

MATTHEW BLOUNT POST 555

CONSTITUTION & BYLAWS

The American Legion
Matthew Blount Post 555
Pelham, AL

Preamble

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 all 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

Section 1. The name of the organization shall be Matthew Blount Post 555, Inc., The American Legion, Department of Alabama.

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 Department of Alabama 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.

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Section 2. This organization shall be nonpolitical 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 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.

Section 4. The American Legion, Matthew Blount Post 555 is a constituent part of, and subordinate to, The American Legion, Department of Alabama, which is a constituent part of, and subordinate to, The American Legion, a federal corporation, organized by Act of Congress, and is a corporation organized and existing under the laws of the State of Alabama.

Section 5. Parliamentary Authority — "Roberts Rules of Order Newly Revised" is the accepted authority for The American Legion.

Article IV – Membership

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

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. All applications for membership shall be acted upon at the next Post meeting following the making of such application, provided all required documentation as specified in Post Policy shall have been submitted at the time of application, and shall at such meeting, be accepted, rejected or referred for further investigation and consideration. If a majority of the members cast their vote against acceptance of said application, then such application shall be recorded as rejected.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same.

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 a 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 written consent of the expelling Post, except that where such consent has been asked for and denied by such Post, the member 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 in the Bylaws, be under the supervision of an Executive Committee which shall consist of members included in Sections 5a, 5b and 5c combined as listed below in addition to the elected Trustees. The Post Commander, upon being succeeded in office, shall thereafter be identified as a Past Post Commander. For the initial twelve-month period following their term as

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Post Commander, the individual will be known as the Immediate Past Post Commander and will serve as a non-voting advisory member of the Board of Trustees. The term of office of members of the Executive Committee, with the exception of Trustees having remaining elected terms as noted in Section 2 below, shall be for one year. See Appendix I — Committee Composition and Voting Rights.

Section 2. The elected officers of this Post shall be a commander, a first vice commander, a second vice commander, and three Trustees (Executive Committeemen) having staggered initial terms of one, two and three years. Candidates to hold elected office in the Post shall be nominated by a Nominating Committee, composed of three members of the Post in good standing and facilitated by the Judge Advocate. In addition, nominations from the floor at the meeting preceding the annual election will be accepted.

Section 3. All officers and trustees whose terms have expired shall be elected annually, and they shall hold office until their successors are duly installed or as otherwise provided. The Executive Committee, a two-thirds vote of said committee being necessary to affect such removal, may remove any officer or trustee for inefficiency.

Section 4. The Post commander, immediately upon taking office each year, shall appoint officers and committee heads as indicated below. All other vacancies shall be filled by the Post Commander and be ratified by the Post Executive Committee. The Chain of Command for this Post shall be Commander; First Vice Commander; Second Vice Commander; Adjutant; Judge Advocate, and Finance Officer.

Section 5. Appointed Officers, Committees, and Employees.

- a) The Post Commander shall appoint a Chaplain, a Sergeant-at-Arms, a Post Historian, a Post Finance Officer, a Post Judge Advocate, a Post Service Officer, a Post Public Relations Officer, a Post American Legion Riders Director, and a Post Sons of the American Legion (SAL) Advisor who shall hold office for a like term with that of the Post Commander, or until their successors are chosen by a succeeding Post Commander. The Post Commander shall fill any vacancies in the above offices by appointment. The Post Executive Committee must ratify all appointments.
- b) The Post Adjutant: The Post Commander shall nominate the Post Adjutant, with the approval of the Post Executive Committee who shall hold office at the pleasure of the Post Commander with the consent of the Executive Committee. The Post Adjutant shall serve until a successor is duly appointed.
- c) The Post shall have the following Standing Committees, headed by a member in good standing, appointed by the Post Commander and ratified by the Post Executive Committee. Standing Committees shall include Americanism; Children and Youth; Veterans Affairs and Rehabilitation; Communications; Post Activities; Membership; Public Relations; Legislative; Legal; Economic; Finance; House (if applicable); National Security; Service; and Uniformed Groups. This Post, through its Bylaws, may provide for such other Standing Committees as the business of the organization may require. See Appendix II – Committee Oversight Responsibility.
- d) Miscellaneous Appointments, Ad Hoc Committees and Employees generally: An Ad Hoc Committee shall be any committee other than those enumerated in Section 5(c) above. The Post Commander, with the prior approval of the Post Executive Committee, may

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appoint and contract with persons to perform such functions and duties of the Post in furtherance of the Legion program, as the Post Commander deems necessary. The Commander may appoint such other Committee heads as identified in the Post Bylaws or as he or she deems necessary, subject to the ratification of the Executive Committee.

