

"For God and Country"
"Community, State, Nation"
THE AMERICAN LEGION
HENRY J SWEENEY POST 2
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Group tax exemption # 0925 EIN # 02-0103705 NH # 66080
"As Long There is a 'Vet', the American Legion Will Never Forget"



CONSTITUTION and BY-LAWS
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**PREAMBLE OF THE NATIONAL
CONSTITUTION OF THE AMERICAN LEGION**

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 obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will 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.

**CONSTITUTION OF
HENRY J. SWEENEY POST #2
THE AMERICAN LEGION**

Article I. Name - The name of this organization shall be:

**Henry J. Sweeney Post #2
The American Legion
Department of New Hampshire**

Article II. Objects - The objects and purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble, and the National and Department of New Hampshire Constitutions of The American Legion.

Article III. Nature

Section 1. Civilian Organization. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2. Non-Political. This organization is and shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking any public office or preferment.

Section 3. Rank Non-Existent. Military rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of this Post.

Article IV. Membership

Section 1. Eligibility. Any person shall be eligible for membership in the Post who was a member of the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States of America and assigned to active duty at some time during any of the dates requested by the National American Legion, approved by Congress and signed into law by the President of the United States, all dates inclusive, or who being a citizen of the United States of America at the time of his or her entry therein, served on active duty in the Armed Forces of any of the governments allied with the United States of America during any of said periods; provided, however, that such service shall have been

concluded with an honorable discharge or honorable separation or continued honorably after any of said periods, provided, further, that no person shall be entitled to membership who, while being in such service during any of said periods, refused on Conscientious, political, or other grounds to subject him or herself to military discipline and unqualified service.

Section 2. No Classes of Membership. There shall be no classes of membership except an active membership as herein provided.

Section 3. Expulsion And Appeals. No person who has been expelled by another Post of The American Legion shall be admitted to membership in this Post without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, he or she may then appeal to the Membership Committee of this Post; and such person shall be ineligible for membership until such permission is granted by the Membership Committee of this Post. The decision of the Membership Committee, however, is subject to appeal to the general membership of the Post. If said appeal to the membership is denied, an appeal may then be made to the Executive Committee of the Department of New Hampshire for permission to apply for membership in another Post. All Legion members with 50 years continuous membership with the Sweeney Post shall have his/her dues paid by the Post.

Section 4. Application Requirements. All persons making application for membership in this Post must exhibit an Honorable Discharge or Department of Defense Form 214, as to his or her service, to a member of the Membership Committee, and must furnish such other information relating to his or her service as may be requested, on forms furnished by the Post.

Section 5. Transfers. Transfers from and to the Post shall be governed by the rules and/or regulations adopted by the New Hampshire State Department and the National Headquarters of The American Legion. All applications for resignation or transfer shall be referred to the Membership Committee for recommendation.

Section 6. Multiple Memberships Prohibited. A member of this Post shall not be a member of any other American Legion Post.

Article V. Legal Title To Property, Etc.

Section 1. Membership Ownership. The legal title to all assets of this Post shall be in the membership thereof. Assets are things of value owned, such as cash on hand or in cash registers, checking accounts, savings accounts, investment accounts, receivables, merchandise, supplies, furniture, equipment, building and land.

Section 2. Termination-Effect Of. Termination of membership for whatever cause shall be considered a withdrawal from the Post and to be release by the member of all rights, titles to, and interest in the property and assets of the Post.

Article VI. Dues

Section 1. Membership Ownership. The legal title of all assets of this Post shall be in The membership thereof. Assets are things of value owned, such as cash on hand or in cash registers, checking accounts, savings accounts, investment accounts, receivables, merchandise, supplies, furniture, equipment, building and land.

Section 2. Deferment Of Dues. If any member of this Post is in the hospital or undergoing treatment for sickness or injury, and as a result is unable to pay his or her dues, he or she shall be carried on the rolls as a member in good standing with all the rights and privileges pertaining thereto, until restored to good health.

