



Post Constitution of American Legion Lincoln Post No. 331

636 E Main Street, Brownsburg, Indiana, 46112
(317) 852-3200

Revised: 26 March 2007

PREAMBLE to the CONSTITUTION

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 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

The name of this organization shall be Brownsburg Lincoln Post No. 331, The American Legion, Department of Indiana.

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 Departmental Constitutions of The American Legion.

ARTICLE III – NATURE

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

Section 2. This organization 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 public office or preferment. No candidate for nomination or election to, or no incumbent of, any remunerative elective public office, shall hold any elective office or any appointive remunerative office in this post of the American Legion, provided that members of post standing committees shall not be affected.

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

ARTICLE IV – MEMBERSHIP

Section 1. Eligibility to membership in this Post shall be as prescribed by the National Constitution of The American Legion.

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Section 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 3. The Adjutant, Past Adjutant, Commander, Past Commander or any current elected officer shall verify all applications for membership.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Membership present in a Post meeting after charges are preferred under oath in writing, and a fair trial where said member shall have the right to bring forth any witness to speak on their behalf is conducted.

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 Post 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 that where such consent has been asked for and denied by such Post, he/she may then appeal to the state Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until 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 by the By-Laws, be under the supervision of an Executive Committee, which shall consist of two members in addition to the officers of the Post and each trustee. (See Section 6) The term of office of members of the Executive Committee shall be for one year. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The elected officers of this Post shall be a Commander, a First Vice-Commander, a Second Vice-Commander, a Finance Officer, a Post Historian, a Post Chaplain, Post Service Officer and a Sergeant-at-Arms, and the immediate Past Commander and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

Section 3. All officers and executive committee members shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or executive committee member may be removed for neglect of duty or malfeasance of office upon the recommendation of the Executive Committee and a two-thirds vote of the membership at the second meeting after the recommendation of the Executive Committee. With such action, it shall be required that written notice of such action be presented to the Officer in question and a

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Special session of the Executive Committee be convened within fourteen (14) days to permit said Officer to appear to contest such action. Said Officer shall have the right to bring forth any witness to speak on their behalf. The Special Executive session, so called, shall finalize such action of removal from office by a two-thirds (2/3) vote and forward said recommendation to the membership. The removal of an Officer from office in this Post shall in no way be prejudicial to the rights of the individual so removed to his rights as a member of the American Legion.

Section 4. Every member of this Post, in good standing, shall be eligible to hold office in this Post, except as otherwise provided in Article III, Section 2, hereof, shall be entitled to run for any of the officer positions.

Section 5. The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the By-Laws.

Section 6. There shall be three (3) trustees, with all three (3) trustees as members of the Executive Committee. They shall be elected by a majority ballot, one (1) each year, to serve for three years. Trustees shall have been a member of this post, in good standing, not less than one year previous to their election. Trustees may not vote on items of request from the Trustees.

ARTICLE VI – FINANCE

Section 1. The revenue of this Post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the Post Executive Committee.

Section 2. The amount of such membership or initiation fees and the amount of such annual Post dues shall be fixed and determined by this Post.

Section 3. The Post shall pay to Departmental headquarters the National and Departmental annual membership dues for every member of the Post.

ARTICLE VII – CHARTER MEMBERS

Those whose names are listed on the reverse side of our charter, granted May 1, 1921, are the charter members of the post.

ARTICLE VIII – AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of Brownsburg Lincoln Post No. 331, The American Legion.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

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ARTICLE IX – SONS OF THE AMERICAN LEGION

Section 1. This Post recognizes Sons of the American Legion Squadron 331 and acts as a supervising committee, through the designation of an official sponsor.

Section 2. Membership in the Sons of the American Legion Squadron 331 shall be as prescribed by the National Constitution of the Sons of the American Legion.

ARTICLE X – AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the national Constitution of The American Legion and of the Department Constitution of the Department of Indiana, The American Legion. Any amendment to said National Constitution or Department Constitution, which is in conflict with any provisions 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 any regular Post meeting by vote of two-thirds of the members of said Post attending such regular meeting, providing the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing, further, written notice shall have been given to all members at least ten (10) 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.

The changes, having been proclaimed to the total membership via the Post 331's newsletter, were approved by a majority of the membership present at the specified regular post meeting for final approval of said changes on _____ 2007.

Post Commander: _____
TOM FREIJE _____
Date

Attested to by
Post Adjutant: _____
Date

Approved by the American Legion, State of Indiana

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Department
Judge Advocate:

_____ Date