



BY-LAWS

OF

TUM TUM POST 168
Department of Washington
The American Legion

ARTICLE I - Name and Authority

Section 1. The Post existing under these By-Laws is to be known as **TUM TUM POST 168**, The American Legion, Department of Washington.

Section 2. The objectives of this Post are as set forth in the Constitution.

ARTICLE II – Membership

Section 1. Eligibility. Any person shall be eligible for membership in The American Legion who meets the eligibility requirement as established in the National Constitution of The American Legion.

Section 2. There shall be no form or class of membership except an active membership; and dues shall be paid either annually or for life. (Paid up for Life)

Section 3. No person may be a member of more than one Post at any one time.

Section 4. Each applicant for membership shall complete an official membership application or transfer form, together with the current dues, for a vote by the Post membership.

Section 5. A member may be suspended or expelled from the Post if he or she commits an offense against the Post Constitution, By-Laws, or disloyalty, neglect of duty, dishonesty, or conduct unbecoming of a member of the Legion.

Section 6. The Post Executive Committee will convene as the authority to review any accusations of misconduct. A member may be expelled or suspended from the Post and, thus, from The American Legion, only after a fair trial, with the right to appeal, for disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of the Legion.

1. The PEC will use The National Investigation and Trials procedures with Roberts Rules of Order Newly Revised 12th addition [or newer] Chapter §63 Investigation and Trial as a guide to ensure fairness.
2. The first convening meeting will be for the PEC to review the charges. If further action is required, the PEC will provide the process and procedure to the defendant at least 30 days before any additional actions.
3. Accused members shall always be treated with respect and all determinations based on innocents until proven guilty.

Section 7. If a member is expelled from the Post, the Adjutant must follow the Department By-Laws in notification to the Department. The member cannot join another Post until all charges are cleared.

ARTICLE III – Officers

Section 1. Elected Officers.

1. The elected Officers of this Post shall be Commander; First Vice Commander; Second Vice Commander; Adjutant; Finance Officer; Post Historian; Post Chaplain; Post Service Officer; Judge Advocate; Sergeant-of-Arms; Post Executive Committee.

Section 2. Commander

1. The Post Commander shall preside over all meetings of this Post.
2. Shall countersign any check for more than \$100 that was not previously approved by the members during a meeting held in accordance with article VIII except as it relates to Program funds as defined in Article X Section 3.
3. Shall represent the Post at the District Fall and Spring Conference. If unable to attend then the commander shall appoint a representative to attend.
4. Shall attend the Department Convention. If unable to attend then the Post will elect a delegate to replace the commander.
5. Shall be the Chair of the Post Executive Committee.

Section 3. First Vice-Commander

1. Shall perform the duties of the Commander in the absence or disability of the Commander.
2. Shall be the membership chairman of the Post.
3. Shall be a voting member of the Post Executive Committee.

Section 4. Second Vice-Commander

1. Shall perform the duties of the Commander or Vice-Commander in the absence or disability of either officer.
2. Shall be a voting member of the Post Executive Committee.

Section 5. Adjutant

1. The Post Adjutant shall keep a record of all meetings of this Post held in accordance with article VIII.
2. Shall prepare the same for permanent record in a book kept for that purpose.
3. Shall read the minutes of the previous meeting at each Post meeting and record any changes or corrections to said minutes.
4. Shall keep a complete record of the membership of the Post.
5. Shall, under the direction of the Post Commander, cause notice to be given of all meetings.
6. For the purposes of record keeping, electronic filing systems such as; databases, electronic files, and digital copies, are acceptable methods of bookkeeping, retention, preservation, and filing as specified herein, provided an industry standard backup method is employed and all such records are available for review by the membership upon request.
7. Shall be a voting member of the Post Executive Committee.

Section 6. Finance Officer

1. The Post Finance Officer shall receive and disburse all Post funds as authorized by the Post meetings within its powers.

2. Shall keep a record of all receipts of money and when disbursements are made Shall enter or record in a book kept for that purpose the amount of such expenditure and the purpose for which used.
3. Shall file and preserve vouchers for each expenditure.
4. Shall prepare all checks or vouchers sign and disperse them as directed by the membership subject to Article III sec. 1.2. and Article X except as it relates to Program funds as defined in Article X Section 3.
5. The financial records shall be available for the information of Post members at each post regularly scheduled meeting, or upon request will be provided within a reasonable period.
6. For the purposes of record keeping, electronic filing systems such as; databases, electronic files, and digital copies, are acceptable methods of bookkeeping, retention, preservation, and filing as specified herein, provided an industry standard backup method is employed and all such records are available for review by the membership upon request.
7. Shall be a voting member of the Post Executive Committee.