Section 3. Financial Year. The financial year of this Post shall be from January 1 to December 31 inclusive.

Section 4. Dues shall be set by the membership at a general meeting and may not be revisited until the next membership year.

Article VII. Officers

Section 1. Titles. The Officers of this Post shall be: Commander, Senior Vice-Commander, Junior Vice-Commander, Adjutant, Finance Officer, Chaplain, Historian, Sergeant at Arms, Service Officer, and Judge Advocate.

Section 2. Elections Etc. The Adjutant and the Service Officer shall be appointed by the Commander; the Finance Officer shall be nominated by the Commander and such nomination shall be ratified by the Executive Board, who will evaluate the appointee's qualifications for the position. All other officers shall be nominated at the regular meeting of the Post in February, and the officer elections shall be held from 2:00pm to 7:pm on the date of the regular membership meeting in March. Installation will take place either prior to or at the regular meeting in April.

Section 3. Succession in Office by Commander. A duly elected Commander may be elected to, and serve for, no more than two (2) terms in office in succession; provided that a Commander may serve for more than two (2) terms in office if one of them involves his or her continuing the term of a previous Commander.

Section 4. Nomination Requirements. No member who is absent from the meeting at which nominations are made shall have his or her name placed in nomination, unless his or her written consent shall have been received by the Adjutant prior to the nominating meeting, so-called, ordinarily held in February of each year.

Section 5. Floor Nominations. Nominations for office shall not be closed until all members present desiring to make nominations from the floor, or to speak on a nomination, shall have had a reasonable opportunity to do so.

Section 6. Executive Committee. The Executive Committee shall consist of all the elected Officers, plus the Adjutant and the Service Officer, as set forth in Section 1 of

this Article, and an additional four (4) members, who shall be elected in the same manner as the Officers of the Post. Should the immediate Past Commander desire to serve on the Executive Committee, he or she shall notify the Adjutant prior to nominations. If that happens, only three (3) Executive Committee members are eligible to be nominated and elected.

Section 7. Roll Call. There shall be a roll call of officers and members of the Executive Committee at each meeting of the Post, and a record kept of the same by the Adjutant. All proceedings of the Executive Committee shall be read at the next succeeding meeting of the Post. In the event that any elected officer or elected member of the Executive Committee, as set forth in Section 1 and Section 6 of this Article, shall absent himself or herself from more than three (3) consecutive Post meetings or Executive Committee meetings, the Commander may declare that a vacancy exists in the office of the member so absents himself or herself.

Section 8. Committee Reports

Committees appointed pursuant to the Constitution and By Laws, by membership vote or by a duly authorized Post Officer, shall report on recent actions and status at each membership meeting. Any such Committee holding funds belonging to the Post, derived from entertainment or other such fundraising enterprises, shall turn over such funds to the Finance Officer on a timely basis. Any further sums which may accumulate from the continuation of such activities must similarly be turned over to the Finance Officer expeditiously.

Section 9. Officer Vacancies. A vacancy occurring in any office other than the Commander shall be filled at the next regular meeting, or a special meeting called for that purpose, by nomination and election from the floor. Nominations will be opened at the meeting upon which the vacancy was announced and remain open until the next regular meeting or special meeting. In case of a vacancy in the office of Commander, that office shall be filled by the Senior Vice-Commander for the unexpired term.

Section 10. Limitations on office-holding. No one shall be eligible to have his or her name placed in nomination for more than one office listed in Article VII, Section 1.

Article VIII. Committees

Section 1. By The Commander. The Commander, upon taking office each year, shall appoint the standing committees of the Post.

Section 2. Standing Committees. The following committees shall be standing committees of the Post: Finance, Membership, Auditing, Athletics, and Americanism, Sons of the American Legion, Honor Guard, Entertainment and Gold Card. Each of these committees shall consist of at least three (3) members.

Section 3. Special Committees. Special committees may be appointed for any special undertaking if requested by a vote of the Post.

