**ARTICLE 1. Name:**

* **Section 1.** The Post, existing under these By-Laws is to be known as

Forest Lake Post 225, The American Legion, Department of Minnesota.

* **Section 2.** The objectives and purpose of this Post are set forth in the Constitution.
* **Section 3.** The fiscal year of this Post shall be from July 1st to June 30th

both dates inclusive.

**ARTICLE 2. Management:**

* + **Section 1.** The government and management of this Post are entrusted to a board of nine members to be known as the Executive Board.
  + **Section 2.** The Executive Board shall have charge of the government of the

Post, and shall direct and control such subcommittees thereof as may be appointed and elected. It shall have further duties as may from time to time be vested in it by the By-Laws of the Post and by the By-Laws of the Department.

* + **Section 3.** The Executive Board shall consist of the following: the

Commander, the First Vice Commander, the Second Vice Commander, the Third Vice Commander, the Adjutant, the Finance Officer, the Sergeant at Arms, the Chaplain, and the Immediate Past Commander, who shall be ex-officio member thereof, all of whom, except the Adjutant and Immediate Past Commander, shall be elected at the annual meeting of the Post in April.

* + **Section 4.** Post standing committees are: House committee and

Charitable Gambling committee.

I. House Committee: Members of this committee are appointed by the Commander and approved by the Executive Board.

1. Charitable Gambling committee: Members of this committee are appointed by the Commander and approved by the Membership. Committee is responsible for the overall management of the gambling operation, including but not limited to, verifying all monthly reports to the Department of Revenue, Gambling Control Board, reviewing cash shortages, fund loss, internal controls, and budget, inventory control and annual audit.
2. All committee Chairpersons will report to the Commander or Executive Board.

D **Section 5.** A member of this Post cannot be elected or appointed to any office of this Post if they are employed by or are a vendor to this Post.

**ARTICLE 3. Post Executive Board:**

D **Section 1.** The Post Executive Board shall meet for organizational and such other business as may come before it at the call of the Post Commander within thirty (30) days after adjournment of the state convention. Thereafter the Post Executive Board shall meet at the regular meeting and as often as Post Commander may deem necessary. The Commander shall call a special meeting of the Post Executive Board upon the joint written or electronic request of three (3) or more members of the Post Executive Board. Five (5) members of the Post Executive Board shall constitute a quorum thereof, provided an honest effort has been undertaken to contact all members of said Board.

D **Section 2.** The Post Executive Board shall hire such employee's as may be necessary, shall authorize and approve all expenditures, shall require adequate bonds from all persons having custody of Post funds, shall hear the reports of Post Committee Chairpersons, and generally shall have charge of and be responsible for the management of the affairs of the Post.

D **Section 3.** When the need arises for an Executive Board decision, the Commander may use electronic media to obtain approval or

disapproval for the issue(s) at hand and to constitute a quorum. Issues or motions that result in a decision will be included in the Executive Board minutes or as a business agenda item at the next Membership meeting.

* + **Section 4.** A vacancy existing on the Executive Board for any cause other

than the expiration of a term shall be filled by a majority vote of the remaining Executive Board members, and approved by the membership at the next regular meeting. A member so appointed shall hold office for the unexpired term of the member of the board whom they succeed.

* + **Section 5.** An Executive board position shall be considered vacant after

an officer misses 4 consecutive meetings (not part of the quorum) or a total of 8 in a year. A letter shall be sent and if Executive board member does not attend next regular meeting the executive board will determine the issues of excused vs. unexcused when determining the vacancy. Note: an Officer is part of the quorum if participating electronically.

**ARTICLE 4. Duties of Officers:** See the Legion Officers Guide for more suggestions.

* + **Section 1.** The elected officers of this Post shall be, Commander,

First Vice Commander, Second Vice Commander, Third Vice Commander, Finance Officer, Chaplain, and Sergeant at Arms.

* + **Section 2.** All officers and members of the Executive Board, except

the Adjutant and Immediate Past Commander, shall be elected in April at the regular meeting by a majority of all votes cast. The Officers of the newly elected Executive Board, shall qualify by providing the Adjutant with a copy of their DD214, and take office at the adjournment of the State Convention each year.

* + **Section 3.** Duties of the Post Commander: It shall be the duty of the

Commander to preside at all meetings of the Post. He/She shall appoint the Adjutant, and Membership Director. He/She shall present an annual Consolidated Post Report covering the business of the Post for the year, and recommendations for the ensuing year which shall be read at the annual (April) meeting and a copy thereof immediately forwarded to the Department Adjutant. He/She shall perform such other duties as are directed by the Post and the By-Laws. He/She shall be paid such sums per month out of the general fund as the Post may direct.

* **Section 4.** Duties of the First Vice Commander: Shall assume and discharge the duties of the Commander in the absence or disability of the Commander, or when called upon by the Post Commander. Particular interest should be in the membership of the Post.
* **Section 5.** Duties of the Second Vice Commander: shall assume and

discharge the duties of the First Vice Commander in the absence or disability of the same, or as directed by the Commander of the Post. The Second Vice Commander is assigned Patriotic observances, Post Activities, and entertainment.

