

**BYLAWS
Of
POST 46
THE AMERICAN LEGION
Cookeville, Tennessee**

**ARTICLE I
-Post-**

Section 1. The Post that exists under this Constitution and Bylaws is known as Post 46, The American Legion, Department of Tennessee.

Section 2. The objects of this Post are as set forth in the constitution.

**ARTICLE II
- Management-**

Section 1. The governance and management of Post 46 are entrusted to a Post Executive Committee. All past Commanders and Adjutants who remain members of Post 46 in good standing shall be ex-officio members, but shall not vote.

Section 2. All vacancies existing in the Post Executive Committee, or in any office of the Post with the exception of Post Commander, from any cause other than the expiration of the term, shall be filled by the Post Commander and approved by majority vote of the remaining members of the Post Executive Committee. A person appointed shall hold office for the unexpired term of the member of the committee or officer he or she succeeded. A vacancy shall exist when a member of the Post Executive Committee is absent from Executive Committee meetings for a continuous period considered detrimental to the interest of the Post for two or more months as determined by a majority vote of the Executive Committee.

Section 3. Exemption: A signed request for an exemption must be received in writing by the Post Adjutant or his/her designee within the first month of absence. An exemption may then be granted by a majority vote of the Executive Committee. Ex-officio members are not to be replaced in accordance with the provisions of this section.

Section 4. In the event of the vacancy of the Post Commander for any reason other than the expiration of their term, the First Vice Commander shall serve as the Interim Post Commander until such time as a Special Election is called for by the Interim Post Commander. In no case shall the Interim Post Commander serve as such for longer than the unexpired term of the previous elected Post Commander.

ARTICLE III

Powers of the Executive Committee

Section 1. The Executive Committee shall have charge of the governance and management of Post 46, and shall direct and control such sub-committees as may be appointed. It may expel or suspend any member of the Post in accordance with the provisions of the Post Constitution.

Section 2. The Executive Committee shall approve or disapprove any appointments made by the Post Commander with a majority vote of the members present.

Section 3. Only Elected members of the Executive Committee may cast votes approving expenditure of funds.

Section 4. The Executive Committee shall have full power and authority to approve non-budgeted expenditures of the Post. Expenditures may be up to and including \$500.00 each meeting, but never in excess of any money on hand.

Section 5. The Executive Committee shall by majority vote, have the authority to provide assistance to a veteran in need. This benevolence shall not exceed \$300.00 or services in kind per incident or the amount of funds on hand. The Post Commander or his designee shall have the authority in an emergency to provide reasonable aid until such time as the Executive Committee may cast their vote.

ARTICLE IV

Meetings of the Executive Committee

Section 1. The Post Executive Committee shall meet on the third Monday of each month at 1800 hours unless otherwise noted. Special meetings of the committee may be called by the order of the Post Commander or on written notice signed by or agreed to by at least a majority of the members of the Executive Committee.

Section 2. A quorum of the Executive Committee for the transaction of business shall be composed of six members including at least three elected Officers.

Section 3. The Post Commander may only cast a vote in the proceedings of the Executive Committee if a vote is required to break a tie or if a vote is required to meet quorum requirements. In all permitted cases the Post Commander shall vote last. A majority vote shall decide all items considered.

Section 4. An Executive Committee member may choose to cast their vote by proxy vote if they are not able to attend a meeting of the Executive Committee in person. The Post Commander and Adjutant must be notified in person or by electronic communications of a designated member of the Executive Committee to cast their votes in their absence. Voting members casting votes by proxy shall be considered to be present for the purposes of determining quorum. No one Executive Committee member shall control more than a total of two votes, their own and one proxy vote.

Section 5. Any Elected Officer of the Post may request votes be conducted by email if it is between regular meetings of the Executive Committee, and for issues and approvals not requiring debate and that do not warrant calling a Special Meeting. The issue in question will be sent to all Officers and all votes cast by email shall be sent to all Officers of the Post so all are informed of the issue and votes cast. The results of that vote and the issue decided shall be reflected in the next issued Executive Committee Meeting Minutes as a record. The quorum requirements and voting results shall be in accordance with Section 2 and Section 3 of this Article.

ARTICLE V

-Election of Officers-

Section 1. The nomination of the officers of Post 46 for the ensuing year, shall take place during the April meeting. Post members must be present or give intent to accept nominations for all officer positions.

Section 2. All elections shall be by written ballot and all officers shall be declared elected who receive the greater number of votes.

Section 3. Any member of Post 46 in good standing who will be absent from the annual election of officers of the Post, may cast their absentee vote by mail or email. A ballot shall be provided by the Post upon request of the member in person or by electronic communications with the Adjutant. The Adjutant shall print all received email ballots for later counting and gather all mailed ballots. The Adjutant may not divulge the receipt of any ballots or the count of same. These mail or email ballots are to be counted last after the polls have closed and after being checked as to not previously being cast by voting in the regular manner.

