoint one of the newly elected Vice Commanders to serve as Chairperson of the House Committee. The remaining committee members will be appointed by the Post Commander in concert with the newly appointed Chairperson. Representatives of the SAL, Auxiliary, ALR and the General Manager will serve as Non-voting members of the House Committee

Section 9. The House Committee has the responsibility for preserving order and decorum in and on the Post premises and will establish and publish Club Rules necessary in carrying out this responsibility. The House Committee is authorized and directed to employ whatever means are required in this connection, including disciplinary measures for violation of club rules. The House Committee shall prescribe the hours of operation for club facilities and regulate the use of the club facilities for social events. The Chair of this Committee shall have direct supervision over the Club Manager.

Section 10. The House Committee shall be responsible to the Executive Committee. A written report of and recommendations for the committee's actions shall be submitted at each Executive Committee meeting.

Section 11. All House Committee reports will become part of the Executive Committee report.

Section 12. Subject to the approval of the Executive Committee, the House Committee will negotiate a contract with the Club Manager each year.

Section 13. The Club Manager shall be responsible for employing, supervising, and discharging club employees. The Club Manager shall be responsible for the supervision, management, regulate the use, maintenance, service, and operations of the Post Home and the premises. He/she shall be responsible and accountable for the receipts and expenditures in connection with all activities under his/her supervision and he/she shall be bonded in an amount sufficient thereto. He/she shall be responsible for preserving decorum and order in and on Post premises according to the rules and regulations promulgated by the House Committee and approved by the Post Executive Committee.

Section 14. The Club Manager shall ensure that all Club operations are not in violation with any Virginia ABC or Gaming regulations.

ARTICLE III – MEETINGS

Section 1. A General Membership meeting of this Post will be held on a monthly basis at the Post Home. The Commander may authorize a temporary change of a specific monthly meeting (date and/or time). Except for those General Membership meetings designated as closed, members of the Post Auxiliary Unit, SAL, ALR, and the club staff may attend as observers but may not participate without invitation of the presiding officer. Other guests will be identified by the Sergeant-at-Arms and may remain if invited by the presiding officer.

Section 2. A special meeting of the Post may be called by the Commander, or by a majority vote of members present, at any regular General Membership meeting or upon written request of fifteen members in good standing. Notice of all special meetings will be in writing. No business shall be transacted at any special meeting of the Post other than that stated in the notice of such meeting.

Section 3. The Membership of the Post may also authorize and approve expenditures during the General or Special Membership meeting provided that the Finance Officer has determined that the amount of the expenditure is feasible and that the financial condition of the Post is sufficient to authorize such expenditures. The Post Commander or Executive Committee cannot override the General Membership authorization.

Section 4. A quorum of any membership meeting shall be those members present and voting.

Section 5. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within ten days after the installation of the new officers. Thereafter, the Post Executive Committee shall meet at the call of the Commander at least every thirty days and as often as said Commander may deem necessary. Only members of the Executive Committee and special guests invited by the Executive Committee as needed/requested shall attend these meetings. The Commander shall call a special meeting of the Executive Committee upon joint written request of three or more members of said Post Executive Committee. Four members of the Committee shall constitute a quorum thereof. No business shall be transacted at a special meeting other than that stated in the announcement of such meeting. As a minimum, at least six or more members of the Executive Committee are required to be present at a given meeting in order to pass or adopt any motion or resolution.

Section 6. Guests may be dismissed from the meeting at any time deemed appropriate by the Commander or presiding officer. Members wishing to present matters to the Executive Committee for the good of the American Legion shall petition a member of the Executive Committee for an invitation to attend the meeting at least three days prior to the meeting. In this event, the member will be the first item on the agenda and after stating his/her case, will be excused from the meeting.

Section 7. The order of business for this Post shall conform to that set forth in The American Legion Manual of Ceremonies, as amended. All parliamentary procedures of the Post meetings not provided for by the Post Constitution or By-Laws shall be governed by "Robert's Rules of Order."

Section 8. In any case where notice in writing is required under any paragraph of these By-Laws, such notice shall be provided via the Post newsletter, the Post Bulletin Board, and the Post Website. Notices to individuals, such as disciplinary action, will be made in person or by registered mail.