Section 6. Every member of this Post in good standing shall be eligible to hold office in this Post subject to political exclusions included in the Bylaws of this Post.

Section 7. The duties of officers and the Executive Committee shall be those usually pertaining to such officers or committee heads and as further provided in the Bylaws.

Section 8. Any vacancy in an elected or appointed officer position for whatever reason, shall be filled within thirty (30) days of it becoming vacant, or as soon as practical in the same manner (elected or appointed) as the original incumbent assumed the position.

Section 9. Members removed from office for cause are ineligible to be titled a past holder of said office.

Article VI – Meetings

Section 1. A quorum for general membership meetings of Matthew Blount Post 555 shall be equal to the lesser of twenty (20) members or twenty percent (20%) of the members in good standing (including the payment of current dues) for all matters with the exception of amending this Constitution as provided herein; or provided in the Bylaws; or as otherwise provided by the adopted policies, procedures or regulations of this Post. Responsibility for the conduct of meetings of this Post, with the exception of Trustees meetings, shall follow the Chain of Command outlined in Article V — Officers, Section 4.

Section 2.

- a) All meetings of the Post Executive Committee, the Post Finance Committee, all committees and sub-committees, commissions and sub-commissions shall be open to all members of The American Legion.
- b) The presiding officer may close a meeting to discuss personnel matters, real estate transactions, and disciplinary matters.
- c) Any action of a committee or commission shall take place only in open sessions.
- d) Legionnaires who are not members of the committees or commissions have no voice or vote.
- e) Attendees, other than Committee members, are without voice or vote and may only speak as provided by the presiding officer.

Section 3. Minutes:

- a) The Post Adjutant, or designated substitute, shall prepare the minutes of Executive Committee proceedings within twenty (20) days of the conclusion of said proceeding.
- b) Unapproved copies of minutes shall be marked "Draft" and shall be disseminated upon request.
- c) The minutes of proceedings, to the extent they exist, of any Committee or Commission meeting shall be furnished to any Legionnaire upon request.
- d) The Adjutant will also prepare and distribute the minutes of Post Meetings within twenty (20) days of the conclusion of said proceeding.

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Article VII – Finance

Section 1. The revenue of this Post shall be derived 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.

Section 4. The Judge Advocate and Post Legal Committee are charged with the duty of auditing post financial accounts. This should be done annually just before the election of officers or as defined in the Bylaws-Article III, Section 5 or more frequently at their discretion.

Section 5. No member, officer, or committee of the Post shall have the authority to bind by contract or incur any obligation on its behalf except by the express authority of the Post Executive Committee.

Section 6. All contracts entered into on behalf of the Post shall be in writing, executed by the Post Commander and evidenced by the corporate seal (if any) affixed by the Post Adjutant and attested by his signature.

Section 7. There shall be established and maintained by the Post, one or more current bank accounts to serve the purpose of depository for current receipts and disbursements. Such accounts shall be established and maintained by the Finance Officer, under the supervision of the Finance Committee and the Post Executive Committee.

Article VIII – Charter Members

Section 1. Members who joined this Post prior to September 17, 2014, shall be known as charter members. Charter Members are listed on Appendix III — Charter Members.

Article IX – American Legion Auxiliary

Section 1. This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of Matthew Blount Post 555, 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 Constitution of the Department of Alabama, 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 in good standing of said Post attending such regular meeting provided:

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- a) Attendance at such meeting equals or exceeds the quorum requirement as specified in Article VI, Section 1 of this Constitution or the Bylaws to this Constitution;
- b) The proposed amendment shall have been submitted in writing to the Adjutant and shall contain the co-signatures of no less than ten (10) members of the Post in good standing;
- c) The Adjutant shall make the Executive Committee of the Post aware of the receipt of said proposed amendment at its next regular meeting following receipt;
- d) The Executive Committee shall refer to the proposed amendment to the Judge Advocate and the Legal Committee for review to determine its proper compliance with Post, Department, and National document requirements.
- e) The Judge Advocate will report on the status or findings of the review of the Legal Committee at the next regular meeting of the Executive Committee.
- f) In the event the proposed amendment does not comply with Post, Department or National document requirements, the Judge Advocate will document the reasons for noncompliance and provide a copy to the Executive Committee and to the amendment sponsors following concurrence of the Executive Committee.
- g) In the event the amendment is found to be in compliance, the Executive Committee shall direct the Adjutant to publish the proposed amendment and distribute a copy via email, if available, and/or U.S. Mail to the membership of the Post providing, further, written notice shall have been mailed to all members at least fourteen (14) days in advance of the date such amendment is to be read or voted upon, notifying said members that at such a meeting a proposal to amend the Constitution is to be read or voted upon.
- h) The Adjutant will place the proposed amendment on the agenda for the next regular Post meeting for its first reading. No vote may take place after the first reading.
- i) The proposed amendment shall be placed on the agenda for the next succeeding regularly scheduled Post meeting at which time a vote on the proposed amendment will take place in accordance with criteria previously enumerated in this Constitution.

