



THE AMERICAN LEGION

For God and Country

R. Curtis McNeil

Department Assistant Judge Advocate

04 March 2025

FROM: ASSISTANT JUDGE ADVOCATE

SUBJECT: Constitution and By-Laws of Veteran's Memorial American Legion Post 347, The American Legion, Department of Florida

1. I have reviewed the subject Constitution and By-Laws. They are approved as written.
2. I have prepared and attached the appropriate Approval Form and have electronically signed same.
3. If you have any questions, please call me at (850) 596-9353 or e-mail me at CrashJAG@gmail.com.

Sincerely,

//Signed - R. Curtis McNeil//

R. CURTIS McNEIL
Assistant Judge Advocate
The American Legion, Department of Florida

CONSTITUTION
VETERANS MEMORIAL POST 347
THE AMERICAN LEGION
LADY LAKE, FLORIDA
DEPARTMENT OF FLORIDA

Veterans Memorial Post 347 Constitution

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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 all wars;

To inculcate a sense of individual obligations to the community, state, and nation;

To combat the autocracy of both the classes and masses; to make right the master of might;

To promote peace and goodwill 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

SECTION 1.

This Post shall be named "Veterans Memorial Post 347, The American Legion, Department of Florida".

SECTION 2.

This Post is and shall always be an affiliate member of the National and State Department of the American Legion.

ARTICLE II: OBJECTS

SECTION 1.

It shall be the object of this Post to follow the policies and purposes set forth in the Preamble, and the National and Department Constitutions of the American Legion.

ARTICLE III: NATURE

SECTION 1.

This Post will be a civilian organization and membership therein does not affect eligibility or responsibility for military service or police service.

SECTION 2.

This organization shall be absolutely non-political and shall not be used for the dissemination of partisan politics or the promotion of the candidacy of any person seeking public office.

ARTICLE IV: MEMBERSHIP

SECTION 1.

Membership to this Post shall be as prescribed by the National Constitution of the American Legion.

SECTION 2.

Any form of membership other than prescribed by the National Constitution of the American Legion shall be prohibited.

SECTION 3.

All membership applications shall be made in writing under such regulations as prescribed by the National Constitution of the American Legion.

SECTION 4.

All new and transfer member applications, including reinstatements, shall be submitted with a copy of a service separation document, indicating actual dates of service in the U.S. Armed Forces or Coast Guard.. The document of choice is

a DD-214 or equivalent. The discharge must be Honorable or General Under Honorable Conditions.

SECTION 5.

All applications for membership shall be referred to the Chairman of the Membership Committee for investigation and certification. The applications will be presented to the Post membership at the next Post membership meeting, following presentation of applications. They will be accepted or rejected. If rejected by a majority of members, the application shall be recorded as being rejected.

A rejected application will not again be considered until the expiration of six months from date of rejection.

All reports of investigations, applications, and copies of service documents shall be maintained in a permanent file of the Post during the time the member remains in good standing in the Post.

SECTION 6.

Any member may be reprimanded, suspended, placed on probation, removed from office, or expelled from this Post and /or the American Legion as provided for in the Constitution and By-Laws, The American Legion Department of Florida.

SECTION 7.

Re-instatement of a suspended or expelled member shall be in the manner prescribed by the Department and National American Legion Constitution and By-Laws.

SECTION 8.

Any persons expelled by another Post shall not be admitted to this Post without the consent of the expelling Post. If this consent is denied, they may appeal to the Department Executive Committee for permission to apply for membership in another Post. Until such permission is granted, they shall be ineligible for membership in this Post.

ARTICLE V: OFFICERS

SECTION 1.

The Executive Committee shall consist of the Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Finance Officer, Chaplain, Historian, Sergeant-at-Arms, four (4) Members at Large, the immediate Past Post 347 Commander and the following appointed officers: Adjutant, Judge Advocate, Service Officer. Only these officers will have a vote on the Executive Committee and be counted in ascertaining a quorum. Appointed Assistant Officers shall have voting rights when filling in for the absent officer.

SECTION 2

The Post Adjutant, the Post Service Officer, and the Post Judge Advocate shall be appointed by the Post Commander Elect with the approval of a majority of the Executive Committee.

SECTION 3.

Post Officers shall enter upon their duties on the first day of the Post's fiscal year. They will be installed at the earliest possible date in accordance with the Department By-Laws.

SECTION 4.

