

BY-LAWS OF TOPEKA-NORTH POST 400
DEPARTMENT OF KANSAS
As Approved by Executive Board 06/07/2017

ARTICLE I – NAME AND OBJECTIVES

Section 1. The Post existing under these by-laws is known as the Topeka-North Post 400, The American Legion, Department of Kansas, and is located in Topeka, Shawnee County, Kansas.

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

ARTICLE II – MANAGEMENT

Section 1. The administrative and management affairs of this Post, except as may be otherwise provided by these by-laws, shall be under the supervision of an Executive Committee which shall consist of the Post Commander, First Vice-Commander, 2nd Vice Commander, the Adjutant, the Finance Officer, the Sergeant-at-Arms and the immediate Past Post-Commander.

Section 2. The Executive Committee:

- a. Shall hire and discharge all agents and employees.
- b. Shall authorize and approve all expenditures. Expenditures in excess of \$500.00 for improvements to Post Home, Property and Grounds shall be brought before the general membership for approval and vote. Excluding emergency maintenance and repair.
- c. Shall hear and pass on reports of other Post committees.
- d. Shall advise the commander in his conduct of Post affairs and generally fix the policies of and programs of the Post.

Section 3. Any action taken or refused to be taken by the Executive Committee may be directed, controlled, reversed or modified by a vote of two-thirds of the members present at a regular meeting.

Section 4. The Executive committee shall meet first within ten days after the installation of new officers and thereafter as often as the Commander deems necessary. Upon notice to members of the Executive Committee, the Commander shall call a meeting of said committee to convene within three days. Five members of the Executive Committee shall constitute a quorum.

Section 5. The Executive Committee may delegate its powers to other committees, officer or officers by appropriate action.

Section 6. Current Officers Guide and Manual shall be used to resolve all situations not covered in the by-laws.

Section 7.

- a. All checks written, must have dual written signatures, except Lounge Account, no rubber stamps for signature shall be used.
- b. Members seeking reimbursement for Post expenses shall have prior approval and shall submit receipts in support of such purchases.

ARTICLE III – OFFICERS AND DUTIES

Section 1. 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 and affairs of the Post, and such officer shall be the Chief Executive of the Post. The Commander may appoint, with the approval of the Executive Committee, a temporary replacement to fill an unexpired term of an elected office. This appointment shall be voted on at the next scheduled regular meeting of the Post.

Section 2. Appointive officers and committee chairmen shall be designated by the Commander by and with the consent and approval of the Executive Committee. The Commander shall appoint the Chaplain, Historian, Service Officer, and Chairmen to the Following committees: Children and Youth, Baseball, Bingo, Bowling, Golf, Boys' State, Special Olympics, Community Service, Legislative, Oratorical, Publicity, School Awards, and any other committee established or created by the Post. The Commander shall also appoint four members to the House Committee.

Section 3. The First Vice-Commander shall discharge and assume the duties of the Office of Commander in the absence or disability of, or when required by the Post Commander. He shall serve as Chairman of the Membership Committee.

Section 4. The Second Vice-Commander shall discharge and assume the duties of the office of the First Vice-Commander in the absence of, disability of, and follow in the line of succession. He shall be in charge of entertainment, excluding dance, etc. that is under the jurisdiction of the House Committee.

Section 5. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the department or national headquarters may require, render reports as requested in meetings and under the direction of the commander, handle all correspondence for the Post.

Section 6. The Finance Officer shall have charge of all finances and see that said finances are safely deposited in the local bank and shall report upon all conditions of the Post Finances to the Executive Committee, and the general membership at each regular Post Meeting.

Section 7. The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the Post Executive Committee. He shall have charge of the National and Post colors, the Funeral Detail, and the Flag Burning ceremony.

Section 8. The House Committee shall be composed of eight committeemen appointed to two year terms on a staggered basis of four each year. Upon the resignation or expulsion of a committeeman, the Commander may appoint, with the approval of the Executive Committee, a replacement even though it exceeds the maximum of four he may appoint per year. The duties of the House committee are: Overseeing all Lounge activities, including the duties of the Bar Manager and overseeing all Post properties, Post functions and use of the Post Home. All responsibilities and duties will be subject to review and approval of the Executive Committee.

