



AMERICAN LEGION, JIM J. GILLES POST 283, INC.

The American Legion, Department of Florida

A Nonprofit Organization

Post No. 283 By-Laws

Revised: September 23, 2020 Adopted: October 12, 2020

Upon this date all other copies of Bylaws for American Legion, Jim J. Gilleo Post Number 283, Incorporated and all motions pertaining to the administration functions become null and void with no authority.

ARTICLE I. Name and Location

Section 1. The American Legion Post existing under these Bylaws is to be known as American Legion, Jim J. Gilleo Post No. 283, Inc., Department of Florida, and The American Legion.

Section 2. The location of the Post is 9459 Fort Caroline Road, Jacksonville, Duval County, and the State of Florida.

ARTICLE II. Objective

Section 1. The Provisions of the National Constitution and Bylaws of the American Legion shall govern the objective and purpose of this Post.

ARTICLE III. Membership

Section 1. The Provisions of the National Constitution and Bylaws of the American Legion, related thereto shall govern eligibility for membership in this Post

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

Section 3. All applicants for membership will attach a copy of their DD-214, verification of their current Active Duty military issued ID card or any other official proof of honorable separation.

Section 4. All applications for membership shall be acted upon at the next Post membership meeting. If more than one-third of members present cast their votes against the acceptance of such application, and then such applications shall be recorded as rejected.

Section 5. The Dues of membership shall be established by the Post Executive Committee, and then approved by majority vote of the members present at the next membership meeting.

Section 6. The members of this post, seventy (70) years of age or older, will pay only the annual dues equal to the dues required by the Department and National. This will only affect members who meet the qualifications after May 1, 1994. The following qualifications are:

- a. Must have reached the age of seventy (70) prior to the renewal year of membership.
- b. Must have at least five (5) years of continuous membership with the post.
- c. Provide proof of birth date to the Post Adjutant when no record is available.

Section 7. The members of this post with 50 or more consecutive years of membership will be converted to Honorary members. This affects those members who qualify after March 9, 2020.

ARTICLE IV – Management.

Section 1. The government and management of the Post are entrusted to an Executive Committee consisting of members stated in Section 2, below, of these bylaws.

Section 2. The Executive Committee shall consist of five (5) members in addition to the officers of the Post and together shall be elected annually.

Section 3. The officers of the Post shall consist of the following members: Commander, Vice Commanders, Adjutant, Finance Officer, Historian, Chaplain, Judge Advocate, Service Officer, and Sergeant-at-Arms. The Commander-elect and whose names shall be placed before the Executive committee for confirmation; shall appoint the Adjutant, Service Officer, and Judge Advocate.

Section 4. The Past Commander will be a voting member of the Executive Committee. Previous past Commanders, in good standing, shall be Ex-Officio non-voting members of the Executive Committee, with speaking privileges.

Section 5. The Chairman of the standing committees are expected to attend the Post's meetings in order to stay informed as to the conduct of Legion business and programs and report where it impacts Post business. They shall be non-voting members of the Executive Committee, with speaking privileges on subject matters pertaining to their respective committee and shall not be counted in constituting a quorum.

Section 6. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Commander within fifteen (15) days after the election. Therefore, the Executive Committee shall meet at the call of the Commander at least once a month and as often as said Commander may deem necessary. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of said post Executive Committee. Seven (7) members of the Executive Committee shall constitute a quorum thereof.

Section 7. The Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds for all persons having the custody of Post funds; shall hear the reports of Committee Chairmen; and generally, shall have charge of and be responsible for the management of the affairs of the Post.

Section 8. In case of the resignation, death, or removal from office of the Commander, a Vice-Commander, in order of office, automatically becomes Commander for the remainder of the term. To fill other vacancy caused by death, resignation or removal from office, the Commander will appoint a member of the Post to fill the position for the remainder of the term.

Section 9. The Executive Committee can authorize the transfer of money, from the general operating fund (checking), to any fund at the end of each fiscal year. No funds of American Legion, Jim J. Gilleo Post No. 283, Inc. shall be withdrawn, expended, invested, re-invested, or transferred from one fund to another except when authorized by the Executive Committee.

ARTICLE. V Elections

Section 1. All American Legion, Jim J. Gilleo Post No. 283 members in good standing are eligible to hold office. Nominations for officers will occur in the March general membership meeting, or not less than 90 days prior to the election of officers. All candidates, running for office must have on file a copy of their military eligibility document (DD-214) or current Active Duty military issue ID card prior to date of election, or face disqualification. If a write in candidate is elected to office, the candidate shall either accept or decline the position. If the candidate accepts the position, he/she will furnish a copy of the military eligibility documents stated above within 30 days of the election or face disqualification. If the write in candidate declines the position or is disqualified, the person receiving the next highest number of votes receives the position.