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BYLAWS

Article I – Name

Section 1. The name of this Post shall be Matthew Blount Post 555, Inc., The American Legion, Department of Alabama.

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

Article II – Management

Section 1. The government and management of the Post is entrusted to an Executive Committee as defined in the Constitution.

Section 2. All elections of officers shall be by ballot if there is more than one candidate per office and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

Article III – Board of Trustees

Section 1. The Board of Trustees shall consist of the three (3) elected Trustees, elected to initial terms of one, two and three years as well as non-voting advisory members, the Post Commander and Post Judge Advocate. The Post Commander, upon being succeeded in office, shall thereafter be identified as a Past Post Commander. For the initial twelve-month period following their term as Post Commander, the individual will be known as the Immediate Past Post Commander and will serve as a non-voting advisory member of the Board of Trustees. If more than one Trustee vacancy is to be filled by election, term designation will be determined based on vote totals, The Post Commander and Post Judge Advocate shall be ex-officio members without a vote.

Section 2. Quorum — A quorum for meetings of the Board of Trustees shall be two (2) Trustees.

Section 3. Duties — (a) The Board of Trustees shall have jurisdiction over and supervise the functioning of a House Committee to be appointed by the Commander. (b) Minutes of the Board of Trustees meetings will be reported at the next regular meeting of the Post. (c) The Board of Trustees shall see that the Post is adequately insured (property and casualty) at all times. (d) The Board of Trustees shall, in conjunction with the Finance Committee, be charged with the development and administration of the financial policy of the Post, shall review the annual budget prepared by the Post Finance Officer and Post Commander, and shall generally supervise the receiving, disbursing and accounting of all funds of the Post.

Section 4. The Board of Trustees shall receive and hold all the bonds of Post Officers.

Section 5. The Post Judge Advocate shall audit the books, accounts, and funds of the Finance Officer at least annually on or before the second Friday of May.

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Article IV – Post Executive Committee

Section 1. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post commander within 10 days after the installation of the new officers. Thereafter, the Post Executive Committee shall meet at the call of the commander at least every 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 or more members of said Post Executive Committee; seven voting members of the committee shall constitute a quorum thereof.

Section 2. Persons identified in the Post Constitution, Article V – Officers; Sections 5(c) and 5(d) shall not have a vote at Executive Committee meetings.

Section 3. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having custody of Post funds; shall hear the reports of Post committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

Section 4. Discipline – The Post Executive Committee shall have the power to summon before it any member whose conduct has in any way been objectionable or detrimental to the Post and, upon an impartial hearing, report at any regular meeting of the Post with recommendations for further action, if necessary.

Section 5. Dues – The annual dues of this Post shall be established by the Post Executive Committee no later than December 1 of the prior year and be payable before January 1 of each year. This dues rate may be adjusted by the Post Executive Committee as necessary and shall be reported to the Post membership on a timely basis.

Article V – Officers

Section 1. General — The duties of all the officers of the Post shall be as prescribed in the Officer's Guide and Manual of Ceremonies of The American Legion; and as otherwise provided within these bylaws.

Section 2. Post Commander – The Commander shall preside at all meetings of the Post and shall exercise general supervision over the affairs of the Post. The Commander shall be a nonvoting member of all committees,

Section 3. Vacancies and Removal from Office – Any duly elected or appointed officer of this Post who shall be absent from three or more consecutive regular Post meetings, may be deemed to have resigned their position provided no reasonable excuse can be offered, and the office may be declared vacant by the Commander. In the event of a vacancy in any elected office, the vacancy shall be filled in accordance with the Constitution of the Post.