* **Section 6.** Duties of the Third Vice Commander: shall assist the

Vice Commanders and/or as directed by the Commander.

* **Section** 7. Duties of the Adjutant: shall have charge of and keep a full and

correct record of all proceedings of all meetings, keep such reports as the Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the Commander handle all Correspondence of the Post. He/She shall be paid such sums per month out of the general fund as the Post may direct.

* **Section 8.** Duties of the Membership Director: shall be

responsible for the collection of dues and the mailings of dues notices and other facets of membership as directed by the Commander. Other duties shall be assigned from time to time by the Commander. He/She shall be paid such sums per month out of the general fund as the Post may direct.

* **Section 9.** Duties of the Finance Officer: shall have charge of all funds

and see that they are safely deposited in some local bank or banks and reported to the Executive Board, when called upon, the condition of the finances of the Post, with such recommendations as he/she may deem expedient or necessary for raising funds with which to carry on the activities of the Post. He/She shall ensure our Post insurance policy and/or bonding covers employees, officers, club members and volunteers when performing Post Duties. He/She shall be paid such sums per month out of the general fund as the Post may direct.

O **Section 10.** Duties of the Chaplain: shall be charged with the spiritual welfare of the Post comrades and will offer Divine, but nonsectarian service in the event of dedications, funerals, public functions, and adhere

to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

* **Section 11.** Duties of the Sergeant at Arms: shall at all membership meetings, maintain a sign in roster, set up the meeting room, and shall preserve order at all meetings and ensure that all street flags in the city are displayed on patriotic observances and shall perform such other duties as may be assigned by the Commander or the Executive Board.

**ARTICLE 5. Delegates:**

* **Section 1.** Delegates and Alternates to District and Department

Conventions shall be elected by ballot by the Post at a regular meeting of the Post to be held at least fifteen (15) days prior to the date of such Convention.

* **Section 2.** For District Conventions, Delegates should be Post Officers, if

possible. For State Conventions, Delegates should be Officers elect plus Past Commanders and any Post member who is a District or State Officer or Officer elect, if possible.

* **Section 3.** In the event the allotted number of Delegates and Alternates are

unable to be elected during the required time limit, the Commander with approval of the Executive Board will appoint the remaining vacancies.

**ARTICLE 6. Appointments:**

* **Section 1.** The Post Commander will appoint, with the approval of the

Executive Board, all standing committees that are deemed necessary for

the operation of the Post.

* **Section 2.** In September of each year the Commander will appoint at least a three (3) person committee to go thru the previous year's minutes to determine if there is any need for a change in the Post Constitution or By-Laws or rules of operation and make recommendations to the membership on any necessary changes. The draft changes will be reviewed at the previous membership meeting before being voted on.

**ARTICLE 7. Resolutions:**

**Section 1.** All resolutions of State or National scope presented to this Post by a member or reported to this Post by a Committee shall merely embody the opinion of this Post on the subject and a copy of same shall be forwarded to the District Headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken. The draft resolution will be voted on at a membership meeting before being forwarded to district.

**ARTICLE 8. Meetings:**

D **Section** 1**.** The Annual meeting of the Post shall be the third Monday of April of each year, starting at 6:30 PM and each Third Monday of each Month shall be the regular meeting of the Post starting at 6:30 PM.

D **Section 2.** The Executive Board meetings of the Post shall be the second Monday of every month, starting at 6:30 PM.

D **Section 3.** Special meetings of the Executive Board may be called by order of the Post Commander or by written or electronic request filed with the Adjutant.

D **Section 4.** The notices of special Post meetings required to be given under these By-Laws shall be given in the following manner: The Post Commander or Adjutant shall deposit in the Post Office at Forest Lake not less than five (5) days prior to such meeting a notice to each member properly stamped and addressed to his or her last known address or stated in the monthly newsletter.

D **Section 5.** The Commander or one of the Vice Commanders and three (3) additional Officers and (3) members in good standing, shall constitute a quorum to conduct business at a regular or special membership meeting of the Post, provided proper notice has been given.

D **Section** 6. That no two (2) Committee's will meet separately on the same date and times, where both committee's call for the seating of the Commander and Finance Officer or other Committee members, Bar Manager or any Post member.

**Section 7.** All Membership meetings of this post shall be conducted

under and pursuant to Roberts' Rules of Order Newly Revised.

* **Section ~~8~~.** Any member in good standing, of the American Legion Family entities, (Post, Auxiliary, SAL, and ALR) are invited to attend the Executive Board and Membership meetings. However, only Post

members are allowed to vote.

**Article 9. Amendment**

* **Section 1.** Members suggesting changes to these By-Laws shall submit them to the Commander prior to the end of August annually.
* **Section 2.** These Bylaws may be amended at any regular or special Post

meeting by vote of two-thirds votes of the members of said Post attending such meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post; and providing further, that written 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.

Pat Silovich Commander

Ashley Venburg Finance Officer

Ron Miller, By-Laws Committee

Terry Larson, By-Laws Committee

Paul Siebert, By-Laws Committee Date