

CONSTITUTION of
Fuguay-Varina Post No. 116, Inc.
The American Legion Department of North Carolina

ARTICLE I
Name

Section 1. The name of this organization shall be Fuguay-Varina Post No. 116, The American Legion, Department' of North Carolina.

ARTICLE II
Nature

Section 1. This organization hereby affiliates itself with The American Legion, Department of North Carolina and with The American Legion National, and is subject to the constitution and by-laws of these organizations insofar as they affect and prescribe the functions of this post.

Section 2. The post is a civilian organization and membership therein does not affect or increase liability for military or police service. Rank does not exist in The American Legion or in this post no member shall be addressed by military or naval title in any meeting of this post.

Section. 3. This post of The American Legion, Department of North Carolina, shall be absolutely 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. 4. Each member shall perform his/her full duty as a citizen of the United States of America according to his/her conscience and understanding.

ARTICLE III
Eligibility for Membership

Section 1. Any person shall be eligible for membership in this post of The American Legion who was regularly enlisted, drafted, inducted, or commissioned and who was accepted for and assigned to active duty for more than ninety (90) days in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States of America at some time during the periods between April 6, 1917 and November 11, 1918; between December 7, 1941 and December 31, 1946; between June 25, 1950 and January 31, 1955; between December 22, 1961 and May 7, 1975; between August 24, 1982 and July 31, 1984; between December 20, 1989 and January 31, 1990; between August 2, 1990 and cessation of hostilities as determined by U. S. Government; all dates inclusive; or who being a citizen of the United States of America" at the' time of entry therein, served in the military or naval services of any of the governments associated with the United States during, the said wars or hostilities; provided, however, that such person shall have an honorable, discharge or separation form such service or continues to serve honorable after any of the aforesaid terminal dates. Provided further, that no person shall be entitled to membership who, being in service during either of the aforesaid periods, refused on conscientious, political, or other grounds, to subject himself/herself to military discipline or unqualified service.

Section 2. There shall be no form or class of membership therein, except as noted in Article IV Section 3, with dues to be paid annually or for life.

Section 3. No person may be a member, at anyone time, of more than one post.

Section 4. No person who has been expelled by a post, shall be admitted to membership in this post, without the consent of the expelled post, except that where such consent was requested and denied by such post, he/she may appeal to the Executive Committee of the Department of this expelling post for permission to be admitted to the membership of this post, and shall be ineligible for membership until such permission is granted.

Section 5. This post of The American Legion shall have authority to select its membership.

ARTICLE IV Meetings and Dues

Section 1. The number of meetings, time, and place of the post meetings is to be determined by the Executive Committee of the Post.

Section 2. Membership dues in this post shall be payable annually in advance by October 20, for the succeeding calendar year, or other date specified by the post. The amount of the annual dues shall be determined by the Executive Committee of the post subject to the approval of the membership at a regular meeting.

Section 3. If dues are not paid in advance by January 1 of each calendar year, the member continues to be a member in good standing until February 1, and thereafter, for two months (February and March) the member is classified as delinquent; and is not eligible to vote on any question or business concerning the organization until his/her dues are paid. If dues are not paid by April 1, members are suspended, but continue to be a member with no privileges, except that of reinstatement which continues for a period of nine (9) months or until December 31, at which time the member is dropped from the roster.

ARTICLE V Election of Officers and Executive Committee

Section 1. The post at a regular meeting shall elect a Commander, two (2) Vice-Commanders (1st, 2nd), Adjutant, Finance Officer, Chaplain and two (2) Sgt-At-Arms. Other officers of the post shall be elected or appointed by the Commander.

Section 2. Post officers shall be elected not less than twenty (20) days nor more than sixty (60) days prior to the Department Convention.

Section 3. Post officers shall be installed on a date fixed by the incoming Post Commander within thirty (30) days after the adjournment of the Department Convention. They shall serve until their successors are elected and installed.

ARTICLE VI
Fiscal Policy

Section 1. The period January 1 through December 31, inclusive each year, shall constitute the fiscal year of the Post.

Section 2. All persons having direct control of post funds and assets shall be adequately bonded.

Section 3. The financial structure organization shall include:

- a. The General Fund maintained by the Finance officer;
- b. The Community Entertainment Account maintained by the Bingo Committee Chairman;
- c. Youth Programs and Americanism Account maintained by the Baseball Committee Chairman;
- d. Recreational Room Account maintained by The House Committee Chairman;
- e. Sons of The American Legion Account maintained by the Sons Treasurer;
- f. Ladies Auxiliary Account maintained by the Ladies Auxiliary Treasurer.