Section 4. The Election Nomination Committee, a special committee, shall be appointed by the Post Commander in February and consists of two at-large post members. The committee shall submit the rules and regulation governing the upcoming election at the March meeting and shall be approved by the Post Executive Committee before the day of election. The committee must certify the election of the various officers and the Executive Committee to the membership of the Post.

Section 5. Six members of the Post Executive Committee, the elected officers of Post 46, shall be elected in May, at the date and time of the Post meeting, and shall hold office for one year or until their successors have been elected and installed. At each annual election thereafter, the membership shall elect successors to the offices. The installation will take place in June and will take office immediately after the Department Convention. When the Department Convention is the first weekend of June or the last weekend in May, the Post Adjutant has until five days prior to the announced date of the Department Convention to certify the election to the Department Adjutant.

Article VI

-Duties of the Officers-

Section 1. Post Commander: It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the chief executive officer of the Post. The Commander shall approve all others directing the disbursement of funds. He 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 June meeting. The Commander shall appoint all unelected Officers of the Post who are members of the Executive Committee within 30 days of assuming the duties of Commander. Those appointments must be approved by the Elected members of the Executive Committee. The Commander shall perform such other duties as directed by the Post.

Section 2. First Vice Commander: The First Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander. Membership and recruiting will be a primary responsibility of the First Vice Commander as is all recognition and ceremonial duties.

Section 3. Second Vice Commander: The Second Vice Commander shall preside at meetings in the absence of both the Commander and the First Vice Commander and when called upon. He will also be responsible in assisting the Commander with all duties.

The Second Vice Commander's first duty should be to contact other veterans and civic groups to verify each patriotic holiday and observance receives the respect it deserves.

The Second Vice Commander is responsible for building an atmosphere in which Legionnaires have fun while accomplishing the mission of American Legion Post 46.

The Commander depends on the Second Vice Commander to help run operations to spice up meetings and attract members to the post. The social calendar should be filled months in advance with activities designed to engage members

The Second Vice Commander is responsible for creativity in involving members in post activities, operations and programs to assist the First Vice Commander in member retention.

Section 4. Adjutant: The Post Adjutant shall have charge of and keep a full and correct record (including minutes of meetings) of the proceedings at all meetings. The Post Adjutant shall keep such records as the Department, the National Organization and the State may require, render reports of membership annually or when called upon at the meeting. Under the direction of the Commander shall handle all correspondence of the Post. He shall give notice of all meetings of the Post. He shall keep the records of the Post including the names, addresses, telephone numbers, and previous military service of all members of the Post. The Post Adjutant, following the approved appointment of all unelected Officers, shall within 10 days certify the appointment of unelected Officers who are Executive Committee members to the Department Adjutant.

Section 5. Finance Officer: The Post Finance Officer and the Post Adjutant shall, subject to the control of the Executive Committee, be charged with the collection and custody of the funds of the Post, including dues, and shall report its accounts at each regular meeting. The Finance Officer shall pay all bills as prescribed by the Executive Committee. All required IRS or State Financial accounting reports and filings shall be made by the Finance Officer in accordance with the applicable Federal and State Laws. Any change in address or those Officers responsible for financial matters shall be reported by the Finance Officer to the IRS and State.

Section 6. Post Service Officer: The Post Service Officer is responsible for bringing awareness to all veterans and their dependents the rights and benefits granted them by law. The Post Service Officer must know how to access and utilize the expert services available through The American Legion, state and federal government agencies, and local community agencies. The job requires timely submission of information to full-time professionals, so veterans and their dependents are adequately represented. The Post Service Officer's report should be a standard part of every meeting.

The job requires a competent, dedicated and organized person, readily available to provide assistance. The value of a Post Service Officer increases with length of service. As the Post Service Officer's reputation grows, so will the value of the organization in the veteran community.

Section 7. Historian: The Post Historian shall be charged with individual records and events of the Post and Post members, and shall perform duties as may be directed by the Post Commander or the Executive Committee.

Section 8. Chaplain: The Post Chaplain shall be charged with spiritual welfare of the Post members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc. The Post Chaplain shall adhere to such ceremonial rituals as are recommended by the National or Department Headquarters.

Section 9. Sergeant-at-Arms: The Sergeant-at-Arms arranges the meeting hall and assists the post commander and adjutant in preliminary arrangements for meetings, including leading the color detail during presentation and retirement ceremonies. This person is the expert on proper flag etiquette, and plays a leading role in the post color guard, burial detail and other pageantry.

The Sergeant-at-Arms chairs the welcome committee, influencing the post's image, membership and relationship with members. The Sergeant-at-Arms makes certain new members are welcomed, introduced and made to feel they are important to the post. The Sergeant-at-Arms encourages members to attend meetings and advises the Commander on who should be acknowledged.

Section 10. Media and Communications Officer: The Media and Communications Officer shall be charged with writing, editing and distributing various types of content, including material for the Post Website, Facebook page, press releases with the newspapers / radio stations and any other types of content that communicates the Post activities to the public. They will be responsible for managing all Social Media platforms associated with the Post. They will serve as an ambassador for the Post when interacting with the Public or Businesses with the intent of fostering good relations. The Media and Communications Officer shall be responsible for producing an internal newsletter that will be distributed to the Posts membership on a quarterly basis.

