

REVISED FEBRUARY 4, 2020

Prior revision 01/25/2005

The constitution and By-laws of Dorsey-Liberty Post #14, Department of Kansas, the American Legion as set out herein, is in full force and effect and represents action taken by the membership of the Post.

The Constitution and By-laws articles and sections were either updated or omitted throughout this document.

This is the New Constitution and By-laws of Dorsey-Liberty Post #14, Department of Kansas, the American Legion.

\_\_\_\_\_  
April Trevino, Commander

\_\_\_\_\_  
Date

\_\_\_\_\_  
Santino Williams, Adjutant

\_\_\_\_\_  
Date

copy: Post Commander;  
Post Adjutant;  
Post Historian;  
Adjutant, Department of Kansas;  
:

CONSTITUTION OF  
DORSEY-LIBERTY POST #14  
THE AMERICAN LEGION, DEPARTMENT OF KANSAS

ARTICLE I        NAME

SECTION 1. The name of this organization shall be known as Dorsey-Liberty Post #14, the American Legion, Department of Kansas, a corporation chartered in the State of Kansas.

ARTICLE II        ELIGIBILITY

SECTION 1. Any person shall be eligible for membership in Dorsey-Liberty Post #14 who meets the eligibility criteria as established by the National Headquarters of the American Legion and approved by the Congress of the United States of America.

SECTION 2. There shall be no form of class of membership in Dorsey-Liberty Post #14, The American Legion, except an active membership, and dues shall be paid annually or for life.

SECTION 3. No person who has been expelled by a Post, shall be admitted to membership in Dorsey-Liberty Post #14, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, he may appeal to the Executive Committee of the Department of the expelling Post for permission to be admitted in Dorsey-Liberty Post #14, and shall be ineligible for membership until such permission is granted.

SECTION 4. There shall be neither honorary nor social members.

ARTICLE III        NATURE

SECTION 1. The Dorsey-Liberty Post #14, The American Legion, is a civilian organization, membership therein does not affect nor increase liability for military or police service. Rank does not exist in the Legion; no member shall be addressed by his military or Naval title in any convention or meeting of the Post.

SECTION 2. The American Legion shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

## ARTICLE IV MEETINGS

SECTION 1. Regular meetings of the Post shall be held on the first Tuesday of each calendar month at 6:45 P M

SECTION 2. All regular Post meetings shall be conducted in the Executive unless changed by the Commander or Executive Committee and the membership duly notified.

SECTION 3. Special meetings may be held at any time upon a vote of the Post at a regular meeting, or may be called by the Executive Committee by a written notice mailed to the members at least seven (7) days in advance. The purpose of the meeting shall be stated in the notice and no other business shall be conducted during this special meeting.

SECTION 4. Upon the written request for a special meeting signed by twenty-five (25) members of this Post, in good standing, the Commander shall call a special meeting Of the Post, and the membership shall be notified seven (7) days in advance of said special meeting. The purpose of said meeting shall be stated in the notification, and no other business shall be conducted during this special meeting.

## ARTICLE V QUORUM

SECTION 1. A quorum shall exist at a regular Post meeting or special meeting when those members in attendance are members in good standing of Dorsey-Liberty Post #14

## ARTICLE VI RULES

SECTION 1. The rules of procedure at the Post meetings shall be those set forth in Robert's Rules of Order.

## ARTICLE VII POST EXECUTIVE COMMITTEE

SECTION 1. The Executive power shall be vested in the Post Executive Committee to be composed of Commander, First Vice Commander, Second Vice Commander, Finance Officer, Adjutant, and two members elected at large. The Post Adjutant shall keep minutes of all meetings.

ARTICLE VIII DUES

SECTION 1. The annual membership dues of this Post shall be forty dollars (\$40 00) which sum shall include all State and National dues and State and local sales tax. Dues are payable on or before July 1, of each year, provided, however, that the annual membership dues of those persons who served in World War I shall be paid by the Post.

SECTION 2. The annual dues shall be paid to the Post Adjutant and transmitted immediately to the Post Finance Officer. The Post Finance Officer shall transmit all State and National dues collected to the Department Finance Officer.