Section 7. The Post Historian

1. The duties of the Post Historian shall be to keep a complete history of the Post.
2. Shall make an annual report to the Post at its annual meeting

Section 8. The Post Chaplain

1. The Post Chaplain will open and close each meeting with prayer.
2. He/she will send cards to those that are ill.
3. He/she will send cards or flowers to the family of a member who has passed away.

Section 9. The Post Service Officer

1. The duties of the Service Officer shall be to assist the members in the prosecution of all claims with the government.
2. Shall have charge of all problems relating to the welfare of members of this Post.
3. Shall conduct all investigations to refer the members to a source who can administer all relief funds provided under the State Indigent Soldier and Sailor Relief Act.

Section 10. Judge Advocate

4. Supply professional advice in the conduct of the post business.
5. Provide legal advice, education, and naturalization laws.
6. Shall be responsible for this Post's Constitution and By-Laws.
7. Ensure this Post operates in a constitutional form of post-government.
8. Hold contacts with the office holders of local government.
9. Audit post-financial accounts annually during the election of officers.
10. Shall be a voting member of the Post Executive Committee.

Section 11. Sergeant-At-Arms

1. Shall ensure that the meeting hall is arranged and ready for regular meetings.
2. Shall assist the Post Commander and Adjutant as needed.
3. Shall make certain that new members are welcomed, introduced, and made to feel they are important to the post.
4. Shall be a voting member of the Post Executive Committee.

Section 12. The Post Executive Committee

1. The Post Executive Committee shall be empowered to act on behalf of the Post membership whenever an urgent need is required to meet our commitment to our veterans and community needs.

2. Such meetings will be called by the Commander of the Post with as much notice as possible.
3. Three voting officers in addition to the Commander will be considered a quorum for the purpose of the PEC decisions. The Commander will hold the tiebreaker vote if required.
4. The PEC is authorized to provide immediate need funding as deemed appropriate by 2/3rds majority vote not to exceed \$500 in advance of membership approval.
5. All expenses approved by PEC will be reported to the Membership for review at the next regularly scheduled meeting.

ARTICLE IV - Post Vacancy

Section 1. In the event of a vacancy in the office of Commander, the First Vice-Commander shall automatically fill the office of Commander for the expired term.

Section 2. If any other office is vacant, such vacancy shall be filled by election at the next regular meeting of the Post succeeding the meeting at which said vacancy is declared.

Section 3. The annual nomination of officers shall be held at the regular meeting in March of each year, the election of officers shall occur at the regularly scheduled meeting in April, and the officers so elected will be installed at the regularly scheduled meeting in May of each year unless otherwise moved to a different date by a two-thirds majority of the Post membership present at a regularly scheduled meeting.

Section 4. The voting members of the Post Executive Committee (PEC) will be Commander; First Vice Commander; Second Vice Commander; Adjutant; Finance Officer; Judge Advocate; Sergeant-of-Arms. Past Post Commander is a non-voting member.

ARTICLE V - Member in Good Standing.

Section 1. Any member of the Post in good standing and dues paid shall be eligible for any office in this Post.

ARTICLE VI - Order of Business

Section 1. The order of business will be conducted as given in the Officer Guide.

ARTICLE VII - Committees

Section 1. Committees will be appointed by the Commander as appropriate for the Post and approved by the membership.

ARTICLE VIII – Meetings

Section 1. The meeting of the Post shall be held at Amboy, WA unless, in case of emergency, the Post Commander and or his/her representative designate some other place for the meeting.

Section 2. The regular meeting of the Post shall be held on the First Saturday of the Month beginning at 10:00 am.

Section 3. A quorum shall be considered met with four elected officers present.

Section 4. A special meeting may be called at any time by the Post Commander. As much advance notice and reason for the meeting will be given of the holding of a special meeting.

Section 5. The new officers will be installed at the Post annual meeting.

ARTICLE IX – Dues

Section 1. The annual dues for membership in Tum Tum Post 168 are \$45.00.

