

**CONSTITUTION
TOWN & COUNTRY MEMORIAL POST 152,
THE AMERICAN LEGION,
DEPARTMENT OF FLORIDA, INC.**

**Preamble to the 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 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.

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ARTICLE I - NAME

Section 1. The name of this organization shall be Town & Country Memorial Post 152, The American Legion, Department Of Florida, Inc.

ARTICLE II - OBJECTS

Section 1. 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 non-political 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.

Section 3. 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 for membership in the Department shall be governed by the provisions of the National Constitution of The American Legion, relating thereto.

Section 2. There shall be no form or class of membership except an active membership, and dues shall be paid annually

Section 3. All applications for Membership shall be acted upon at the next Post meeting following the making of such application, and shall at such meeting, be accepted, rejected or referred for further investigation and consideration. A rejected application shall not again be considered until after the expiration of six (6) months from the date of such rejection.

Section 4. Members may be reprimanded, suspended or expelled from The American Legion only upon proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of The American Legion. The procedures and rules controlling the bringing of charges and the trial shall be as set forth by the document entitled Rules Governing Trials.

Section 5. Any member who has been suspended or expelled shall have the right to appeal to the Department Executive Committee. The procedure and rules governing an appeal shall be as set forth by the document entitled Rules Governing Appeals. The decision of the Department shall be final. The provisions of sections 4 and 5 do not apply to disciplinary procedures carried out in compliance with any state or local law, not affecting the right of the member to attend Legion meetings.

Section 6. Any member in good standing may transfer to another Post willing to accept him, subject to the provisions of Section 9 of ARTICLE IV of this Constitution. Such member shall be entitled to a certificate of Membership from his Post upon transfer and acceptance by another Post. The transfer shall be effective upon notice sent to the Department Adjutant.

Section 7. This Post shall have full power and authority to drop from the Membership roll the name of any member not paying his annual dues, as provided in the National Constitution and By-Laws.

Section 8. Officers of the Post may be reprimanded, suspended or removed from office in accordance with Article X, paragraph 14 of the Constitution, American Legion, Department of Florida.

Section 9. 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 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 Members and Officers of the Post, the total number to be determined as provided in the Post By-Laws. 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 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, and a Sergeant-At-Arms, and such other Officers as may be deemed necessary by this organization, who shall be nominated in accordance with the By-Laws of the Post. In Addition, the Commander shall appoint a Post Adjutant, a Post Service Officer, and a Post Judge Advocate.

Section 3. All Officers and Executive Committeemen shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any Officer or Executive Committeeman may be removed for inefficiency by due process. The procedures and rules controlling the bringing of charges and the trial shall be as set forth by the Department Executive Committee in that document entitled Rules Governing Trials.

Section 4. Every member of this Post in good standing shall be eligible to hold office in this Post, except as otherwise provided in the By-Laws of the Post.

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

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

Section 1. Members who joined this Post prior to November 11, 1981 shall be known as charter Members.

ARTICLE VIII – AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an Auxiliary Organization to be known as the Auxiliary unit of Town & Country Memorial Post no. 152, The American Legion.

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

ARTICLE IX – SONS OF THE AMERICAN LEGION

Section 1. This Post recognizes a squadron of the Sons of The American Legion of Town & Country Memorial Post no. 152, The American Legion.

Section 2. Membership in Sons of The American Legion Shall be as prescribed by the National Organization 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 Florida, 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 that, the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing, further, that written notice shall have been given to all Members at least thirty (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 Constitution is to be voted upon.

Section 3. Publication in the Post Newsletter shall constitute written notice as prescribed in section 2 above.

This Constitution was approved by the Executive Committee on June 13, 2013 and the general membership on July 18, 2013. Original Signatures by Joe Lavoie, Commander, attested by John Cannon, Adjutant, and are filed in the Post records. They remain in effect until revised or revoked.

Joe Lavoie

John Cannon