Section 4. Finance Officer – The Finance Officer shall be required to furnish, at the expense of the Post, a minimum-security bond in the sum of \$2,500.00 for the faithful performance of their duties, such bond to be approved by the Board of Trustees and renewed annually. The Office of the Finance Officer shall be deemed vacated in the event that a bond is refused or revoked by the Bonding Company. All bills shall be presented to the Commander for approval, to be reported on not later than the next regular meeting and passed on by members of the Post. All indebtedness

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to the Post shall be paid by check. Two of the following three Officers, First Vice-Commander, Adjutant, and Commander shall sign checks. Bank statements are to be reviewed monthly by the Board of Trustees

Section 5. Nominations and Elections – Eligibility – No candidate for, or incumbent of any elected public office is eligible to be an officer of this Post. An officer who becomes a candidate for, or incumbent of any elective public office, shall be deemed to have immediately resigned their Office with the Post.

Section 6. Nominations and Elections – Nominations – Nominations for elected offices shall be presented to the membership by a Nominating Committee comprised of three, non-officer Post members at the regularly scheduled Post meeting in April. Nominations from the floor for elected offices, if any, shall be accepted at the regularly scheduled Post meeting in April. Nominations from the floor require: the nominees be present at the meeting; they agree to serve in the position for which they are nominated if elected. No nominations from the floor will be accepted at the regularly scheduled Post meeting in May.

Section 7. Nominations and Elections – Elections – Elections shall take place at the regular Post meeting in May. Elected Officers shall hold office until their successor shall have been elected and installed. When two or more candidates aspire for the same office, voting shall be by ballot conducted by the Judge Advocate, or in his absence, an officer so designated by the Commander. The candidate receiving the highest number of votes shall be declared elected to the office for which they are a candidate.

Article VI – Delegates

Section 1. Delegates to the Department Convention – Delegates and Alternates to the Department Convention of the Alabama Department shall be those nominated by the Post Commander and approved by the Post membership. The Commander shall appoint, subject to advising the Trustees of replacements for any Delegates or Alternates that are unable to attend the Department Convention.

Article VII – 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 on the subject and copy of same 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 VIII – Meetings

Section 1. Regular Meetings – The regular meetings of the Post shall be held on the first Thursday of each month at 7:00 p.m. at the Pelham Senior Center in Pelham, Alabama. If the Pelham Senior Center is unavailable, the Post Commander shall be empowered to change the place of meeting to any location within the City of Pelham and to move the day of the meeting forward or backward

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not more than three (3) days, provided proper notice that is in compliance with Article IX-Notices is given.

Section 2. Special Meetings – A Special meeting may be called for any purpose by the Commander upon petition in writing by ten (10) members in good standing of the Post and said petition shall state the purpose for said meeting. Notice shall be provided for special meetings.

Section 3. Annual Meetings – The Annual Meeting of the Post shall be held in May of each year, at which time the newly elected officers shall be installed and take office.

Article IX – Notices

Section 1. Every member shall furnish the Post adjutant with an address for mailing.

Section 2. Notices shall include the date, time, place, and purpose of the meeting.

Section 3. Notices shall be delivered not less than ten (10) and not more than fifty (50) days before the date of the meeting, either personally or by mail to each member entitled to vote at the meeting; except as otherwise provided in the Post Constitution or these Bylaws.

Section 4. Exception for Special Meetings – Mailed notices shall be deemed to be delivered when sent via email, if available and/or deposited in the U.S. Mail addressed to the member at their address as it appears on the records of the Post, with postage thereon prepaid. Notices for Special Meetings shall be delivered no less than seventy-two (72) hours prior to the meeting.

Section 5. Whenever any notice is required to be given to any member under the provisions of the Post, a waiver thereof in writing signed by the member entitled to said notice, whether before or after the time stated therein, shall be equivalent to the giving of the notice.

Article X – Post Property

Section 1. All equipment, uniforms, firearms, and other material owned by and entitled to by the Post shall at all times remain the property of the Post and must be returned on request or upon severing membership with the Post, to the Sergeant-at-Arms, in satisfactory condition.

Section 2. Any item loaned shall be accompanied by a signed receipt including person, item and date and filed with the Sergeant-at-Arms.

Section 3. If any Member/ Officer disposes of property, mortgages, rents, or in any other manner creates an indebtedness of the Post without prior written consent of the Post Executive Committee said Member/Officer shall be held personally liable for such actions.

Article XI – Limitation of Liabilities

Section 1. The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations or organizations.