Section 2. All ballots cast shall be placed in a sealed or adequately locked ballot box and not opened until such time as voting is closed. After the final tabulation of ballots, they will be placed in a secured container for thirty (30) days, and then destroyed.

Section 3. All members, in good standing, will have a valid membership card prior to voting. Absentee ballots will be available for excused absence.

Section 4. The Officers-elect will be installed into their new office at the Commander's discretion, by the District Commander or his/her representative no later than sixty (60) days subsequent to the Annual Department Convention. If a formal installation ceremony is prescribed, failure to hold it does not affect the time at which the new officers assume office.

Section 5. All officers shall have their next years dues paid no later than the date in which they are installed in office.

ARTICLE VI – Duties of Officers.

Section 1. It shall be the duty of the Post Commander to preside at all meetings of the Post and have general supervision over the business and affairs of the Post. The Post Commander shall be the Chief Executive Officer of the Post. Shall make an annual report, reporting the business of the Post for the year and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. He/she shall be ex-officio member of all standing committees, except the nominating committee. He/she shall appoint the Post adjutant, Service Officer and Judge Advocate, subject to ratification by the Executive Committee. He/she shall perform such other duties as directed by the Post.

Section 2. The First Vice-Commander shall assume and discharge the duties of the office of Commander in the temporary absence or disability of, or when called upon by the Commander. He/she shall serve as a Chairman of the Membership Committee.

Section 3. The Second Vice-Commander shall assume and discharge the duties of the office of Commander in the temporary absence or disability of the Commander and the First Vice-Commander. He/she shall serve as the Chairman of the Entertainment Committee. Shall serve as the Ex-Officio representative to the Post Auxiliary Unit in coordinating entertainment and social events.

Section 4. The Third Vice-Commander shall, in the absence of the Commander, First Vice-Commander and Second Vice-Commander, shall assume and discharge the duties of the office of Commander in temporary absence or disability of each. He/she shall serve as Chairman of Children and Youth programs.

Section 5. The Adjutant shall have charge of and keep a full and correct record of proceedings of all meetings. Shall keep records as the Department and National Headquarters may require. Shall render reports of membership annually or when called upon at a meeting and under the direction of the Commander shall be in charge of all correspondence of the Post.

Section 6. The Finance Officer shall have charge of all finances and see they are safely deposited in a local bank or banks. Shall post a monthly financial statement on the bulletin board and shall report once a month to the Executive Committee the finances of the Post with which to carry on the activities of the Post. He/she shall sign all check in dispersing the money of the Post. Profits received from all sources, except Trust and Sinking funds, shall be deposited into the operating fund (checking). He/she shall chair the Finance Committee, with no less than three (3) other members.

Section 7. The Historian shall be charged with records pertaining to incidents of the Post and Post members. Shall keep a history of the Post, he/she shall serve as Chairman of the Public Relations Committee.

Section 8. The Chaplain shall be charged with the spiritual welfare of the Post and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, adhere to such rituals as are recommended by National or Department Headquarters from time to time. He/she shall serve as Chairman of the Graves, Registration and Memorial Committee.

Section 9. The Judge Advocate shall be charged with the interpretation of the Post Bylaws and supply professional advice in the conduct of the Post business, as well as act as parliamentarian. He/she shall act as custodian of the ballot box and prepare the ballots. Conduct election of Post officers. Verify eligibility of members seeking office with DD-214 or Active Duty I.D. card.

Section 10. The Service Officer shall act as an advisor to all members of the Post regarding possible government benefits and employment benefits. He/she shall assist in preparation of filing claims with the Veteran's Administration for all veterans, widows and orphans of veterans who are in need of this service. He/she shall serve on the committee that decorates veteran's graves.

Section 11. The Sergeant-at-Arms shall preserve order at all meetings. Post functions, be custodian of the Post's colors, alter cloth, Bible and such other Post property as incident to a post meeting. Allow no-one to enter a meeting who does not hold a current calendar year membership card. Will assist at election time, to observe that balloting is done in a secret and proper manner. Shall perform such other duties, as may properly pertain to the office as may be determined by the Post Executive Committee.

Section 12. The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in any and all of his duties with the Post.

Section 13. The Executive Committeemen's primary responsibilities are to ensure they are representing the membership, Post programs, and business financial affairs and to ensure that they are in accordance with the Post Bylaws, Department and National Constitution Bylaws.