Other organizations sponsored or supported by this post may maintain their own accounts as needed, but such accounts are not a part of Post Financial Structure.

Section 4. All income will be deposited in the appropriate account. There will be no hidden or "slush" funds.

Section 5. Account managers will maintain funds in their account only as needed for their operational and budget requirements. Income above this level will be transferred to the account designated in the budget or, if no account is designated in the budget, to the General Fund post Improvement Account. Account managers are responsible for paying routine bills approved in the budget without additional approval except that single expenditures of over \$500 and un-programmed requirements for expenditure must be approved by the Executive Board. Excluded from the \$500 limit are inventory replacements of food and beverages and food, beverages, and supplies for approved functions.

Section 6. A Monthly Report Form will be completed by each account manager and presented to the Finance Officer at the Executive Board Regular Meeting. These will be read to the Executive Board and will be read at the next Regular Post Membership Meeting.

Section 7. -Account managers will maintain a cash receipt book in duplicate for all funds received, record expenditures by receipt or canceled check, and maintain a General Ledger.

Section 8. The Finance Officer shall prepare or have an accountant prepare an annual financial statement reflecting the financial condition of the post; this report is to be presented to the Executive Board at the January meeting and to the membership at the regular February meeting each year.

Section 9. A Commander's Discretionary Fund of \$500 will be maintained within the General Fund. The Commander can approve expenditures for un-programmed items up to a cost of \$100 from this account.

Section 10. Annual budget requests shall be provided through major account custodians to the Finance Officer by September 1 each year. The Finance Committee will review these requests with due consideration of projected income and recommend an annual budget to the Executive Board at the October Meeting for approval. The approved budget will be presented to the post membership at the Post Regular November Meeting.

Section 11. The Finance Committee may approve moving approved budget funds from one budget line or account to another as reprogramming actions.

Section 12. The Post Audit Committee will have an audit conducted at the end of each fiscal year and present the audit report to the Executive Board at their February meeting and to the post at the regular March meeting.

Section 13. Even though approved in the budget, the purchase of items or service for which no funds are present in the responsible account is prohibited.

ARTICLE VII Amendments

Section 1. This constitution may be amended at any regular post meeting by a vote of two-thirds (2/3) of the members present at such regular meeting voting in favor of the amendment, provided that, the proposed amendment shall have been submitted and read at the regular monthly meeting prior to this meeting. Further, it may be amended at a regular post meeting by unanimous vote without prior notice having been given.

BY-LAWS of
Fuquay-Varina Post No. 116, Inc.,
The American Legion
Department of North Carolina

ARTICLE I
Management

Section 1. The executive government and management of this post shall be vested in an Executive Committee consisting of all individuals holding elected offices but not less than eleven (11) members, which shall include the Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Chief Sgt-at-arms, Sgt-at-arms, and four (4) members at large. The immediate Past Commander shall be one of the four (4) members at large appointed for a term not to exceed one year. Appointed officers (non-elected positions) are not considered members of the Executive Committee.

Section 2. A quorum of the Executive Committee shall consist of six (6) members. The committee must be notified of all meetings (regular and special) and a quorum for all special meetings shall consist of six (6) members.

Section 3. A vacancy of the Executive Committee, or any office of this post, shall be filled by a majority vote of the Executive Committee for the unexpired term of the member or officer, except in case of the Commander, in which case the 1st Vice Commander shall automatically become the Commander and the 2nd Vice Commander shall move up to the 1st Vice Commander's office.

Section 4. The Executive Committee shall make recommendations concerning policies, programs, and finance of the post and property, subject to the approval of the members present at a regular meeting.

Section 5. The post Executive Committee shall meet at the call of the Commander for such business as may come before it, or for special purposes. The Commander shall call an Executive Committee meeting upon the request of three (3) or more members of the Executive Committee. A quorum for all meetings shall be six (6) members.

Section 6. The post Executive Committee shall hire such employees as may be necessary; approve the post budget; authorize and approve all expenditures in excess of \$500.00; require adequate bonds for all persons having direct custody of post funds and assets; and generally shall have charge of and be responsible for the management of the affairs of this post.

ARTICLE II
Duties of Officers and Committee Chairmen

Section 1. 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 and affairs of the post and shall be the chief executive officer of the post. He shall make an annual report covering the business of the post for the year and make recommendations for the ensuing year.