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Article XII – Amendments

Section 1. These Bylaws may be amended at any regular Post meeting by a vote of two-thirds (2/3) of the members of said Post attending such regular meeting provided that: (a) the proposed amendment shall have been submitted in writing and sponsored by ten (10) members in good standing; (b) it shall be referred to the Judge Advocate to determine its compliance with organization procedures; (c) shall be read at the next regular meeting of the Post; and, provided, further: (a) no vote shall be taken at the first regular meeting at which the proposed amendment is read into the record; (b) 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 Bylaws is to be voted upon; (c) a vote shall take place at the next regular Post meeting following the first reading.

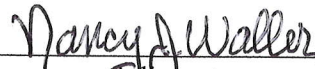
Appendices

- Appendix I – Committee Voting Rights
- Appendix II – Committee Oversight Responsibility
- Appendix III – Post 555 Charter Members

This Constitution and Bylaws for this Post were adopted by a two-thirds majority of the members present on the 6th day of July 2023.

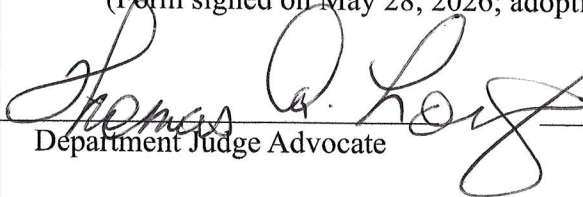


Commander

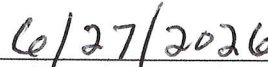


Adjutant

(Form signed on May 28, 2026; adoption approved July 6, 2023.)



Department Judge Advocate



Date Approved

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Appendix I – Committee Composition and Voting Rights

<u>Committee</u>	<u>Membership</u>	<u>Voting Rights</u>
Board of Trustee	Trustee - Three Year Term	Yes
	Trustee - Two Year Term	Yes
	Trustee - One Year Term	Yes
	Post Commander	No
	Post Judge Advocate	No
	Immediate Past Post Commander	No
Executive Committee	Trustee - Three Year Term	Yes
	Trustee - Two Year Term	Yes
	Trustee - One Year Term	Yes
	Immediate Past Post Commander	Yes
	Post Commander	Yes
	Post 1 st Vice Commander	Yes
	Post 2 nd Vice Commander	Yes
	Post Adjutant	Yes
	Post Judge Advocate	Yes
	Post Financial Officer	Yes
	Post Service Officer	Yes
	Post Public Relations Officer	Yes
	Post Chaplin	Yes
	Post Historian	Yes
	Post Sergeant-at-Arms	Yes
	Post Legion Riders Commander	Yes
Post SAL Advisor	Yes	
Chairmen of Standing Committees (15)	No	
Chairmen of Ad Hoc Committees	No	

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Appendix II – Committee Oversight Responsibility

<u>Responsible Officer</u>	<u>Standing Committees</u>	<u>Ad Hoc Committees</u>
1 st Vice Commander	Membership	Membership
2 nd Vice Commander	Post Activities	Events Committee
2 nd Vice Commander	Americanism	Meeting Programs
Adjutant	Communications	School Award Medals
Board of Trustees	House	Boys State/Girls State
Commander	American Legion Riders	Oratorical Contest
Commander	Auxiliary	Legion Baseball
Commander	Sons of the American Legion	Photography
Finance Officer	Finance	Social Media / Website
Judge Advocate	Legal	Fundraising
Judge Advocate	Legislative	Documents
Judge Advocate	National Security	Nominating
Service Officer	Veterans Affairs & Rehabilitation	Emergency Preparedness
Service Officer	Children & Youth	Veterans Employment
Service Officer	Economic	Veterans Recognition
Service Officer	Service	Visiting or VAVS
Public Relations Officer	Public Relations	Color Guard
Public Relations Officer	Uniformed Groups	Band
Public Relations Officer		Burial Detail
Public Relations Officer		Firing Squad
Public Relations Officer		Flag Detail
Public Relations Officer		Honor Guard

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Appendix III – Charter Members Effective September 17, 2014

Roger B. Benton
David W. Bishop
Andrew J. Blount
Barry K. Blount
David Blount
Andrew A. Burell
Charles J. Chester
Roy Clinton
Milton Foley
Juan Gomez
Robert Hayes
James M. Hendley
Lytle N. Hyde
Andrew R. Kabcenel
Richard L. Kaster
Charles F. Kiser
A. Ronald Koonce
Melody Lott
Thomas M. McDaniel
John P. McGuinness
William M. Midlik
Don Murphy
Kenneth Paschal
Richard F. Paxton
Don Seibert
David Smith
Patrick E. Stewart
Gary W. Waters
William Wigginton, Jr.
Robert W. Winston