

**BY-LAWS
AMES POST NO. 37
IOWA DEPARTMENT OF
THE AMERICAN LEGION**

ARTICLE I

Post

This post is a unit of the state,(Department), and national organization and as such is subject to their laws, rules and regulations and anything conflicting therewith shall be null and void.

ARTICLE II

Meetings

Section 1. Regular Meetings.

The regular meeting of this post shall be held at 7:30 PM on the second Thursday of each month. No meeting shall be changed except upon authorization of the Post at a previous meeting or, in the case of emergency, upon authority of the Executive Board.

Section 2. Special Meetings.

Special meetings may be held at anytime at the call of the Post Commander, or the written request of twenty-five (25) members of the Post, or a majority of the Executive Board. Such call shall state the time, place and purpose of the meeting and only such business may be transacted as is set forth in the call. All members of the Post shall be notified of a special meeting by Mail, E-mail, or Monthly Post Bulletin not later than seven (7) days prior to the date of the special meeting.

Section 3. Quorum.

Fifteen (15) members in good standing of the Post shall be necessary to constitute a quorum for the transaction of business.

ARTICLE III

Officers, Election and Installation

Section 1. Officers

The officers of the Post shall be: Commander, First Vice- Commander, Second Vice-Commander, Adjutant, Finance Officer, Historian, Chaplain, Sergeant-at-Arms, Service Officer, Judge Advocate and Additional members as specified in Article V, Section 1. All of the officers except the Judge-Advocate shall be chosen by formal ballot at the regular meeting of the Post in June with a plurality of all votes cast necessary for election. The Judge-Advocate shall be appointed by the Commander, subject to the approval of the Executive Board.

Section 2. Nomination and Election

Nomination for the elected officer positions shall be made by a nominating committee of three (3) members, appointed by the Post Commander at the regular meeting in April. It shall be the duty of this committee to establish, through personal interview, the certainty that each candidate of its recommendation will serve and to compile the Legion service record of each candidate recommended by this committee, which shall be presented to the Post at the time of the recommendation. This committee shall report at the regular meeting in May. Nominations may be made from the floor at this meeting or on the night

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of election, and the report of this committee does not preclude these additional nominations.

Section 3. Appointment of Tellers.

The Post Commander shall appoint three tellers who shall distribute the ballots, canvass the votes and report in open meeting. The Commander shall declare the results in conformity therewith.

Section 4. Installation.

The new elected officers and Executive Board shall be installed at a Joint Regular Meeting of either: Post, Unit, or Squadron in July of each year. These new officers and Board members will take office at the close of the annual Department of Iowa Convention.

ARTICLE IV

Duties and Powers of Officers

Section 1. Officers.

The respective duties of the officers of this corporation shall be as follows.

Section 2. Commander.

The duties of the Post Commander shall be to preside at all meetings of the Post and Executive Board and have general charge of and control over the affairs of the Post, subject to the decisions of the Executive Board and the general membership.

Section 3. First Vice Commander.

The duties of the First Vice-Commander shall be to take charge of organization and membership and to perform such other duties as may be assigned by the Commander. In case of death, disability or absence of the Commander, the First Vice-Commander shall perform and be vested with all of the duties of the Commander.

Section 4. Second Vice Commander.

The duties of the Second Vice-Commander shall be to arrange programs for Post meetings and such other duties as may be assigned by the Commander. In case of death, disability, or absence of the Commander and First Vice-Commander, the Second Vice-Commander shall perform and be vested with all of the duties and power of the Commander.

Section 5. Adjutant.

The duties of the Adjutant shall be to keep the minutes of the Post and Executive Board, and attend to the serving and giving of all notices of the Post. The Adjutant shall have charge of the corporate seal, and all books, records and papers as the Executive Board may direct; keep the membership records with the name and current address of each member; and shall perform such other duties as may be incident to the office. The Adjutant shall receive such compensation as authorized by the Executive Board and approved by the Post.

Section 6. Finance Officer

The duties of the Finance Officer shall be to keep a full and accurate account of all receipts and disbursements in books belonging to the Post, and shall have the care and

custody of all funds and securities of the Post and deposit such funds in the name of the Post in such banks as the Executive Board shall direct, and is authorized to sign all checks, drafts, notes, bills of exchange, orders for the payment of money, and any negotiable instruments of the Post; the Finance Officer shall disburse the funds of the Post as approved by the Executive Board (except, however, from the above shall be the receipts, disbursement and handling of such funds and accounts as the Executive Board may delegate to special committees); the Finance Officer shall report the financial condition of the Post each month and prepare and submit a complete financial statement of the condition of the treasury at the regular meeting of the Post during the months of October, January, April and July of each year. The Executive Board may require special financial reports at anytime and may also require the Finance Officer's books be audited by a licensed firm of public accountants. At the Executive Board meeting in August of each year the Commander shall appoint from the membership of the Post an auditing committee of three to audit the accounts of the Finance Officer; such auditing committee to make their report at the regular meeting in September. The books of the Finance Officer shall be open to inspection by the Executive Board at anytime; and the Finance Officer shall give such bonds for the faithful performance of these duties as the Executive Board shall determine, and shall perform such other duties as may be incidental to the office.