- a. House Committee shall meet jointly with the Executive Committee annually in October to review and, or revise the Post House Rules.

Section 9. The Bingo Chairman shall be charged with the conduct of Post sponsored Bingo games and shall appoint Bingo Sub-Chairmen to assist in the operation of this activity.

Section 10. The Post Chaplain shall be charged with the spiritual welfare of the Post members and will offer divine but non-sectarial services as needed or specified by the Manual of Ceremonies.

Section 11. The Post Historian shall be charged with recording and preservation of the history of the Post.

Section 12. The Post Service Officer shall render service when needed regarding any individual or family problems with any service or non-service connected claim or complaint with the U.S. Government.

Section 13. The fiscal year of the Post shall begin June 1st and end May 31st of the following year. Post finance books shall be audited after first six months in December and after the fiscal year ends in June by a qualified and competent Audit Committee appointed by the Executive Committee.

Section 14. The Past Commander, following the year he served as Post Commander, shall serve as the Post Advisory to the Sons of the American Legion.

Section 15. The following positions with the Post shall be bonded: Commander, Finance Officer, Lounge Manager, Secretary and Bingo Chairman.

ARTICLE IV – ELECTIONS

Section 1. After the organizational election, Post officers, except those appointed, shall be elected on the day of the regular meeting in April of each year.

Section 2. At the first meeting in February, the Post Commander shall appoint a Nominating Committee of three members. The Nominating Committee shall submit the list of Candidates for all Post officers at the regular meeting in March. Nominations for all elective Post officers also maybe made from the floor at the regular meeting in March. Candidates for office must be certified as eligible by the Post Adjutant prior to their name being placed on the ballot.

Section 3. The Election Committee shall be appointed on the night of the March meeting and shall be responsible for all ballots cast. The election for Post officers shall be held on the day of the regular meeting in April. Voting shall be by secret ballot and take place at the Post Home beginning at 7:00am and ending at 7:00pm. Ballots will be cast for the following Post officers: Commander, First Vice-Commander, Second Vice-Commander, Adjutant, Finance Officer and Sergeant-at-Arms. No write in votes will be counted. The newly elected officers shall be sworn in at the regular May meeting and assume their duties on June 1st, and continue in these duties until such time as they are replaced.

Section 4. A plurality of all valid votes cast shall elect. All those voting must be members in good standing.

ARTICLE V – DELEGATES

Section 1. Delegates and alternates to department and district conventions shall be elected by the Post at a regular meeting to be held at least 15 days prior to the date of such convention. The Post Commander or his choice shall be Chairman of the delegation.

Section 2. Partial reimbursement of convention, transportation and or lodging expenses will be determined by the general membership at a meeting prior to the scheduled event. Receipt required from delegate for payment.

ARTICLE VI – RESOLUTIONS

Section 1. All resolutions of state or national scope presented to this Post or reported to this Post shall merely embody the opinion of this Post on the subject and copy of same shall be forwarded to the department headquarters for it's approval before any publicity or formal action other than mere adoption by the Post is taken.

ARTICLE VII – APPOINTMENTS

Section 1. Committees shall have a chairman and should have at least three members per committee. All committees shall have such powers and duties as shall customarily appertain to the work of such committees and in addition such further powers and duties as may be delineated by the Commander or Executive Committee.

Section 2. The term of office of the committeemen shall be co-extensive with the term of the appointing Commander. (Except the House Committee). The Commander may at his discretion remove any member of any committee (Except the Executive and House Committee) regardless of whether such member be his appointee. Members of the House Committee may only be removed by their resignation or by a 2/3 vote of the Executive committee.

ARTICLE VIII – MEETINGS

Section 1. Meetings of the Post shall be held at the place designated by the Executive Committee.

Section 2. Regular meetings of the Post shall be held on the first Wednesday of each month, provided: however, the Executive Committee may increase or change the dates of meetings to be held during the months when such action is expedient and for the good of this Post.