Section 9. Ceremonial Meetings: A Post Everlasting Ceremony to honor deceased members of the Post must be conducted at least once each year by the Post Chaplain. The Post shall also hold a Veterans Day and a Memorial Day Service each year and will be under the responsibility of the Americanism Chairperson or the Post Commander.

ARTICLE IV – POST COMMITTEES

Section 1. As soon as possible after installation, the Commander shall appoint Chairpersons for the following standing committees:

- A **Budget and Audit Committee**
- An **Americanism Committee** which shall be charged with the inspiration of patriotism and good citizenship by arrangements from proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; and activities for community and civic betterment.
- A **Children and Youth Committee** which shall be charged with aid and service to children of Veterans; cooperating with other established agencies in the community; and laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. This Committee will act as an 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."
- A **Finance Committee** which 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.
- A **Legislative Committee** which shall monitor and initiate action in support of our Post position when requested by our National or Department organization.
- A **Membership Committee** which shall have charge of all matters pertaining to the membership of the Post, including the recruitment of new members, reinstatements, and eligibility of members.
- A **Media and Communications Committee** which shall be responsible for ensuring the image of the Post remains positive and that the Post programs and activities are publicized internally and externally within the community.

- An IT Committee will be responsible for advising the Post Commander and Executive Committee on all matters pertaining to information technology, equipment and software.
- A Building and Grounds Committee will be responsible for advising the Post Commander and Executive Committee on all matters pertaining to improvements and/or additions to the Post building and grounds.

Section 2. In addition to attending the Post Executive Committee meetings, the Chairperson of each Committee will submit a written report of their activities to the Post Executive Committee on a quarterly basis.

ARTICLE V – DUTIES OF OFFICERS

Section 1. – Duties of Post Commander

- a. The Post Commander is the Presiding Officer of the Post. As such, he/she will preside over all Post meetings except as otherwise provided for in these By-Laws.
- b. Serves as the Chairperson of the Executive Committee.
- c. Appoints Committee Chairpersons of all standing and temporary committees and one of the newly elected Vice Commanders to serve as Chairperson of the House Committee.
- d. Represents the Post at all District and Department meetings.
- e. Renders and authorizes an annual report covering the business and activities of the Post for the current year. This report will be submitted to both the District and Department. The assistance of the Vice Commanders and Committee Chairpersons will be required in the formulation of the report(s).
- f. Is an ad-hoc member of any Post meeting.
- g. Names a Post “Legionnaire of the Year” and sends the nomination form to Department.

Section 2. – Duties of First Vice Commander

- a. Presides over all Post meetings and assumes duties and functions of the Post Commander upon authorization of the Post Commander.
- b. Has primary oversight of the Post’s membership program or other programs deemed appropriate by the Post Commander..

Section 3 – Duties of Second Vice Commander

- a. Has primary responsibility for the House Committee. Is responsible to plan and initiate viable Ways and Means Program activities.
- b. Provides Post Commander and Executive Board a plan for fundraising and Social Quarter activities for the complete Legion year within one month following the installation of officers.

Section 4. – Duties of Third Vice Commander

- a. Serves as Chair of the Building and Grounds Committee.
- b. Has primary responsibility for the care and upkeep of the Post Buildings and Grounds, to include: protection, maintenance, general usage, and cleanliness of the Post Home, Club and Post grounds.

Section 5. – Duties of Post Adjutant

- a. Serves as Administrative Officer of the Post responsible for:
 - Preparing all Post correspondence except that which is delegated to other Post members by the Commander.
 - Maintaining files of correspondence sent and received by the Post Officers, Executive Committee and Committee Chairpersons.
 - Recording and maintaining the minutes of the Post and Executive Committee meetings.
 - Ensuring that Post members are aware of the place, date and time for all Post meetings and publishing any special notices, such as notices of special elections, or other meetings called by the Commander.
 - Maintaining the Post Bulletin Board to include posting of minutes of all meetings and other pertinent information.
 - Serving as the custodian of the Trophy and Awards Case and of all official documents and awards.
 - Serving as the official custodian of all official Post documents such as contracts, agreements, and articles of incorporation.
 - Collecting reports from the Post Officers and Committee Chairpersons and assist in the compilation of annual reports of Post activities for forwarding to the District and Department.
 - Preparing and authenticating membership cards and subscriptions to the national magazine and keeping a current roster of all Post members.
 - Ensuring that names of deceased Legionnaires are submitted to Department.