Section 7. Historian

The duties of the Historian shall be to become fully informed on the history of the Post and to analyze the vast amount of material available and to record it in permanent form. The first duty of the Historian is to accumulate source material such as newspaper clippings, pictures, programs, minutes and the like, and the second duty is to put such material in writing for permanent preservation.

Section 8. Chaplain

The duties of the Chaplain shall be to assist in the conduct of Post meetings, to take part in Legion funeral services and Memorial and Veterans' Day programs. The Post Chaplain should also visit comrades who are sick in hospitals and at home and encourage greater Post activity in programs for better citizenship among the youths of the community.

Section 9. Sergeant-at-Arms.

The Sergeant-at-Arms is responsible for arrangement of the meeting hall, for insuring that only authorized persons should attend meetings and for maintaining order. The Sergeant-at-Arms is custodian of the colors and weapons and should be in charge of the color detail during the presentation and retirement ceremonies at Post meetings and other events such as funerals, parades, etc.

Section 10. Service Officer

The Post Service Officer is responsible for service to veterans, their surviving spouses and dependents, and must act as an adviser regarding possible government benefits for all veterans, their surviving spouses and dependents. The Service Officer prepares evidence in support of the claims of veterans, their surviving spouses and dependents. The Service Officer files claims through the Iowa Department Service Officer with the Veterans Administration. The Service Officer should keep up to date on all veterans' benefits by carefully reading the various American Legion publications and should keep a file of all cases which are handled and all memos concerning this work. Such file shall

be the property of the Post and shall be turned over to the elected successor.

Section 11. Judge-Advocate

The Judge-Advocate is responsible for ensuring that the operation of the post is in accordance with the Articles of Incorporation and the By-Laws of the post and shall make such rulings on parliamentary procedure as are required.

ARTICLE V

Duties and Powers of Executive Board

Section 1

This corporation shall have an Executive Board which shall be composed of the officers, immediate Past Commander, and such additional members as shall equal one for every one hundred members, or major fraction thereof as shown by the membership roll of this Post as of the regular meeting in June of each election year. The additional members shall be nominated and elected in a similar manner as specified for the officers in Article III, Sections 1 and 2. In the event that one individual shall hold more than one position on the Executive Board, an additional member shall be appointed to the Executive Board for each such case.

Section 2.

All vacancies in the Executive Board, or in any office of the Post from any cause other than expiration of their term of office, shall be filled by a majority vote of the remaining members of the Executive Board. Except that in the event of a vacancy in the office of Commander, such vacancy shall be filled by promoting the First Vice-Commander and if there be none, then by the Second Vice-Commander, and if there be none, then by appointment by the Executive Board. The person or persons so designated to fill such vacancies shall hold office for the unexpired term of the officer or member of the Executive Board whom they are chosen to succeed. The Executive Board shall have full power to determine when vacancies exist. In particular, absence of any officer or Executive Board member from three consecutive regular and Executive Board meetings without prior notification to the Commander or Adjutant shall constitute sufficient grounds to declare a vacancy in the position.

Section 3.

The Executive Board shall have the power to make and administer these By-Laws subject to the approval of the Post for the government of the Post and shall have the power to hire such employees as may be necessary and shall authorize and approve all expenditures exceeding \$250 except in matters delegated to the Operations and Bingo Committees and require sufficient bonds from persons having custody of Post funds. The Executive Board may require such persons having custody of Post funds to make financial reports from time to time as directed and may require such persons to maintain books of account showing receipts and disbursements and may require that such books be audited by a licensed firm of public accountants.

Section 4.

All committees, including the Operations Committee, and all persons having custody of Post funds are responsible to the Executive Board in handling such funds and must keep open books of account showing receipts and disbursements which are available for

inspection by the Executive Board at anytime.

Section 5.

Regular meetings of the Executive Board shall be held one (1) hour prior to the regular Post meeting each month. Other meetings of the Executive Board may be called by the Commander or by any three(3) members of the Executive Board either by oral, written or other notice, not later than the day prior to the date set for such meeting and such notice shall state the purpose of such meeting. At any meeting of the Executive Board a majority of the members of the Executive Board shall constitute a quorum. Any action of the Executive Board must be authorized by the affirmative vote of a majority of the members thereof present.

ARTICLE VI DUTIES AND POWERS OF STANDING COMMITTEES

Section 1.