Article IX. Meetings

Section 1. Regular Meetings. The regular meetings of the Post shall be held on the Fourth Tuesday of every month at 1900 hours. The June, July, August and December Post meetings may be suspended or rescheduled by vote of the membership during any regular meeting. Special meetings of the Post shall be called at the request of the Commander, or upon the written request of ten (10) members of the Post in good standing.

Section 2. Executive Committee Meetings. Regular meetings of the Executive Committee shall be held monthly at a time set by the Commander or by a majority vote of the Executive Committee. Special meetings of the Executive Committee shall be called at the request of the Commander or upon written request of three (3) members of the Executive Committee.

Section 3. Quorums - Regular and Special Meetings. Ten (10) members shall constitute a quorum at any regular or special meeting of the Post, except as otherwise provided by the Constitution. Seven (7) members of the Executive Committee shall constitute a quorum at any regular or special meeting of the Executive Committee.

Article X. Finance and Contracts

Section 1. Finance Committee Approval. No motion or resolution involving the appropriation or expenditure of money, except for the motion for the adoption of the annual budget, shall be in order unless there shall have been presented to the presiding officer, written approval of such appropriation or expenditure signed by a majority of the Finance Committee.

Section 2. Annual Budget-Amendments. The annual budget as proposed by the Finance Committee shall be open to amendment, but no proposed amendment shall be valid unless two-thirds of the members present vote affirmatively for such amendment.

Section 3. Adoption of Annual Budget-Effect Of. The adoption of the annual budget shall constitute an appropriation of all expenditures shown therein except the item designated as "reserve against contingencies". The vote by which the annual budget shall be adopted shall not thereafter be open to reconsideration, amendment, or revision except as provided by Section 1 of this Article.

Section 4. Contracts. The Commander and the Finance Officer, when acting together and duly authorized, shall have the exclusive power to sign contracts on behalf of the Post. The Judge Advocate shall review all contracts prior to signing of same.

Section 5. Sinking Fund. Twenty-five percent of the net proceeds derived from the canteen or the renting of the halls shall be placed in a fund to be known as the "Sinking Fund." This fund shall be used only for the purchase of a new home or for major

improvements upon the building occupied as a home and shall not be utilized unless an appropriation there from is authorized by two thirds vote of the members present at a meeting, attended by at least ten percent of the total membership of the Post provided, however, that the members have been notified at least fifteen in days advance of the intent to draw upon said Sinking Fund.

Article XI. Other Post Units

Section 1. Auxiliary. Henry J Sweeney Post #2, American Legion, recognizes an Auxiliary organization known as Auxiliary Unit 2 of Henry J Sweeney Post and also it's Junior Auxiliary.

Section 2. Sons of the American Legion. Henry J Sweeney Post #2, American Legion, recognizes an organization known as Sons of The American Legion, Squadron #2 of Henry J Sweeney Post. The Sons of the American Legion are accountable to the members of the Post and are subject to its constitutional rules and bylaws.

Section 3. American Legion Riders Chapter #2 Henry J. Sweeney Post #2, American Legion, recognizes an organization known as American Legion Riders Chapter #2. The American Legion Riders Chapter #2 are accountable to the members of the Post and are subject to its constitutional rules and bylaws. The Finance Officer will maintain all funds of the American Legion Riders and shall be signatory on all accounts of Chapter #2. All American Legion Riders of Chapter 2 shall have coverage of insurance for their bike and provide a copy to the Finance Officer of Sweeney Post.

Article XII. Rules of Procedure

Section 1. Majority Rule. The majority shall rule on all motions or resolutions offered at a Post meeting, unless a different vote requirement is provided for in the Post's Constitution or By-Laws.

Section 2. Roberts' Rules of Order. All differences of opinion relative to points of order or mode of procedure not otherwise provided for shall be governed by parliamentary practice as set forth in Roberts Rules of Order, latest edition.