Section 2. Dues are payable by 31 December of the calendar year preceding the Legion year. A member is delinquent if not paid by January 1st.

Section 3. A member that has not paid dues by February 1st for the previous year will be suspended and will be removed from the membership rolls if not paid by June 30th.

Section 4. All officers must be in good standing to maintain their office.

ARTICLE X - Expenditures by Post

Section 1. Expenditures of more than \$100.00 must have approval by the membership present at a regularly scheduled meeting.

Section 2. The Commander or the Finance Officer will present the need for expenditures of more than \$100.00.

Section 3. As agreed to by the Post Membership at any regularly scheduled Post Meeting by a 2/3rd majority vote, the Post may provide Financial Services to Programs defined in the Post Constitution, Article IX Sons of The American Legion, and Article X American Legion Riders, these Programs each are hereafter known as the "Program". When such authorization is approved for a Program the following shall apply:

1. When a request is made by a Program and approved as defined above, the Posts Finance Officer will cause a subaccount to be created under an active Post's bank account as directed by the membership.
2. The subaccount will be set up so that the signers of the Post account also have access to the subaccount.
3. It will also be required that a minimum of two Program Officers are the signatory on the subaccount.
4. It is the Programs responsibility for money accountability, tracking, and reporting.
5. The Program will provide a monthly report to the Post Finance Officer.
6. The Finance Officer will include this report in the monthly Post meeting.
7. Annually at the First Post Meeting after any Program Officer Elections, signatories on the Subaccount will be adjusted by Post membership motion of 2/3rd majority.
8. At the termination of a Program, all funds in the subaccount will roll up to the Posts account.

ARTICLE XI - Legion Name and Insignia

Section 1. This Post will always comply with the National Constitution and Mandates of the National Convention Executive Committee as to the use of legion name and insignia as copyrighted and patented under the laws of the United States

ARTICLE XII - By-Law Amendment

Section 1. These By-Laws may be amended at any regular meeting of Post 168 by a two-third vote, provided that the amendment has been submitted in writing at the previous regular meeting.

ARTICLE XIII - By-Laws

Section 1. These By-Laws are hereby adopted as the By-Laws of this Post and each and all thereof is subject to the provisions of the National Constitution and By-Laws of the American Legion and the Department Constitution and By-Laws of the Department of Washington, the American Legion. Any provision of any amendment of said National Constitution or By-Laws or Department Constitution or By-Laws which conflicts with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this By-Law to the extent of such conflict.

Record of Revisions

February 2020

- Article III Section 1.2. added an exception to Article X Section 3.
- Article III Section 5.4. added an exception to Article X Section 3.
- Article X Section 3 in whole added to provide bank accounts for programs.

June 2023

- Throughout general typo and formatting adjustments.
- ARTICLE II – Membership, Section 6. inserted method for trial, renumbers the remaining sections to match
- ARTICLE III – Officers, Section 1. Added new Elected Officers list and renumber the remaining sections to match.
- ARTICLE III – Officers, Section 2. 5. added PEC requirements
- ARTICLE III – Officers, Section 3. 3. added PEC requirements
- ARTICLE III – Officers, Section 4. 2. added PEC requirements
- ARTICLE III – Officers, Section 5. 9. added PEC requirements
- ARTICLE III – Officers, Section 6. 7. added PEC requirements
- ARTICLE III – Officers, Section 10. 10. added PEC requirements
- ARTICLE III – Officers, Section 11. 4. added PEC requirements
- ARTICLE III – Officers, Section 12. Post Executive Committee duties.
- ARTICLE IV - Post Vacancy, Section 4, sets voting members of the PEC
- ARTICLE VIII – Meetings, Section 3, set the number that makes a quorum for meetings, and renumber remaining sections to match.
- ARTICLE X - Expenditures by Post, Section 3. 3. removed the redundant signatory requirement.
- Record of Revisions - Added in whole to reflect current revision.

Presented for first reading to the Post at the regular meeting on April 1st, 2023.

The second reading to the Post at the regular meeting had on _____, _____, 20____.

Adopted by the Post at the third regularly scheduled meeting on _____, _____, 20____.

Commander

(SEAL)

Attested:

Adjutant

Tum Tum Post 168

Filed to Department Headquarter: _____, _____, 20____.