SECTION 3. Any member who may be in arrears in payment Of dues for one year or more shall be dropped from the rolls of the Post provided, however, that in the event a member has a one year lapse in his membership he may pay the Post dues for that one year and have his continuous membership reinstated

SECTION 4. The local dues of any member who is in distress may be remitted in whole or in part by a majority vote of the Post at any regular meeting.

SECTION 5. Any member of this post achieving seventy (70) years of continuous membership shall have his dues paid by the Post.

ARTICLE IX AUXILIARIES

SECTION 1. Dorsey-Liberty Post #14, The American Legion, recognizes the auxiliary organizations known as the American Legion Auxiliary Unit # 14 and the Sons of The American Legion Squadron #14.

SECTION 2. Membership in and governing of the American Legion Auxiliary Unit # 14 and the Sons of the American Legion Squadron #14 shall be in accordance with such rules and regulations as may be prescribed by the National Executive Committee and thereafter approved by this Post of the American Legion.

ARTICLE X      AMENDMENTS TO THE CONSTITUTION

SECTION 1.      Amendments to the Constitution may be made by a two-thirds vote of all members present at any regular meeting of the Post provided, however, that the proposed amendment shall have first been introduced in writing and read before the Post at least one meeting previous to the date of final consideration and the advisability of its adoption shall have been reported upon by the Executive Committee to the Post. The Post Adjutant must notify all members of the Post of the proposed amendment and of the date it is to be voted upon at least seven days in advance of the meeting.

BY-LAWS OF  
DORSEY-LIBERTY POST#14  
AMERICAN LEGION DEPARTMENT OF KANSAS

ARTICLE I                   GENERAL

SECTION 1.     The Post existing under these By-Laws is to be known as DORSEY-LIBERTY POST #14, The American Legion, Department of Kansas.

SECTION 2.     The objectives of this Post are set forth in the National Constitution.

SECTION 3.     The Executive Committee shall exercise the power given to it by the Constitution of Dorsey-Liberty Post #14.

SECTION 4.     The Post Executive Committee shall have general supervision and control over all property belonging to the Post.

SECTION 5.     The Post Executive Committee shall have power between Post meetings to initiate matters of policy and establish rules and regulations for the conduct of the Post, provided that such rules and regulations must be ratified by the succeeding regular Post meeting to remain in force.

ARTICLE II               MANAGEMENT

SECTION 1.     The elective officers of the Post organization shall be as follows: Commander, First Vice Commander, Second Vice Commander, Finance Officer, Adjutant, and two Members-at-Large of the Executive Committee as provided by Article VI I, Section I of the Post Constitution.

SECTION 2.     Following the election of officers. The following are appointed by the Commander with concurrence of the Post Executive Committee; Historian, Chaplain and the Sergeant-at-Arms.

SECTION 3.     The government and management of the Post are entrusted to an Executive Committee of seven members to be known as the "Executive Committee" as outlined in Article VII, Section 1 of the Post Constitution.

SECTION 4. The Executive Committee shall consist of the Commander, First Vice Commander, Second Vice Commander, Finance Officer, Adjutant and two (2) elected Members-at-Large and shall be elected annually as prescribed in Article VI, Section 1, 2, and 3 of the Post Constitution.

SECTION 5. All vacancies existing in the Executive Committee, or any elective office of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the Post at the next regular meeting, and a person so elected shall hold office for the unexpired term of the member of the committee or officer whom he succeeds. A vacancy shall exist when a member or officer resigns or is absent from his post for a continuous period considered detrimental to the interest of the Post. The Commander shall have a committee appointed to investigate the possibility that the absent officer is sick or temporarily out of town and unable to attend meetings, said committee to report their findings at the next regular meeting.

### ARTICLE III POST EXECUTIVE COMMITTEE

SECTION 1. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within 10 days after the installation of new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander at least once a month and as often as the Commander may deem necessary. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of the Post Executive Committee. Four (4) members shall constitute a quorum thereof.