Article XIII. Amendments to Constitution

Section 1. Two-Thirds Vote Required. The Constitution, except Article X and Article XIII may be amended by a vote of two thirds of the membership present at any meeting, provided, however, that notice in writing or by paid advertisement in a Manchester daily newspaper of general circulation of such proposed amendment, be given to the membership at least fifteen (15) days prior to such meeting.

Section 2. Article X and XIII - Amendment. Article X and Article XIII of the Constitution may be amended only by a vote of two thirds of the membership present at a meeting attended by at least ten (10) percent of the total membership of the Post; provided, however, that notice in writing or by paid advertisement in a Manchester daily

newspaper of general circulation of **Sweeney Post** such proposed amendment be given to the membership at least fifteen (15) days prior to such meeting.

Section 3. Amendments -Writing Required. A proposed amendment must be presented in writing at a regular meeting of the Post, to be then tabled until the next regular meeting or a special meeting called for that purpose.

BY-LAWS OF HENRY J. SWEENEY POST #2 THE AMERICAN LEGION

Article 1. Commander - Duties and Responsibilities

Section 1 - General Responsibilities

The Commander shall preside at all meetings of the Post and Executive Committee and shall enforce all laws and regulations of the Post. He or she shall be Chairman of the Executive Committee and an Ex-Officio member of all standing and special committees, except as otherwise provided by the Constitution or By-Laws. He or she shall perform such other duties as may be directed by the Post.

Section 2 - Control Over Credit Cards

Credit card use shall be controlled by the Finance Officer. Monthly credit card invoices shall be reviewed by the Finance Committee. The Finance Officer shall indicate on the invoice which General Ledger accounts are going to be charged^ with the approval of the Finance Committee.

Section 3 - Control of Bank Statements

The Commander shall receive and review the monthly bank statements from the various bank accounts with the Finance Committee. This review shall include an examination of the statements for unusual transactions, particularly a transfer to or from the investment accounts.

Section 4 - Control of Investment Accounts

Transactions in the investment accounts shall be subject to approval by the Commander and the Finance Committee.

Section 5 - Control of Bank Reconciliations

The Commander, upon election, shall appoint an Audit Committee. The Audit Committee shall designate a member to review the monthly bank reconciliations. The Finance Officer shall give a member of the Audit Committee the monthly bank statements for reconciliation. The Finance Officer and the other individuals responsible for other Post operating accounts shall give the detail of the monthly transactions and coordinate with a member of the Audit Committee so that monthly reconciliations can be prepared. The amount on the bank reconciliations shall agree to the various General Ledgers for the Post, the Baseball Committee and the SAL.

Article 2. Senior Vice-Commander-Duties and Responsibilities

The Senior Vice-Commander shall act as representative of the Commander as to all matters referred to him or her and shall, at the Commander's request, or in his or her absence, preside over the meetings of the Post and perform such other duties as are incident to such office. He or she shall be the Chairman of the Post Membership Committee and an Ad hoc member of the Finance Committee, without a vote

Article 3. Junior Vice-Commander - Duties and Responsibilities

Section 1 - General Responsibilities

The Junior Vice-Commander shall in the absence of both the Commander and Senior Vice-Commander act in their stead at meetings and shall be responsible for safeguarding and maintaining the property of the Post. He or she shall not loan, or allow any Post property to be taken from the premises without his or her consent and must be signed out. A current record or inventory of Post property shall be kept by him or her at all times. Such record or inventory shall be turned over to the succeeding Junior Vice-Commander, and shall be available to the Commander and Senior Vice-Commander at all times. He or she shall be an Ad hoc member of the Finance Committee, without a vote.

Section 2 - Maintenance and Custodial Functions

The Junior Vice-Commander shall be responsible for the maintenance of the Post's grounds, building, canteen and the furnishings, furniture and other contents thereof. The custodian shall report to the Junior Vice-Commander.