Section 11. In the absence of the Commander and First Vice Commander, Second Vice Commander at any meeting, the membership may elect its own presiding officer.

Section 12. It shall be the duty of the Post Commander to appoint such committees as may be necessary to carry on the activities of, The American Legion Post 46, subject to approval of the Executive Committee.

Section 13. Duties of Officers outlined above may be delegated as needed or desired but that does not absolve the individual so delegating from the ultimate responsibility for those duties.

Article VII
-Endorsements, Approval, Etc.-

Section 1. No person shall be endorsed, approved or recommended for candidacy for any political office by The American Legion. The American Legion is strictly apolitical. The Post may host a debate and address facts affecting veterans such as the annual legislative points addressed by the National Commander before Congress.

ARTICLE VIII
- Meeting of the Post-

Section 1. The regular meeting of the Post shall be held at the Post home on the first Monday of each month, at 1800 hours at which business is transacted as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the Post.

Section 2. The Post Commander or Acting Commander, or a majority of the Executive Committee shall have the power to call a special meeting of the Post or the Executive Committee with a 48-hour notice.

Section 3. 10 Members of the Post shall constitute a quorum to carry on official Post business.

ARTICLE IX
-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 copy of same shall be forwarded to the Department headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE X
- Delegates-

Section 1. Notice of the time, place, and date of the first caucus will be given out at the meeting 20 days prior to the Convention.

Section 2. The Post shall be entitled to the representation at the Departmental Convention as provided by the Department Constitution and is based on the number of members who have actually paid their dues prior to the annual Convention.

ARTICLE XI

-Notices-

Section 1. Every member shall furnish to the Post Adjutant the physical address and/or electronic address to which all notices and documents may be sent and the same shall be held to have been duly sent to or served upon a member when posted or otherwise mailed to the member at the address so furnished.

Article XII

- Annual Dues-

Section 1. The annual dues of Tennessee Post 46 shall be determined by the Post and must meet or exceed the combined National and Department dues per capita.

ARTICLE XIII

- Penalties-

Section 1. If dues are not paid by January 1 of each calendar year, the member becomes delinquent. If dues have not been paid by February 1, the member is suspended without privileges until reinstatement upon payment of dues to the Post. If the member is still under suspension on June 30, the member is then dropped from the rolls after 2 years by constitutional mandate and the membership is forfeited.

ARTICLE XIV

-Distribution-

Section 1. Every member of Tennessee Post 46 shall be furnished a copy of this Constitution and Bylaws electronically if requested.

ARTICLE XV
-Amendments or Alterations-

Section 1. Amendments to these Bylaws may be made at any meeting of the Executive Committee of the Post and approved by the Post membership. All approved changes must be submitted to the Department Adjutant.

ARTICLE XVI
-Solicitations-

Section 1. All solicitations for money or goods on behalf of the name of Post 46, Shall be approved by the Executive Board before any action takes place.

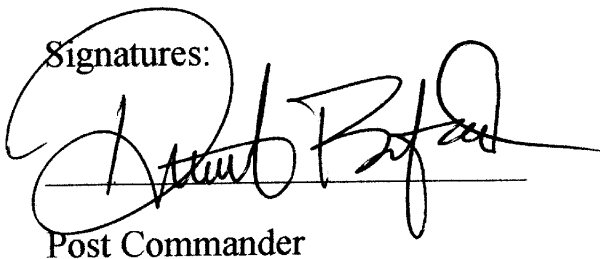
Article XVII
-Putnam County Veterans Organization-

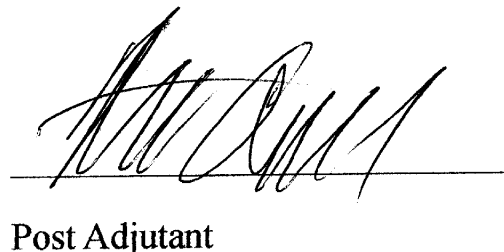
Section 1. The Veterans Memorial Building at 90 East Spring Street, Cookeville TN is managed and controlled by a Board of Trustees. The name of this Trust is "Putnam County Veterans Organization". Post 46 has, at this date, (December 31, 2022) three members on the board. The number of Trustees from Post 46 varies as determined by the Constitution and By-Laws of the Trust, based on the number of members in that organization. These members are appointed by the Post Commander and approved by the Post Executive Committee of Post 46.

CERTIFICATION

We, the undersigned hereby certify the foregoing is a true and correct copy of the Bylaws of Post 46, of The American Legion, Department of Tennessee, as adopted at a duly called and constituted meeting of said Post held in Cookeville, in the County Putnam, State of Tennessee, on the 19th day of January, in the year Two Thousand and Twenty-Three

Signatures:


Post Commander


Post Adjutant