There will be the following standing committees of the Post; the membership of which shall be appointed by the Post Commander and approved by the Executive Board: Operations Committee; Membership Committee; Social Committee and Bingo Committee. An additional committee known as the Life Member Committee shall consist of the Honorary Life Members of the Post. Each of the foregoing committees except Membership shall be responsible for selection of its Chairman and Secretary. Subject to the approval of the Executive Board, the Commander may appoint such special committees as deemed necessary.

Section 2. Operations Committee

The Operations Committee shall be composed of six (6) members serving three (3) year terms on a staggered basis. Each year, the newly elected Commander shall appoint two members to the Operations Committee to hold office for a period of three (3) years. It shall be the duty of the Operations Committee to manage, operate and maintain the American Legion Building. The Operations Committee shall meet at least once each month on the fourth Thursday of the month. The Operations Committee shall make a financial report to the Executive Board monthly.

At the regular meeting in August of each year the Commander shall appoint an auditing committee of three members to audit the accounts of the Operations Committee; such auditing committee to make its report at the regular meeting in October.

This committee shall employ a House Manager, subject to the approval of the Executive Board, who shall be bonded and who will keep books of account showing receipts and disbursements. It will be the duty of the House Manager, under the supervision of the Operations Chairman, to manage and operate the various concessions.

The Operations Committee shall recommend to the Executive Board such employees as they require; and it should, from time to time, determine and recommend to the Executive Board such redecoration, repair and replacements necessary in the proper maintenance of the American Legion Building and such other property owned by the Post.

Section 3. Membership Committee

The Membership Committee shall consist of the First Vice-Commander as chairman and such other members as shall be appointed. It shall be their duty to maintain the membership of the Post. They shall investigate the qualifications and desirability of all applicants and make recommendations in conformity therewith.

Section 4. Social Committee

The Social Committee shall be composed of three members serving three year terms on a staggered basis. Each year, the newly elected shall appoint one member to the Social Committee to hold office for a period of three years.

It shall be their duty to organize and supervise social activities within the Post. The Social Committee shall meet on the third Thursday of each month.

Section 5. Bingo Committee

The Bingo Committee shall be composed of six appointed members serving three year terms on a staggered basis and the Finance Officer. Each year, the newly elected Commander shall appoint two members to the Bingo Committee to hold office for a period of three years.

It shall be their duty to operate and supervise the Bingo concession for the Post, prepare and maintain appropriate records and books of account as required by the State of Iowa and submit any and all reports required by the State of Iowa and the Executive Board. The books of account of the Bingo Committee shall be considered a part of the Finance Officer's books for audit purposes.

Section 6. Term of Office

The foregoing committees shall be appointed so as to assume their duties at the time of the regular Post meeting in August of each year.

Section 7. Life Member Committee

The Life Member Committee shall be composed of the Honorary Life Members of the Post. They shall meet once each year to make recommendations to the Executive Board regarding the awarding of Honorary Life Membership or Award of Merit Membership.

ARTICLE VII ELIGIBILITY FOR MEMBERSHIP

The eligibility rules of the National Organization of the American Legion and the Articles of Incorporation of Ames Post No. 37 shall govern. Applications for membership may be taken by all members of the Post and will be submitted by such member or the Chairman of the Membership Committee. Candidates having submitted evidence of honorable service and evidence complying with the National requirements shall be reported upon in open session of the Membership Committee. If the Membership Committee fails to recommend any applicant's name, it shall be reported upon in open session of the post by the Membership Chairman. The applicant shall be voted upon and three-fourths of all present and entitled to vote is necessary for election to membership.

**ARTICLE VIII
DUES**

The annual dues of this Post shall be \$40.00.

**ARTICLE IX
AMENDMENTS**

These By-Laws may be amended by the Post, after they have been approved by the Executive Board and approved at two consecutive regular meetings of the Post. Each member of the Post must be notified by mail, E-mail or Monthly Post Bulletin of proposed changes prior to final consideration of the proposed changes. Each consideration of the proposed amendments will require an affirmative vote of 2/3 of those members present and voting for approval.

**ARTICLE X
RULES OF ORDER**

In all matters not specifically covered by the Articles of Incorporation or by these By-Laws, Roberts Rules of Order shall govern.

ARTICLE XI

Any person joining Ames Post No. 37 automatically subscribes to the Articles of Incorporation and these By-Laws.

ARTICLE XII

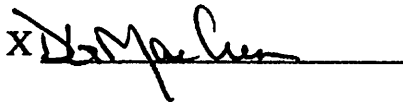
These By-Laws supersede all previous By-Laws used or adopted by this Post.

ARTICLE XIII

The Commander and Adjutant are authorized to sign these By-Laws after they have been approved by the Executive Board and the Post.

These By-Laws having been duly amended and approved by Post 37 in regular meeting in accordance with Article IX, and signed this 11th day of October 2012.

Doug McCrea, Commander

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Bob Bellinghausen, Adjutant

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