Section 3 - Hall Rentals

The Junior Vice-Commander shall be responsible (unless the Commander, with the approval of the Executive Board, appoints someone else) for hall rentals. The Junior Vice-Commander should be given a list of all organizations that are renting the hall on a regular basis immediately after the annual election. This list should include the monthly or weekly rental amounts. The Junior Vice-Commander or the designated appointee shall be responsible to ensure that these amounts are received by the Post and are accounted for in the General Ledger by coordinating with the Finance Officer. All other

hall rentals shall be approved by the Junior Vice-Commander, designee or the Commander. If the Commander approves hall rentals, the Commander should notify the Junior Vice-Commander. The Junior Vice-Commander or designee shall be responsible for ensuring that there is an agreement with an appropriate deposit made to the Post.

Section 4 - Coordination with Finance Officer

The Junior Vice-Commander will coordinate the receipt of hall rental income received with the amounts paid to and deposited by the Finance Officer on a timely basis.

Section 5 - Report to Executive Committee

If there are activities scheduled without a deposit or without any type of remuneration to the Post, the Jr. Vice-Commander should report this on a monthly basis to the Executive Committee. As with the other hall rentals, the Jr. Vice-Commander should coordinate with the Finance Officer to make sure that these amounts are properly accounted for in the General Ledger on a timely basis.

Article 4. Absence of Three Commanders

In the event of the absence of the Commander, Senior Vice-Commander and Junior Vice-Commander at any meeting, it shall be the duty of the most recent Past Commander present to serve as Commander for purposes of such meeting.

Article 5. Adjutant-Duties and Responsibilities

Section 1 - General Duties

The Adjutant shall issue all proper notices of, and keep a record of all the meetings of the Post and of the Executive Committee, the proceedings thereof, and all matters concerning the Post of which a record shall be required or be deemed advisable by the Commander and/or the Executive Committee. These records shall be open for inspection to any member of the Post who is in good standing. He or she shall conduct all correspondence pertaining to, and shall perform such other duties as are incident to the office.

Section 2 - Post Membership Records

The Adjutant shall keep and maintain accurate and complete records of Post membership, including the names and addresses of Post members.

Section 3 - Adjutant's Salary

The Adjutant shall be paid a salary in such amount as voted by the Executive Committee and shall be included in the annual budget submitted by the Finance Committee and approved by Post membership as per Article X of the Constitution.

Section 4 - Coordination with Finance Officer

The Adjutant will coordinate the receipt of dues for membership renewals with the amounts deposited by the Finance Officer on a timely basis.

Article 6. Finance Officer - Duties and Responsibilities

Section 1 - Post Accounts, Etc.

The Finance Officer shall-
have charge of all finances and see that Post funds are safely deposited in a local bank or banks and shall report once a month to the Executive Committee and general membership, the condition of the finances of the Post, with such recommendations, if any, as he may deem expedient or necessary, for raising funds with which to carry on the activities of the Post. The Finance Officer or his designee, shall furnish such surety bonds in such sum as may be fixed by the Post Executive Committee. Additionally, the Finance Officer shall have oversight of the Post's outside accountant or bookkeeper.

Section 2 - Inspection

All books and records maintained by the Finance Officer shall be available for inspection by any member in good standing.

Section 3 - Finance Committee Member

The Finance Officer shall be an ex-officio member, without a vote, of the Finance Committee.

Section 4 - Bonding

The Finance Officer shall be bonded in such amount as set by the Executive Committee, the premium for said bond to be paid by the Post.

Section 5 - Salary

The Finance Officer shall be paid a salary in such amount as voted by the Executive Committee and included in the annual budget submitted by the Finance Committee and approved by Post membership as per Article X of the Constitution.

Section 6 - Responsible to Executive Committee

If the Finance Officer is not performing his or her duties, as specified in Sections 1 and 2, he or she shall be subject to discipline, including a reduction in salary, by a majority vote of the Executive Committee. If necessary, the Executive Committee may appoint an interim Finance Officer until the next annual meeting of the Post when elections are held.

Article 7. Finance Committee - Composition, Duties and Responsibilities

Section 1 - Annual Budget

There shall be a Finance Committee consisting of three members, who are not officers or hold any other elective position in the post, who shall prepare an annual budget showing gross amounts estimated for receipts and disbursements including an item for contingencies for the ensuing year and shall submit such budget to Post members at the regular November or December meeting.