Section 6. – Duties of Post Finance Officer

- a. Primary duties include:
 - Ensuring that monies are correctly disbursed at the proper time.
 - Ensuring checks are written upon authorization of the Commander and/or Executive Committee
 - Ensuring a set of financial books/records are kept in as much detail as necessary, and as recommended by the Audit Committee and approved by the Executive Committee. Books/records will include records for the Post and the Club.
 - Submitting and briefing monthly financial reports to the membership and Executive Committee members at each monthly meeting.
 - Provide a copy of the monthly report to the Post Adjutant for posting on the Post Bulletin Board – update the report each month.
 - Ensure that the financial books/records are available for review and inspection at Executive Committee meetings.

Section 7. – Duties of Post Chaplain

- a. Serves as the religious leader of the Post - may either be a clergy person or layperson.
- b. Offers a non-sectarian service in the event of dedications, funerals, public functions, etc.
- c. Serves as Chairperson of the Service to God Program
- d. Responsible for: delivering the opening and closing prayers at Post meetings; ascertaining the names of comrades who are ill; assisting in services for deceased comrades; ensuring that flowers and/or cards are sent in the event of sickness or death; and performing such other duties as outlined in the Manual of Ceremonies.
- e. Submit names of deceased or distressed members to the Post newsletter editor.

Section 8. – Duties of Post Service Officer

- a. Responsible for ensuring Veterans are aware of their rights and benefits granted them by law.
- b. Maintains knowledge of current laws and regulations which affect Veterans' benefits, such as Veterans Assistance, Veterans Benefits and Veterans Affairs programs.
- c. Assist, as requested, Veterans completing required forms for submission for benefits consideration.
- d. Participates, as appropriate, with the Post Chaplain in hospital visitations.

Section 9. – Duties of Post Historian

- a. Serves as the official collector and keeper of all Post documents of historical value.
- b. Obtains any documents of historical value to the Post and maintains a file which includes the Post Charter, newspaper clippings and other such documents as deemed necessary to maintain an adequate history of the Post.
- c. Prepares and submits a history and/or scrapbook with reports to Department each year for the Awards Committee.

Section 10. – Duties of Judge Advocate

- a. Serves as the Post legal officer and parliamentarian.
- b. Advises the Commander on matters of parliamentary procedure.
- c. Provides general supervision on all legal questions arising in the Post, including preparation of the Constitution and By-Laws and amendments
- d. Provides general supervision on matters of contracts, deeds, and leases.
- e. Safeguards all Post records, including, but not limited to, permits, licenses, Post engineering plot drawings, blueprints, Constitution and By-Laws, corporate records, and such other documents or material that must be kept beyond one Legion year.

Section 11. – Duties of Sergeant-at-Arms

- a. Primarily serves as the sentinel of the Post. Ensures:
 - That no one enters Post meetings without proper identification.
 - The safekeeping and posting of the colors, bell, and other ritualistic materials at Post meetings.
 - Colors are posted at meetings, setting up the Post Hall for meetings, funerals and at other Post-sponsored or hosted ceremonies.
 - Participation in the initiation of new members, Post Everlasting and flag retirement ceremonies and all Patriotic Holiday ceremonies conducted by the Post.
 - Ensure the number of attendees at various meetings is provided to the Post Adjutant.
 - Distribution and collection of all ballots at all special elections.
 - That no alcoholic beverages are present during elections and Post Membership meetings.

 - The security of the American and Post American Legion flags.
 - That all visitors are introduced to the Commander at all meetings

- b. Assist the Commander at all meetings.

ARTICLE VI – FINANCE

Section 1. The revenue of this Post shall be derived from membership dues and from such other sources as may be proposed by the Finance Committee, Executive Committee or the House Committee and approved by the Post Executive Committee.

Section 2. The amount of annual membership dues shall be set by the Executive Committee. Dues shall include Post, Department, and National dues, annual subscription to the American Legion magazine and the Virginia Legionnaire. There shall be no initiation fee.