SECTION 2. The Post Executive Committee shall authorize and approve all expenditures, shall require adequate bonds for all persons having custody of Post funds, shall hear reports of Post committee chairmen, and generally shall have charge of, and be responsible for the management of the affairs of the Post.

SECTION 3. The Post Executive Committee shall prepare a budget for the ensuing year and shall receive and approve budgets for all other funds that may be established in the name of the Post. Budgets for funds shall be received and approved by the Executive Committee and

submitted by the Executive Committee to the Post for approval at times that are most appropriate for the activities of those funds.

#### ARTICLE IV DUTIES OF OFFICERS

SECTION 1. *DUTIES OF THE 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 affairs of the Post, and such officer shall be the chief executive officer of the Post. Such officer shall approve all orders directing the disbursement of funds and 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 annual meeting and a copy thereof immediately forwarded to the Department Adjutant. Such Officer shall perform such other duties as directed by the Post.

SECTION 2. *DUTIES OF THE FIRST VICE COMMANDER:* The First Vice Commander shall assume and discharge the duties of the office of the Commander in the absence or disability of, or when called upon by the Post Commander, and shall chair the Membership Committee.

SECTION 3. *DUTIES OF THE SECOND VICE COMMANDER:* It shall be the duty of the Second Vice Commander to assume and discharge the duties of the First Vice Commander and Commander in the absence or disability of such officers or when called upon by the Post Commander. The Second Vice Commander shall be the Club Manager for the Post.

SECTION 4. *DUTIES OF THE ADJUTANT:* It shall be the duty of the Adjutant to have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the Commander, handle all correspondence of the Post. Such officer shall also collect all dues for membership and cause membership cards to be delivered to paid members, and keep a complete record of all members as provided in Article VIII, Sections I through 4 of the Post Constitution .

SECTION 5. *DUTIES OF THE FINANCE OFFICER:* The Finance officer of the Post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Commander and Executive Committee the condition of the finances of the Post, with such recommendations as may be deemed

expedient or necessary for raising funds with which to carry out the activities of the Post. Such officer shall obtain surety bonds in such sums as shall be fixed by the Post Executive Committee. Such Officer shall have full and express authority to pay for licenses, taxes, or operating fees, as they come due and that are necessary for the lawful operation of Post activities. Such officer shall sign all checks disbursing the monies of the Post at the direction of the Executive Committee and the checks shall be signed by one other officer in amounts exceeding \$500.00. The Finance Officer shall keep a strict and accurate account of reports and expenditures, and shall deliver to the succeeding Finance Officer all vouchers, and papers belonging to the Post.

SECTION 6. *DUTIES OF THE POST HISTORIAN*: The Post Historian shall be charged with the individual records of incidents of the Post and Post members, and shall perform such duties as may properly pertain to the office as may be determined by the Post Executive Committee or the Post. Such officer shall submit a report for the Second District Ezra Campbell Award.

SECTION 7. *DUTIES OF THE POST CHAPLAIN*: The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine but non-sectarian service in the event of dedications funerals, public functions, etc. and adhere to such ceremonial rituals as are recommended by the National and Department headquarters from time to time. Such officer shall be head of the visitation committee.

SECTION 7. *DUTIES OF THE SERGEANT-AT-ARMS*: The Sergeants-at-Arms shall preserve order at meetings, be the custodians of the Post Colors, prepare the hall for the Post meeting, present and retire the Colors at Post meetings, and shall perform such other duties as may be from time to time assigned to them by the Post Commander or Executive Committee.

## ARTICLE V DELEGATES

SECTION 1. Delegates and alternates to a Department Convention shall be appointed by the Post at a regular meeting of the Post to be held at least twenty (20) days prior to the date of such convention. Delegates and alternates to a District Convention shall be appointed by the Post at a regular meeting of the Post to be held at least ten (10) days prior to the date of such convention.