Section 2 - Capital Expenditures

If there are any proposed expenditures for the purchase of capital assets, this will be proposed by the Finance Committee in a separate budget and submitted to Post members at the regular November or December meeting.

Section 3 - Proposed Expenditures by Others^[AV1]

The Committee shall approve or disapprove in writing any proposed expenditures submitted by any other committee, the Commander, or any ten (10) members in good standing of the Post.

Section 4 - Other Reports and Recommendations

The Committee shall also, from time to time, make such reports and recommendations relative to financial matters as are deemed in the best interests of the Post.

Section 5 - Over-expenditures and Emergency Expenditures

If the Finance Officer needs to expend Post funds, other than approved by the membership, the Finance Officer must obtain approval from a majority of the Finance Committee. The Finance Committee, upon approval, will then present the request for increasing the expenditures to the Post members at their next meeting. The Finance Committee will have the authority to act on behalf of the Post members if the Finance Officer needs to expend additional funds on an emergency basis.

Section 6 - Coordination with Audit Committee and Others

The Finance Committee shall be given a quarterly report of the assets and liabilities and the related income and expenses after being examined by the Audit Committee. The Finance Committee should meet with the Audit Committee at the end of each quarter to review these reports with the Finance Officer.

Section 7 - Ex-Officio Members

The Commander, Senior Vice-Commander, Junior Vice-Commander and Finance Officer Shall be ex-officio members of the Finance Committee, without a vote.

Section 8 – Audit Committee Duties

In the event that no Auditing Committee exists, or if it exists but is not performing its duties as provided for in Article 16 of the By-Laws in the opinion of a majority of the Executive Board, the Executive Board will prioritize certain Auditing Committee duties set forth in Article 16 for performance on an interim basis by the Finance Committee.

Article 8. Judge Advocate - Duties and Responsibilities

It shall be the duty of the Judge Advocate to advise all Post Officers and members on all legal matters pertaining to Post activities, including the construction and interpretation of the Post Constitution and By-Laws; and he or she shall perform such other duties as are incident to his or her office. His or her rulings shall be binding until and unless overruled by the American Legion Department of New Hampshire Judge Advocate.

Article 9. Chaplain - Duties and Responsibilities

It shall be the duty of the Chaplain, or a designee to read the ritual over deceased comrades whenever necessary or requested, and at all memorial services conducted by the Post. He or she shall procure and preserve a record of all deceased members of the Post and see that the graves of our comrades are properly marked. It shall be his or her duty to convey the sympathy of the Post to the families of our deceased members and ascertain if any assistance is needed. He or she shall be charged with the spiritual welfare of the Post, and shall report on all members deceased since the previous meeting. He or she shall adhere to such ceremonies as are contained in the Manual of Ceremonies as recommended by the National Headquarters.

Article 10. Historian - Duties and Responsibilities

The Historian shall collect and maintain the history and other related records of the Post. He or she shall also collect the membership records of all members of the Post and maintain them in permanent form. He or she shall index and catalog all trophies, books and other items presented to the Post.

Article 11. Sergeant at Arms - Duties and Responsibilities

The Sergeant at Arms shall have charge of the Colors of the Post and the rifles and all items and equipment pertaining thereto. He or she shall be furnished by the Finance Officer adequate finances for material for the proper care of the Post rifles and related equipment. He or she shall procure and arrange for a firing squad and a bugler, if available, for all military funerals and other services conducted by the Post. He or she shall see that the assembly room is set for all meetings in accordance with The

American Legion Ritual. He or she shall preserve order at all meetings of the Post, and shall assist the Commander at all times concerning Post meetings and ceremonies. He or she shall be in charge of the Honor Guard.

