

**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 liability 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 Executive Committee of the expelling Post 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 not have voting rights even if 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 (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 if recommended by the Post Auditing Committee. 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.

## 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

Section 2. Membership the Auxiliary Unit 347 shall be as prescribed by the National Constitution of the American Legion Auxiliary.

### SONS OF THE AMERICAN LEGION

Section 1. This Post recognizes a Post program to be known as the Sons of the American Legion Veterans Memorial Post 347 Squadron 347 The American Legion, Department of Florida

Section 2. Membership in the Sons of the American Legion Squadron 347 shall be prescribed by the National and Department Constitution of the Sons of the American Legion.

### AMERICAN LEGION RIDERS

Section 1. This Post recognizes a Post program to be known as the American Legion Riders Chapter 347

Section 2. Membership in the Veterans Memorial Post347 American Legion Riders shall be prescribed by the National and Department Constitution and By-Laws, past Resolutions of the National and Department and the Department Standard Operating Procedure of the American Legion Riders. The Veterans Memorial Post 347 may adopt Standing Rules as submitted by the Post 347 Chapter.

## ARTICLE IX: AMENDMENTS

### SECTION 1.

This Constitution is adopted subject to the provisions of the National Constitution and the Department Constitution of the American Legion. Any amendment to the National Constitution of the American Legion or to the Department Constitution, which would be in conflict with any provision of this document, shall be regarded as automatically repealing or modifying the provisions of this Constitution.

### SECTION 2.

This Constitution may be amended at any regular Post membership meeting by a two-thirds (2/3) vote of the members attending the regular membership meeting. Said amendment shall be submitted in writing to the Executive Committee and shall be read at the preceding regular membership meeting for the vote. A written notice shall be given to all members at least ten (10) days in advance of the date when such

amendment is to be voted upon, notifying such members that the meeting shall be for the purpose of voting upon the amendment.

### SECTION 3.

Notice will be in the Post publication regularly distributed available to all members,

Posting on the Post web site and or placement in the local media, one month before approval shall be deemed adequate.

## ARTICLE X: OMISSIONS

### SECTION 1.

Questions of procedure shall be governed by the Post Constitution and By-Laws, the Department Constitution and By-Laws, the National Constitution and By-Laws, the American Legion Post Officers Guide and Manual of Ceremonies.

### SECTION 2.

Any omission of organizational procedures, duties of Officers, commissions, committees and other sections of this organization shall be governed by the National Constitution of the American Legion and the Department Constitution of the Department of Florida, The American Legion.

## ARTICLE XI: ADOPTION

### SECTION 1.

This Constitution shall become effective immediately upon approval by the Department Judge Advocate, confirmed by the Department Commander and a copy filed with the Department Adjutant's office with certification of approval issued to the Post.

FIRST READING August 11, 2021

SECOND READING: September 8, 2021

ADOPTED BY VOTE: September 8, 2021

APPROVED BY DEPARTMENT: February 4, 2022

**APPROVED**

Pursuant to the applicable provisions of the Department of Florida Constitution, the foregoing Amendments to the Constitution of American Legion Post 347 dated September 8, 2021, have been reviewed and approved this 4<sup>th</sup> day of February 2022.

  
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Robert S. Jaegers  
Department Judge Advocate

Approval Confirmed:

  
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Jerry Brandt  
Department Commander