## ARTICLE VI ELECTIONS

SECTION 1. A nominating committee (or committees) appointed by the Post Commander shall present a slate of candidates for Post offices and Executive Committee as listed in Article II Section 1, and Article II, Section 4, to the Post meeting at least three (3) regularly scheduled meetings prior to the Department Convention. Additional nominations may be made from the floor at that same meeting and at the next regular Post meeting which is at least two (2) meetings prior to the Department Convention.

SECTION 2. The election of Post officers and Executive Committee members from those nominated shall be held at the next Post meeting following the report of the Nominating Committee in Section I of this Article which is the Post meeting at least two (2) meetings prior to the Department Convention.

SECTION 3. Terms for offices of Post Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer shall be for one year. The two (2) Executive Committee Members-At-Large shall be elected to two (2) year terms in alternating years, one committee member-at-large each year.

## ARTICLE VII APPOINTMENTS

**The Post Commander upon taking office each year, shall appoint committees as required by the Post. The following sections are the duties of those Committees that may be appointed.**

SECTION 1. *Membership Committee:* The Membership Committee shall assist the First Vice Commander in all matters pertaining to membership of the Post including the procuring of new members, reinstatement and eligibility of members.

SECTION 2. *Legal Committee:* The legal Committee shall be charged with the Legal Supervision of Post affairs and shall audit the Post financial accounts. The Judge Advocate shall chair this Committee.

SECTION 3. *Visiting Committee:* The Visiting Committee is charged with the visiting and comforting of the Post members and their

families when sick or bereaved and with visiting ex-service personnel in nearby hospitals. The Chaplain shall chair this committee.

SECTION 4. *Americanism Committee:* The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions, encouragement of patriotic and civic phases of instruction in schools, Americanism of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment; shall coordinate with the proper school officials for the proper number of youths to be sent to Boys' State and the Cadet Law Enforcement Academy, and shall coordinate with the Commander for any other activities before or after the Boys' State and Cadet Law Academy sessions; shall coordinate with the proper school officials to have a youth in the oratorical programs; and shall promote the school awards program.

SECTION 5. *Athletic Committee:* The Athletic Committee shall be charged with the promotion of physical development of clean sports by the organization of Post athletic teams, recreation, etc., and by cooperation and support in general recreational and athletic programs of the community. This committee is also charged with the promotion of the American Legion Baseball team(s) and its conduct. The committee may establish a Baseball Fund and is authorized to promote activities to raise the money for this fund and to disburse from it in the interest of the Post Baseball Program. The committee shall prepare and submit a budget for the ensuing year to the Executive Committee for approval. No monies may be spent from the Baseball Fund before the Executive Committee shall act on this budget immediately upon its receipt from the Athletic Committee.

SECTION 6. *Child Welfare Committee:* Shall be charged with the aid and service to children of veterans, cooperating with other established agencies in the community, laboring for the betterment of child conditions and coordinating services and agencies in the community for the above purposes; to act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "no child of a World War veteran shall be in need of the necessities of life" and "a square deal for every child"

SECTION 7. *Security Committee:* Shall work with and coordinate American Legion efforts with the local civil defense council on matters pertaining to National, civilian and home defenses, to assist the armed

forces of the United States in recruiting efforts and in every way be active in community activities for the defense of the Nation and the Security of the American home.

SECTION 8. *Service Officer*: The Service Officer shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States or state governments, employment, relief, etc., and shall report sick call and deaths at all regular meetings.

SECTION 9. *Bingo*: The Executive Committee shall hire a Bingo Manager who shall conduct all games and maintain records in accordance with the laws established by the State, and work in cooperation with the Executive Committee. A Bingo Fund and a separate Bingo checking account shall be established in a local bank (or banks). All bingo receipts shall be immediately transmitted to the Finance Officer for deposit into this separate account. Necessary licenses, game payouts, and other routine expenses may be made with the approval of the finance Officer on the availability of funds. Major expenditures may be made only with the approval of the Executive Committee. Bingo revenues in excess of bingo expenses may be transferred by the Finance Officer to the Post Home fund.

## ARTICLE VIII      OPERATION OF THE EXECUTIVE COMMITTEE

SECTION 1.      The Post Home shall be called Legionacres.