Article 12. Service Officer - Duties and Responsibilities

The Service Officer shall aid and advise all members of the Post and dependents of deceased members in securing all just benefits due them and shall aid all members in distress, and provide such relief as is deemed reasonably necessary; aid indigent members of The American Legion who are in good standing. He or she shall work closely with the Department Service Officer. He or she shall ask the Finance Officer to pay such bills as he or she authorizes with no payment being made in cash.

Article 13. Athletic Committee - Duties and Responsibilities

There shall be an Athletic Committee consisting of three members. The Committee shall conduct athletic programs on behalf of and for the members of the Post, and have the responsibility for the promotion of The American Legion Baseball program of the Post.

Article 14. Americanism Committee - Duties and Responsibilities

There shall be an Americanism Committee consisting of three members. The Committee shall be charged with the inspiration of good citizenship and patriotism, Americanism of aliens, opposing the dissemination of anti-American propaganda and the education of the general public in American ideals and the benefits thereof.

Article 15. Canteen Committee - Duties and Responsibilities

Section 1 - Election by Post Membership

There shall be a Canteen Committee consisting of three members who shall be nominated and elected by the membership.

Section 2 - Responsibility for Monthly Physical Inventory

At least one member of the Canteen Committee should take a physical inventory at the end of each month as outlined in the Canteen Committee Duties and Canteen Manager Duties. The physical inventory should be priced at cost. The value of the physical inventory should be matched to the book inventory. The book inventory is maintained on the General Ledger by the Finance Officer. The book inventory should be adjusted to match the physical inventory each month. Discrepancies should be investigated immediately.

Section 3 - Responsibility for Checking Liquor Purchases

The merchandise received shall be checked by two of the following: either a member of the Canteen Committee, the Finance Officer or another independent bartender. In other words, there should be two people responsible for making sure that merchandise ordered and received is actually added to the physical inventory.

Section 4 - Coordination with Finance Officer

As indicated in the Canteen Manager Duties, the Canteen Manager shall report receipts daily to the Finance Officer and coordinate bank deposits. A member of the Canteen Committee should double check these amounts to make sure that the deposits are accurate and are made on a timely basis.

Section 5 – Authorized Admittance to the Canteen “Members of Congressionally Chartered Veteran Service Organizations as authorized under RSA 178:22 h(5) and

their guests, shall be granted admittance to the Canteen and have all the rights and responsibilities of members to sign in 4 guests.”

Article 16. Audit Committee-Duties and Responsibilities

Section 1 - General Responsibilities

“There shall be an Audit Committee consisting of 3 members appointed by the Commander. The Commander shall periodically, as may be necessary, review the Post’s financial statements as submitted by the Finance Officer, utilizing whatever auditing, examination or testing the Committee deems appropriate. The results of any such review shall be reported to the Commander and/or the Executive Committee.”

Section 2 – Other Responsibilities

The Committee shall periodically, as they deem necessary, review the various General Ledgers, deposits and investment(s) activity to ensure that the proper recording of activity within these accounts is taking place and is occurring in a timely fashion.

Section 3 – Coordination with Finance Committee

The Committee should meet with the Finance Committee as necessary, to review the results of any audit that may impact the budget.

Article 17. Executive Committee - Duties and Responsibilities

Section 1 - General Responsibilities

The Executive Committee shall have full control and authority over all property, business, canteen, effects, and assets of the Post, limited only however, by the provisions of the Constitution and By-Laws. It shall enforce all provisions of order and obedience to the Constitution, By-Laws, and the rules of the Post. It shall hire and discharge all employees of the Post, and set their salaries. In the case of an Officer, the salary increase approved will not become effective prior to the next Post Installation. It shall make such rules and regulations as may be necessary for the proper conduct of the Post’s business and affairs, subject only, again, to the Post’s Constitution and By-Laws, and subsequent approval by the membership.

Section 2 - Responsibilities To Avoid Nepotism

It shall be Post policy to avoid nepotism in the hiring of full-time or part-time employees. An applicant having certain relationships to Post Officers, Executive Board members or Canteen Committee members may not be eligible for employment by the Post. Such relationships include immediate family, household member, cohabitant and similar situations.

