



**CONSTITUTION
OF
WARRINGTON POST #240, INC.
THE AMERICAN LEGION
DEPARTMENT OF FLORIDA**

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 the ~~great~~ **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 this organization shall be Warrington Post #240, Inc., The American Legion, Department of Florida.

Section 2. The office of the Post shall be located at The American Legion Home, 8666 Gulf Beach Highway, Pensacola, Escambia County, Florida. The mailing address of the Post shall be 8666 Gulf Beach Highway, Pensacola, Florida 32507, or as directed by the Post Executive Committee.

**ARTICLE II
OBJECTS**

Section 1. The objects of this Post shall be: to promote the principles and policies as set forth in the foregoing Preamble and the National and Departmental Constitution of The American Legion.

ARTICLE III

NATURE

Section 1. The American Legion is a civilian organization. Membership therein does not affect nor increase liability for military or police service. Rank does not exist in The American Legion; no member shall be addressed by his or her military title in any meeting of this Post.

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 candidacy of any person seeking public office or preferment.

ARTICLE IV

MEMBERSHIP

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

Section 2. There shall be no form or class of membership except an active membership, and dues shall be paid annually or paid up for life. However, provided this Post may elect Honorary Life Members who shall thereupon be relieved of the payment of any subsequent dues, and this Post will transmit Department and National assessments yearly for each elected Honorary Life Member. Honorary Life Membership will not be conferred by a vote of this Post unless all members shall be notified in writing in advance of the regular meeting that the voting is to take place for Honorary Life Members.

Section 3. Applications for membership shall be made in writing under such regulations as may, from time to time, be prescribed by the Post Executive Committee, preferably on forms provided by National Headquarters of the American Legion.

Section 4. 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. If a majority of members present cast their vote against the acceptance of said application, then such application shall be recorded as rejected. A rejected application shall not again be considered until after the expiration of six (6) months from the date of such rejection.

Section 5. Members may be reprimanded, suspended, or expelled from The American Legion only upon proper showing for cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his membership until given a fair trial IAW Department of Florida Constitution Article X, Section.

Section 6. Any 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 at a Regular Post Meeting and the payment of current dues for the year in which reinstatement occurs.

Section 7. Any member who has been suspended or expelled shall have the right to appeal ~~the action and such appeal must follow "The Rules Governing Appeals" to the Department Executive Committee or to the Department Convention. The decision of the Department shall be final.~~ **as established by The American Legion Department of Florida.**

Section 8. No person who has been expelled by a Post shall be admitted membership in this Post without the consent of the expelling Post, except where consent has been asked for and denied by such Post, he or she may then appeal to the Department Executive Committee for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

Section 9. 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.

ARTICLE V

OFFICERS

Section 1. The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the Bylaws, be under the supervision of an Executive Committee, which shall consist of Five (5) members in addition to the elected officers **and appointed officers (adjutant, judge advocate and service officer)** of this Post. The term of office of members of the Executive Committee shall be for one year. This Post by its Bylaws may provide for such 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 Third Vice Commander, a Finance Officer, a Historian, a Chaplain, a Sergeant-at-Arms and five (5) Executive Committeemen. The candidates for elected office shall be nominated from the floor at the time of the Annual Election. ~~however, the Post Commander may appoint a Nominating Committee of three (3) members to contact and select members for the offices of this Post. This Committee must make its report of its candidates at the Regular Meeting preceding the Annual Election. This Committee must make its report based on a personal interview of each candidate by the Committee. This Committee shall submit one name per office and five (5) Executive Committeemen.~~

Section 3. All elected officers and Executive Committeemen shall be elected annually. All elected officers shall be elected by a majority ballot, except for the Executive Committeemen, who shall be elected by a plurality ballot. The bylaws may provide that

election shall be by ballot except when there is but one candidate for office, the election may be by voice. They shall hold office until their successors are duly installed or as otherwise provided; the exception to this being the office of Post Adjutant, Post Service Officer, and Post Judge Advocate who shall be appointed by the Post Commander elect. Any officer or Executive Committeemen may be reprimanded, suspended, or removed from office upon charges based upon disloyalty to The American Legion or to the National Government, neglect of duties, dishonesty, and conduct unbecoming a member or officer of the American Legion. Department of Florida Constitution Article X, Section 14 is germane.

Section 4. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 5 All elected officers of this Post, the Post Adjutant, Post Service Officer, and Post Judge Advocate shall be certified to the Department Adjutant, not more than fifty (50) days nor less than ten (10) days prior to the Annual Department Convention. Department of Florida Constitution Article X, Section 13 is germane.

Section 6. Post Officers shall be installed by the District Commander or his/her designated representative, take office and enter upon their duties at a date fixed by this Post, which date shall be subsequent to but not later than sixty (60) days after adjournment of the Annual Department Convention. Department of Florida Article X, Section 13 is germane.

Section 7. Duties of Post officers and Executive Committeemen shall be those usually appertaining to such officers or committeemen and as further provided in the By-Laws. In addition, all officers and Executive Committeemen will be expected to attend each Post Funeral Service for deceased members.

Section 8. Each officer shall use and follow The American Legion Post Officer's Guide in conducting its meetings, initiation of members and other ceremonies prescribed therein.

Section 9. The Office of Post Commander shall not be held by any one person longer than two (2) consecutive years.

ARTICLE VI **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 or Executive Committee.

Section 2. The amount of such annual Post dues shall be fixed and determined by this Post.

Section 3. This Post shall pay to Department Headquarters, the National and Departmental annual membership dues for every member of the Post, except those members Paid Up For Life (PUFL) **within 30 days of receipt.**

ARTICLE VII CHARTER MEMBERS

Section 1. Members who joined this Post prior to the issuance of its charter, shall be known as Charter Members.

ARTICLE VIII AMERICAN LEGION AUXILIARY

Section 1. This Post recognizes an auxiliary organization to be known as Warrington Unit #240, The American Legion Auxiliary, Department of Florida.

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 subsidiary organization under its jurisdiction to be known as Warrington Squadron #240, Sons of The American Legion, Detachment of Florida. **Section 2.** Membership in the Sons of The American Legion, shall be as prescribed by the National Organization of The American Legion.

ARTICLE X AMERICAN LEGION RIDERS

Section 1. This Post recognizes a subsidiary Program of The American Legion Post 240 to be known at The American Legion Riders Riders Chapter 240.

Section 2. Qualifications for Membership in The American Legion Riders Chapter 240 shall be prescribed by the American Legion Riders Handbook, and the American Legion Riders Department of Florida American Legion Riders S.O.P.

ARTICLE XI AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and 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 herein 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 a vote of two-thirds of the members of this 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 this Post, and providing, further, that written notice shall have been given to all members at least ~~ten (10)~~ **fifteen(15)** 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.

REVIEWED

//s//Donald Graham
JUDGE ADVOCATE, POST #240 / DATE

ATTESTED

//s//Dave Forsman
COMMANDER, POST #240 / DATE

//s//Joe Bodmer
ADJUTANT, POST #240 / DATE

APPROVED

DEPARTMENT JUDGE ADVOCATE / DATE

FINAL APPROVAL

DEPARTMENT ADJUTANT / DATE

DEPARTMENT COMMANDER / DATE