Section 3. All cash money belonging to the Post, or derived through any activity of the Post, shall be turned over to the Finance Officer or other persons designated by the Executive Committee, except where the Post has specifically authorized a fund raising committee to keep a separate account. The Chairperson of that fund raising committee shall turn over all monies for the activity and furnish a detailed report of all receipts and expenditures to the Finance Officer as soon as practical after completion of the event or activity.

Section 4. The Finance Officer shall ensure payment of all obligations.. The Commander shall expend authorized funds in the absence of the Finance Officer. Any and all monies obtained from any Post activities such as dues, locker rentals, special Post fund raising, etc., shall be turned over to the Finance Officer. Post individuals are not authorized to use these funds to purchase anything without a check issued by the Post Finance Officer.

Section 5. The Finance Officer shall keep a set of books for the Post and the Club in as much detail as possible and as recommended by the Audit Committee and approved by the Executive Committee.

Section 6. No later than July 30th of each year, the Finance Officer shall devise an overall Post budget. The budget will show a total amount that must be raised by the Post to be presented to the new officers and Executive Committee to carry out the required operations for the following Legion year. After the budget has been approved by the Executive Committee, it shall be presented to the Post members for their approval at the next regular meeting. The Finance Officer shall be responsible for revising the budget during the year and reflect expenditures and revenues to the amounts budgeted for each activity as approved by the Executive Committee and membership.

Section 7. It shall be the duty of the House Committee to devise methods for raising funds as set forth in the approved budget and present their plan to the Commander at least two months after the installation.

Section 8. An annual audit of the Finance Officer's books and accounts of those committees authorized to handle funds, Post accounts and books and club accounts and books, shall be completed by the April meeting of each year and be submitted to the Executive Committee for approval by the membership at the May Executive Committee meeting. This audit shall be presented to the membership at the next regular meeting for approval by the membership. It shall also be the responsibility of the Finance Officer to ensure that a physical inventory of all goods, furniture, etc., is taken and a summary of this inventory be shown on the audit report. The Finance Officer may request that the Post Commander appoint an Audit Committee consisting of three people with the Finance Officer being an ex-officio member of that committee. The results of this special committee shall be presented to the Post by the April meeting.

Section 9. It shall be the responsibility of the Finance Officer to recommend to the Commander, in the annual report, procedures for the taking of a physical inventory of the Post's assets.

ARTICLE VII –POST MEMBERSHIP

Section 1. Eligibility for membership shall be restricted to persons eligible under the National and Department Constitutions of The American Legion.

Section 2. Application for membership shall be made in writing on the form prescribed by the Department of Virginia and submitted with proof of eligibility and payment of initial dues. The applicant will be provided a receipt acknowledging payment of dues which may be used for entry to the Post Social Quarters until the membership card has been processed by the Membership Chairperson.

Section 3. Dues shall cover membership from 1 January through 31 December.

Section 4. There are two classes of Life Membership in Post 162:

- Honorary – voted by Post members at a regular meeting as an honor.
- Paid-Up-For-Life (PUFL) which is paid by the Post member.

Section 5. There shall be a Standing Committee composed of Post 162 Past Post Commanders and the incumbent Commander who shall serve as the Chairperson of the Life Honorary Membership Committee. Any member in good standing may nominate a name or names of prospective life members to the Committee which will consider such nominees and make recommendation for Life Honorary Membership to the Post at least 60 days prior to the June meeting of the Post membership. Election to Life Honorary Membership will be by majority vote of the members present and voting. When making its recommendations, the committee shall be guided by criteria to be devised by the committee, which may include: length of time as a member of the Post; offices held; Committee Chairs held; honor the nominee has brought to the Post; or special contributions the nominee may have made to the Post and/or community.

ARTICLE VIII –NOMINATIONS AND ELECTIONS

Section 1. The Post Commander shall appoint, with approval of the Executive Committee, a Special Nominating Committee no later than the March regular membership meeting. Nominees shall be presented to the Post at the regular April membership meeting. Every effort will be made to secure at least two qualified and eligible candidates for each Post elective position. Nominations of additional candidates may be made from the floor by any member in good standing at the April membership meeting. Members nominated must be present or provide, in writing, an acceptance at the April meeting.

Section 2. The election of all elective “Post Positions” shall be held at the regular Post General Membership meeting in May of each year.