Article 18. Membership Committee - Duties and Responsibilities

There shall be a Membership Committee consisting of ~~There shall be an Entertainment Committee appointed by the Commander whose duties are to provide activities for the members of the Post.~~

three members. The Chairman of the Membership Committee shall be the Senior Vice-Commander. The Committee shall be the investigating and approval committee as to all applications for membership, resignations, or transfers of members. It shall be responsible for the recruiting of new members and the upkeep of the morale of all members.

Article 19. Entertainment Committee - Duties and Responsibilities

There shall be an Entertainment Committee whose Chairman shall be elected by a majority vote of the Executive Committee. The Committee members shall be appointed

by the Chairman of the Committee. The Executive Committee shall set the duties and responsibilities of the Entertainment Committee

Article 20. Gold Card Committee - Duties and Responsibilities

There shall be a Gold Card Committee consisting of seven Gold Card Members. Nomination to the Gold Card Committee will be recommended by the Gold Card Committee to the Commander for appointment to the Committee. The Committee shall elect a Chairman and shall determine the formal criteria to be used to evaluate potential candidates for Gold Cards. The Committee shall not recommend more than three (3) nominees for Gold Cards in a calendar year. The Committee shall present to the Executive Committee the names of Gold Card nominees for approval by the membership at the next scheduled monthly meeting

Article 21. Complaints and Charges

Section 1 - Written Complaint Required

All complaints concerning Post activities and/or members must be made in writing, signed by the member, members, or other persons making the same, and given to the Adjutant who shall forward all such complaints to the Executive Committee for such action as said committee deems fair, reasonable, and in the best interests of the Post and all concerned.

Section 2 - Hearings

All complaints, charges or claims of violations or infringements of any rule of conduct, shall be in writing and signed by the member, members, or other person making the same, and given to the Adjutant, and by him or her brought before the Executive Committee for action. A member or members preferring charges shall be ready to appear before the Committee with witnesses, if any, when notified, with reasonable notice, that a hearing on the charge is to be held.

Section 3 - Rights of Accused

A member against whom charges have been preferred shall be notified, with reasonable notice, to appear at any hearing. Action on the charges preferred may be taken by the Executive Committee without his or her presence upon his or her refusal to appear without due cause, after being notified, in writing, twice of said hearing; and all parties shall be bound by the Executive Committee's action or decision, subject only to an appeal to the Department of New Hampshire, American Legion.

Article 22. Meetings - Conduct and Dignity

Section 1 - Solemnity

The ceremonial services of The American Legion must be conducted with the solemnity befitting the dignity of this organization.

Section 2 - Meetings — Admission Restriction

No one shall be admitted during the opening, initiation or closing ceremonies of a Legion meeting.

Section 3 - Respect For The Flag

Comrades crossing the meeting hall shall be careful never to pass between the American Legion Flag and the station of the Commander.

Section 4 - Entrance During Meetings - Procedures

A member entering the hall after a meeting has begun shall advance to the center of the room, at a convenient interval, salute the Commander and, upon the salute being returned, shall be seated.

Section 5 - Excusal From Meeting

Any member desiring to be excused from the hall while a meeting is in progress shall advance to the center of the room, at a convenient interval, salute the Commander and, upon the salute being returned, may leave.

Article 23. Amendments to By-Laws

Section 1 - Two-thirds Vote Required

These By-Laws may be amended only by a vote of two thirds of the membership present at any regular or special meeting of the Post, provided that notice in writing or by paid advertisement in a Manchester daily newspaper of general circulation of such proposed amendment has been given to the membership at least fifteen (15) days prior to the meeting at which such amendment is proposed to be adopted.

Section 2 - Requirements of Writing - Procedures For Adoption

A proposed amendment to the By-Laws may not be considered unless presented in writing at a regular meeting of the Post, following which it shall be tabled until the next regular meeting or a special meeting called for the purpose of considering the Amendment, at which time, and not before, it may be acted upon, subject to the provisions of Section 1 above.