

**CONSTITUTION**  
**Revised and Approved March 14, 2017**

**PREAMBLE**

*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 association in the Great 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.*

**ARTICLE I – NAME**

SECTION 1. The name of this organization shall be Chincoteague Post 159, Incorporated, the American Legion, Department of Virginia.

**ARTICLE II – OBJECTIVES**

SECTION 1. Objectives and purposes for this post are to promote the principles and policies as set forth in the Preamble and the National and Departmental Constitutions of the American Legion.

**ARTICLE III – NATURE**

SECTION 1. This Post is a civilian organization; membership therein does not affect or increase liability for military or police service.

SECTION 2. This organization shall be non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

SECTION 3. Rank does not exist in the American Legion. No member shall be addressed by his military title in any meeting of the Post.

**ARTICLE IV – MEMBERSHIP**

SECTION 1. Eligibility for membership in this Post shall be as prescribed by the National Constitution of the American Legion.

SECTION 2. Application of membership shall be made in writing under such regulation as may from time to time be prescribed by the Post Executive Committee.

SECTION 3. The Chair of the Membership Committee or the Post Adjutant shall process applications for membership in this Post. After review of the documentation establishing membership eligibility, the application shall be referred to the next Regular Monthly Meeting of this post. If a majority of members casts their vote against the acceptance of said application, then such application shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of six months from the date of rejection.

SECTION 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee, after charges are preferred under oath in writing, and a fair trial had upon the same. The procedures specified in Article IV of the Department By-Laws shall be followed.

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SECTION 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in a regularly scheduled Post meeting, provided that an application for membership has been made at the preceding month's membership meeting and the payment of current dues for the year in which the reinstatement occurs.

SECTION 6. No person who has been expelled by a Post shall be admitted to membership in this Post, without the consent of the expelling Post, except where such consent has been asked for and denied by such Post. He/she may then appeal to the Department Executive Committee, Department of Virginia, and shall be eligible for membership only after such permission is granted.

**ARTICLE V - OFFICERS**

SECTION 1. The administrative affairs of this Post of the American Legion shall, except as may be otherwise provided in the By-Laws, be under the supervision of an executive committee which shall consist of the Immediate Past Post Commander and the current elected officers of the Post. The term of office of a member of the Executive Committee shall be for one year. This Post, by the By-Laws, may provide for such other Standing Committees as the business of the organization may require.

SECTION 2. The officers of this Post shall be a Commander, a First Vice-Commander, a Second Vice-Commander, a Third Vice-Commander, an Adjutant, a Finance Officer, a Post Historian, Post Chaplain, a Service Officer, and a Sergeant-At-Arms, and such other officers as may be deemed necessary by this organization.

SECTION 3. All Officers and Executive Committeemen (women) shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any Officer or Executive Committeemen (women) may be removed for inefficiency or conduct unbecoming an Officer by the Executive Committee, two-thirds vote of said committee being necessary to affect such removal.

SECTION 4. Every member of this Post, in good standing, shall be eligible to hold office in this Post, except as otherwise provided for in Section 2, Article III hereof. Any candidate for Post Commander must have held elected office for one full term prior to running for Post Commander.

SECTION 5. The duties of Officers and Executive Committeemen (women) shall be those usually appertaining to such Officers or Committeemen (women) as further provided in the By-Laws.

**ARTICLE VI - FINANCE**

SECTION 1. The revenue of this Post shall be derived from annual membership dues and from such other legal sources as may be approved by the Post Executive Committee.

SECTION 2. The amount of such annual Post dues shall be fixed and determined by the Post.

SECTION 3. The Post shall pay to Department Headquarters the National and Department annual membership dues for every member of the Post as the members pay their dues to the Post.

SECTION 4. All checks issued by the Post will be signed by the Finance Officer or other elected officer designated by the Post Executive Committee...

SECTION 5. Spending authority and/or limits.

A. The Post Commander may spend such funds within the limits and authorized by the Post Executive Committee.

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B. The Finance Officer may pay recurring bills such as utilities, contracted fees, renewals of services, and other expenses approved by the Post Executive Committee.

C. All monies spent must be reported to the Executive Committee.

**ARTICLE VII - CHARTER MEMBERS**

SECTION 1. Members who joined this Post prior to January 1933 (or members who joined this Post prior to the issuance of the original charter) shall be known as Charter Members.

**ARTICLE VIII - SONS OF THE AMERICAN LEGION**

SECTION 1. This Post recognizes as an integral part of the Post, Sons of the American Legion Squadron 159, as being chartered by the American Legion.

**ARTICLE IX - AMERICAN LEGION AUXILIARY**

SECTION 1. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

**ARTICLE X - AMENDMENTS**

SECTION 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Constitution of the Department of Virginia, the American Legion. Any amendment to said National Constitution or Department Constitution, which conflicts with any provision hereof, shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.

SECTION 2. This Constitution may be amended at the July regular Post meeting by vote of two-thirds of said members attending such regular meeting. If the proposed amendment shall have been submitted in writing and read at the preceding June regular meeting of this Post, and providing further, that written notice shall be given to all members at least ten days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

Approved at the Regular Monthly Meeting held on March 14, 2017.

ATTEST:

William S Edwards  
Post Adjutant

Gilbert J Lang  
Post Commander