SECTION 2.      Income from the operation of the dining room, lounge, dances, and similar activities authorized by the Post, shall be deposited in the Legionacres Post Home Account.

SECTION 3.      The Executive Committee shall have the following powers subject to the control of the general membership.

- (a) Control of real and personal property to be kept in good condition and repair, and to be in charge of any remodeling or construction of additions.
- (b) Maintain an insurance program that will fully protect the Post from such losses that may occur.
- (c) Make purchases for the operation of the Post for supplies, merchandise for resale, and services, for daily operations.

- (d) Hiring or dismissal (with cause) of any employee the committee deems necessary for proper operation of Legionacres.
- (e) Organize and promote events in the interest of the membership of the Post.
- (f) Set up a standard of operating procedure pertaining to the hours of operation, regulations covering the use of Legionacres facilities, and such other procedures as required in the recurring operations of Legionacres.
- (g) It is the responsibility of the Executive Committee to completely run and oversee the operation and maintenance of all segments of the buildings and grounds. They shall coordinate and manage the lounge and dining room and make sure that there are adequate supplies and staff for their proper operation. They are responsible for getting the grass mowed, snow removed, and making sure that the Flag is up, lit and kept in good condition. They shall be responsible for all rentals of Legionacres.
- (h) Executive Committee is responsible for all minor maintenance problems. All major problems shall be handled by professionals, Expenditures of five hundred dollars (\$500.00) or less shall be approved by the Finance Officer. Expenditures over five hundred dollars (\$500.00) and equal to or less than five hundred dollars (\$500.00) shall be approved by the Executive Committee. Expenditures over one thousand dollars (\$1,000.00) shall be approved at a regular meeting.

## ARTICLE IX                      POST FUNDS

SECTION 1.        Neither the Post nor any officer thereof shall have the authority to lend any of the Post' s funds to any member thereof or to any other person.

SECTION 2.        Members of the Post whether serving upon committees or in their private capacities, shall not incur any expense or contract any bills in the name of or on account of the Post without first having obtained authority from the Executive Committee.

SECTION 3. A full financial report of all funds will be presented by the Finance Officer to the Executive Committee and presented at the regular meetings.

SECTION 4. All checks drawn on all Post funds will be signed by the Finance officer and one other designated officer in amounts exceeding \$500.00.

## ARTICLE X SECURITY

SECTION 1. The security of Legionacres shall be the responsibility of every member of, Dorsey-Liberty Post #14 The Post Executive Committee will have the responsibility of distributing and collecting keys necessary in the operations of Dorsey-Liberty Post #14. Issuance of keys will be determined by the functions performed by each person requesting keys.

SECTION 2. Keys will be accounted for via signature card on file with the Second Vice Commander. In the event of a lost key or keys, the Post Second Vice Commander with the approval of the Executive Committee will obtain replacement(s). The signature card required for duplication of keys will contain the names of the Post Second Vice Commander and the Post Commander only. The Executive Committee shall have the responsibility for the updating the signature card after each election of Post officers.

## ARTICLE XI RITUAL

SECTION 1. The ritual as provided by National headquarters of the American Legion for the use of Posts shall be adopted and used by this Post in all its meetings.

## ARTICLE XII CUSTODY OF THE BY-LAWS

SECTION 1. Upon final adoption of these By-Laws, the Adjutant shall cause to be prepared four copies thereof, upon which he/she shall endorse his certificate that they are original copies, and deliver one copy each to the Department Adjutant, Post Commander and the Post Historian, himself retaining one copy. At the close of their terms the above officers shall deliver the copies of the By-Laws to their successors in office.

## ARTICLE XIII AMENDMENTS

SECTION 1. Amendments to these By-Laws may be made by a two-thirds (2/3) vote of all members present at any regular meeting of the Post provided, however, that the proposed amendment shall have first been introduced in writing and read before the Post at least one meeting previous to the date of final consideration and the advisability of its adoption shall have been reported upon by the Executive Committee to the Post. The Post Adjutant must notify all members of the Post of the proposed amendment and of the date it is to be voted at least seven (7) days in advance of the meeting.