Section 3. Special meetings may be called by the Commander upon three days' notice stating the objects of such meeting and no business shall be transacted there-at except such as is specified in the notice.

Section 4. A quorum shall consist of seven members.

Section 5. At all meetings questions shall be decided by a majority vote of the members present, unless otherwise provided by the Constitution and these by-laws. The presiding officer shall have the deciding vote in case of a tie.

Section 6. The presiding officer shall rule promptly on all matters of procedure and his ruling shall be final, subject to an appeal from the floor, sustained by two-thirds vote.

Section 7. The rules of procedure at all meetings shall be those of specified by Roberts' Rules of Order, except as modified in the Post Constitution or by-laws.

ARTICLE IX – NOTICES

Section 1. Every member shall furnish the Post with his address for mailing purposes.

Section 2. All Post notices, unless otherwise herein prescribed, maybe given by mailing to the members' addresses or by publishing in the Post's official publication.

ARTICLE X – MEMBERSHIP

Section 1. Any officer of this Post maybe suspended from office for just cause for a period not exceeding six months by the affirmative vote of two-thirds of the members present at a regular meeting: any officer of this Post maybe permanently removed from office for just cause by the affirmative vote of three-fourths of the total membership in good standing.

Section 2. Every member of this Post in good standing shall be eligible to hold office there-in.

Section 3. All officers shall be installed at the first regularly scheduled meeting in May of each year and shall serve from June 1st till their successors are chosen and qualified.

Section 4.

- a. A member maybe excluded from social activities of the Post for conduct unbecoming an American Legion member.
- b. Upon a 30 day written notice, the member shall appear before the Executive committee to show cause, why he or she should not be excluded.
- c. Member may appeal to the general membership at the next regular meeting.

ARTICLE XI

The by-laws of Topeka North Post 400 shall govern over any other by-laws that maybe associated with Post 400.

1. Includes By-Laws of the Sons of the American Legion.
2. Includes By-Laws of any Auxiliary organization.
3. Or any other associated organization that may come inexistence from the day of the revised By-Laws.

ARTICLE XII – DUES

Section 1. The dues rendered to Post 400 for membership shall be the amount agreed on by vote at a regular meeting.

Section 2. The Sons of the American Legion membership dues shall be the same as any Post 400 member for all those over 21 years of age.

Section 3. The Sons of the American Legion membership dues for under 21 years of age shall be the amount agreed to by Post 400 members by vote at a regular meeting.

Section 4. The dues may be changed at any regular Post meeting by a majority vote of the members of said Post attending such regular meeting; Provided that the proposed dues change shall have been submitted in writing and read at the preceding regular meeting of said Post: and, provided, further, that written notice shall have been given to all members at least 30 days in advance of the date when such change is to be voted upon, notifying said members that at such meeting a dues change is to be voted upon.

ARTICLE XIII – USE OF POST HOME

Section 1. Any Post member including Auxiliary and SAL shall have the right to use the Post Home if he or she agrees to the following rules and is a member in good standing.

- a. All members shall abide by House Rules.
- b. All Post activities shall not be in conflict with any signed contract for use of hall.
- c. Request dates for use of hall shall not be made more than 12 months in advance.
- d. No activities will be in conflict with Post By-Laws or rules; ABC rules or any other rules that apply to the law.
- e. Donation are to cover clean-up and any other out-of-pocket expenses and shall be requested from the member in person and at the time of request. Donation amount shall be determined by the House committee, subject to the review and approval of the Executive Committee. Clean-up means the member shall be responsible for returning the room to its normal arrangement, unless prior arrangements have been made with the Chairman of the House Committee.

ARTICLE XIV – AMENDMENTS

Section 1. These By-Laws maybe amended at any regular Post meeting by a vote of two-thirds of the members of said Post attending such regular meeting: Provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post: and, provided, further, that written notice shall have been given to all members at least 30 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 By-Laws is to be voted upon.

ARTICLE XV – ADOPTION AND/OR REVISED

These By-Laws shall be in full force and effect from and after the date of any adoption and/or revised articles by affirmative vote of two-thirds of the members present at a regular meeting.

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