Section 3. No person shall be nominated or elected to more than one elective office or hold more than one elective office at the same time, with the exception of the Post Trustees.

Section 4. The Post Adjutant or Judge Advocate will ensure that all ballots and voting records are preserved for thirty (30) days in the event that the election is contested.

ARTICLE IX – DISCIPLINE

Section 1. Any officer of this Post may be removed from office for any of the following reasons:

- Failure or refusal to perform any of the functions of office as prescribed by these By-Laws or lawfully directed by the Commander or Executive Committee.
- Conviction of a felony, gross malfeasance in the performance of duties, actions unbecoming a Legionnaire, or any action that brings dishonor to Post 162 or The American Legion.
- Repeated failure to attend meetings of the Post or Executive Committee, i.e. miss three consecutive meetings without being excused.
- Failure to submit Committee Meeting reports or any other report or records held by the Committee Chairperson.

Section 2. Removal of a Post Officer or member of the Executive Committee shall be by majority vote of the Post Executive Committee and will be reported to the membership at the next regularly scheduled monthly General Membership meeting.

Section 3. The procedure for expulsion or suspension of a member of this Post shall be in accordance with the provisions outlined in the House Rules of the American Legion.

ARTICLE X – CORPORATE AFFAIRS

Section 1. This Post shall be known as American Legion Post 162, Lorton, Virginia, Inc.

Section 2. The purpose of the Corporation shall be as stated in the Articles of Incorporation on file with the Corporation Commission, Commonwealth of Virginia.

Section 3. Officers of the Corporation shall be a President, Secretary and Finance Officer. The Commander of the Post shall serve as the President and the Adjutant shall serve as the Secretary of the Corporation. A Post Trustee shall serve as Finance Officer.

Section 4. The Corporation Board shall meet at least once yearly at the call of the President and shall transact all necessary Corporate Business. It shall be the duty of the Corporation's Secretary to notify the Corporation Commission, Commonwealth of Virginia of the current year's Corporation Officers and Directors. It shall be the duty of the Board to ensure that all Corporation taxes and/or license fees are paid to the Commonwealth of Virginia.

Section 5. In addition to the Post Corporation Board, the Post has an entity referred to as the Post Trustees. These individuals will be elected for terms of three years on a staggered basis. Each year the Post shall elect one Trustee for a term of three years to replace the Trustee whose term expires. This election will occur in conjunction with the Post annual election of officers during May of each year and the newly elected Trustee will be installed during the annual Post installation ceremony. The Post Trustees will meet on a periodic basis to discuss and approve significant financial issues such as:

- Any proposed expenditure of unbudgeted Post funds in excess of \$2,000.00
- Any request or recommendation by the Post Commander or Post Executive Committee to liquidate any CD or other Post Savings Certificates/Bonds.

The written approval of two-thirds of the Trustees in any reviewed issue is required to approve any of the above identified translations, prior to final approval by the Post Membership.

Section 6. The Trustees shall be independent of the Post except that the Trustees shall provide the Post Executive Committee a copy of the minutes of its annual meeting or any other special meeting.

ARTICLE XI – POST HOME CORPORATION

Section 1. There shall be a separate Corporation known as the Post Home, Incorporated.

Section 2. All contracts for the construction or alternation of the Post Home shall be negotiated by Post Home, Incorporated.

Section 3. The Trustees constitute the membership of the Post Home Corporation.

ARTICLE XII– AMENDMENTS

Section 1. This Constitution and By-Laws may be amended at any time after thirty (30) days notice has been provided to the Post Membership utilizing the Post Newsletter, Post Bulletin Board and Post Website.

Section 2. A proposed amendment must have been read at a preceding Post meeting. Proposed amendment(s) may be approved by a simple majority of members present at the Post membership meeting.

ARTICLE XIII – POTENTIAL CONFLICTS

Section 1. Nothing contained in these documents is to be in conflict with the National or Department Constitutions and By-Laws of the American Legion.

Section 2. Any information contained in this Post 162 Constitution and By-Laws in conflict with the National and Department of Virginia Constitution and By-Laws shall be regarded as automatically repealing or modifying the provision of this Constitution and By-Laws to the extent of the conflict

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