ARTICLE VII – Appointments and Committees

Section 1. The Commander, immediately upon taking office, shall appoint the following officers: Adjutant, Judge Advocate and Service Officer. These officers will be confirmed at the first Executive Committee meeting. He/she shall appoint chairmen of the following standing committees; Sons of American Legion, ROTC, Veteran's Affairs and Rehabilitation, Public Relations and such other standing committees as set forth in the Department of Florida Bylaws.

Section 2. Each committee shall consist of a chairman and additional members as required. All Chairmen will become familiar with prescribed duties as contained in the Officer's Guide. The

Chairman of each committee shall make a report, at least, once a month to the general membership and or Executive Committee meetings.

Section 3. Special Committees will be appointed by the Executive Committee to include a chairman and members thereof that may include one or more members, who are not members of the Executive Committee, but not limited to, nomination, audits, investigations and Ad Hoc committees.

Section 4. Debates, delicate and troublesome questions will be confined to the committee members. During actual deliberations of the meeting, only the committee members have the right to be present. These special committees are appointed for a specific purpose and it ceases to exist, unless it is discharged sooner.

ARTICLE VIII – Meetings

Section 1. The membership meeting of the Post shall be held in the Post home at least once a month at which time such business may be transacted that has been properly introduced and shall be for the purpose of receiving reports of Officers and Committee Chairman.

Section 2. The membership, by majority of votes casted at a regular meeting may change the date for future meetings of the post. Fifteen (15) members of the Post shall constitute a quorum at a membership meeting of special meeting.

Section 3. Special membership meetings may be called by the Commander or by the majority of the Executive Committee or shall be called by the written request of fifteen (15) members of the Post. It is the responsibility of the Adjutant to notify all parties by phone. The purpose of the special meetings shall be limited to the subject matter for which the meeting was called. The subject matter to be acted upon at any special meeting shall be stated in the call, except in cases of emergency, at least three (3) days notice shall be given, in accordance with Article XII section 3 of these Bylaws.

ARTICLE IX – Auxiliary

Section 1. The Post recognizes an auxiliary organization to be known as the Auxiliary Unit No. 283 of American Legion, Jim J. Gilleo Post No. 283 of The American Legion.

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

ARTICLE X – Sons of the American Legion

Section 1. The Post recognizes a subsidiary organization under its jurisdiction, to be known as the Sons of the American Legion Squadron No. 283, Jim J. Gilleo Post 283. Membership in the Sons of the American Legion shall be as prescribed by the National Organization of The American Legion.

Section 2. All applications for membership will be certified by the Adjutant or in his/her absence, the Finance Officer.

Section 3. Shall at all times be subject to the Bylaws and rules of the Post.

ARTICLE XI – American Legion Riders

Section 1. The Post recognizes a subsidiary program under its jurisdiction, to be known as the American Legion Riders Chapter 283, Jim J. Gilleo Post 283.

Section 2. All applications for membership will be certified by the Adjutant or in his/her absence, the Finance Officer.

Section 3. Shall at all times be subject to the Bylaws and rules of the Post.

ARTICLE XII – Notices.

Section 1. The Adjutant shall cause notice of the annual election, change of meetings, dues increase, or information that should be brought to the attention of the membership to be published in the monthly newsletter.

Section 2. Every member shall furnish the Adjutant with his or her preferred point of contact, and changes thereof, for mailing purposes.

Section 3. Notification of special meetings can be made by telephone, when feasible, may be published in the newsletter.

ARTICLE XIII – Amendments.

Section 1. These Bylaws may be amended and changed, that such amendment be submitted in accordance with Section 2, of this Article.

Section 2. The proposed amendment shall be typewritten, prepared in duplicate; one copy each to the Adjutant and Judge Advocate. The proposed amendment shall be submitted to the Executive Committee for review and ratification prior to the membership meeting.

Section 3. It will take two-thirds of the members attending such meeting to approve the amendments.

Section 4. The Bylaws and or amendments shall be submitted to the Department of Florida, for certification of approval before becoming effective.

Section 5. These Bylaws and or amendments are adopted to the provisions of the National and Department of Florida Constitution and Bylaws which conflict with the above shall be regarded as automatically repealing of these Bylaws to such conflict.

ARTICLE XIV – Resolutions.

Section 1. All resolutions of State or National scope presented to this Post by a member or reported to this post by a committee shall merely embody the opinion of this post. The subject and copy of it shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE XV – Rules of Order.

Section 1. All proceedings of this Post shall be conducted under and pursuant to The American Legion Post Officer Guide, except as herein otherwise provided.