Any member of the Executive Committee may be removed by the Executive Committee, after trial as provided for in the Constitution of the Department of Florida, The American Legion.

SECTION 5.

Every member of this Post in good standing (dues paid and no disciplinary actions within one year of election) and living full time within fifty (50) miles of the Post shall be eligible to hold office in this Post.

SECTION 6.

The duties of the officer shall be those stated in Article V, Post By-Laws.

SECTION 7.

The Commander shall appoint standing committees subject to approval by the Executive Committee at the first meeting following their appointment. Special committees shall be appointed by the Commander and shall not be subject to the approval of the Executive Committee.

ARTICLE VI: ELECTIONS

SECTION 1.

Elections to be as outlined in Article X, Post By-Laws.

SECTION 2.

All elected and appointed officers of the Post shall be certified to the Department Adjutant on forms furnished by or prescribed by the Department of Florida.

SECTION 3.

Post Officers shall be installed by the District Commander or designated representative. In the event of a vacancy caused by death, resignation or other causes, the name and address of the successor shall be reported to the Department Adjutant within one (1) week after vacancy is filled.

SECTION 4.

Each Officer shall be elected by ballot in the sequence of Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Finance Officer, Chaplain, Historian, Sergeant-at-Arms, and Members-at-Large. When there is more than one candidate for an Officer position their names will be in random order as drawn by the Post 347 Adjutant and one Post 347 member not running for office. The drawing must be held far enough in advance of the election to allow the final ballot to be posted for at least 15 days.

SECTION 5.

The First Vice Commander, with the approval of the Executive Committee shall appoint a nominating committee one hundred and twenty (120) days prior to elections to present a list of candidates for Post Officers. The list shall be submitted not less than three (3) regular meetings before the election meeting. Nominations from the floor shall only be made during the regular two (2) meetings prior to the election meeting. A member shall not be nominated for more than one elective office.

ARTICLE VII: FINANCE

SECTION 1.

The Post Executive Committee shall designate from what sources revenue shall originate. The Executive Committee shall designate membership dues with the approval of the membership and shall approve other sources of revenue.

SECTION 2.

The Post shall pay to the Department of Florida the National and Departmental membership dues for every member of the Post.

SECTION 3.

All officers or volunteers responsible for the Post funds shall be covered under the Post insurance policy against any dishonest act and to insure the faithful performance of their duties. It will be the responsibility of the Post Finance Officer to ensure the Post insurance policy is current and complete as pertains to the handling of Post funds and that adequate coverage is provided.

SECTION 4.

Fiscal year of the Post shall be July 1 to June 30 of each year; each date inclusive.

SECTION 5.

An audit of the financial records shall be made, annually, or upon the request of the Executive Committee at any time. An Audit shall be made by the Post Auditing Committee and a Qualified Public Accountant. The Finance Officer shall have on file at all times receipted bills or vouchers covering expenditures of all Post funds. Such records shall be made available at all times for the examination by the Commander, Executive Committee, or any Post member with justifiable cause as determined by the Executive Committee.

SECTION 6.

No member, Officer or committee of the Post shall have the authority to bind the Post by contract or incur an obligation upon its behalf, except by written authority of the Executive Committee or as specified in the Post By-laws.

SECTION 7.

Such funds or deposit accounts will be established and maintained as the By-Laws may provide and as the Executive Committee may establish. Investment and expenditure of such funds shall be as directed by the Executive Committee and expenditures must also be approved by the general membership unless in the approved budget.

ARTICLE VIII: American Legion Auxiliary, Sons of the American Legion, and American Legion Riders

AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of the Veterans Memorial Post 347 The American Legion, Department of Florida

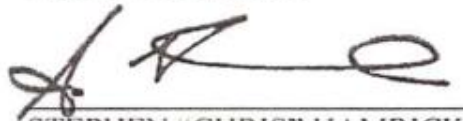
APPROVED

Pursuant to the applicable provisions of the Department Constitution, the attached Constitution and By-Laws of Veteran's Memorial American Legion Post 347, The American Legion, Department of Florida have been reviewed and approved this 4th day of March, 2025.

// Signed - R. Curtis McNeil //

R. CURTIS McNEIL
Assistant Judge Advocate
The American Legion, Department of Florida

Approval Confirmed:

A handwritten signature in black ink, appearing to read 'S. Hamrick', written over a horizontal line.

STEPHEN "CHRIS" HAMRICK
Department Commander