



**The American Legion
Department of Kentucky
Boone Post 4, Inc.
8385 U.S. Highway 42
Florence, Kentucky 41042**

BYLAWS OF BOONE POST 4

ARTICLE I

- Section 1 The Post existing under these Bylaws is to be known as Boone Post 4, Incorporated, Department of Kentucky.
- Section 2 The objectives of this Post are as set forth in the National Constitution of The American Legion, Indianapolis, Indiana.
- Section 3 Boone Post 4 shall comply with the provisions contained in the Constitution and Bylaws of The American Legion (National level) and The Kentucky American Legion, as amended.
- Section 4 The American Legion, Department of Kentucky, Boone Post 4, Florence, KY, family shall consist of:
- The American Legion, Boone Post 4,
 - The American Legion Auxiliary Unit 4,
 - The Sons of the American Legion Squadron 4; and
 - The American Legion Riders Chapter 4.

ARTICLE II - ELECTIONS

- Section 1 An election of officers shall be held by secret ballot, at a regular scheduled meeting not less than (30) thirty nor more than (90) ninety days prior to the Department convention.

- Section 2 Because of Kentucky Charitable Gaming rules, individuals nominated and/or elected for the positions of Commander and Finance Officer cannot have been convicted of a felony or 2 misdemeanor crimes in the past ten (10) years.
- Section 3 Except for the Post Chaplain, no member may be elected by membership vote or appointed by the Commander to more than one elected Post officer position. Because of the obvious lack of conflicting interests, the position of Post Chaplain may be filled by a member who is also a different Post officer.
- Section 4 An Executive committee shall exist that consist of five (5) members, in good standing, to be elected by the Post members. The terms of the five (5) members elected shall be as follows: two (2) "two-year" positions to be elected during even years and two (2) "Two-Year" positions to be elected during odd years. A "one (1) year" position will be filled by the out-going Post Commander each year. If the previous Post Commander is re-elected or cannot otherwise fill this position, the position will be elected for that year. All other elected Post officers shall serve their normal terms of office.
- Section 5 Nominations for Post officer positions shall be made at the membership meetings two months prior to the month elections are to be held. All nominations will close following the membership meeting one month prior to elections. No nominations will be allowed from the floor; however, write in votes will be allowed. All nominations for office must be members in good standing.
- Section 6 All individuals requesting nomination must present their DD Form 214, Certificate of Release or Discharge from Active Duty, or other documentation listed by the VA (<https://www.va.gov/records/discharge-documents/>) documenting federal active-duty military service at the time of nomination to the Post Adjutant.
- Section 7
- A. Voting: Only members that have paid their membership dues for the current year may vote in Post elections. Evidence of paid membership dues will be a current membership card or by Post membership printout from The American Legion.
 - B. Counting of votes: (1) If two people are running for a position, the person receiving the most votes shall be the winner. If there is a tie, the membership shall re-vote for this position. (2) If three or more individuals are running for a position, the individual receiving 51-percent (51%) or more of the vote shall be the winner; otherwise, the individuals receiving the lowest number of votes will be dropped from the ballot and the membership shall vote again on the remaining highest two.

C. Counting of votes for the Executive Committee: The Executive Committee shall consist of five (5) members separate from the other mandatory Post officers. Ordinarily, only three positions are filled each year, thus allowing two Committee members to maintain continuity on policy decisions. All individuals nominated for the two-year positions and the one-year position shall be voted on as a block. If there is an outgoing Commander, he/she may choose to fill the one 1-year position without being elected. Upon counting the votes, the highest number of votes will fill one 2-year position, the second-highest number of votes will fill the second 2-year position, and the third-highest number of votes will fill the 1-year position, if required.

Section 8 The Commander shall pick an Elections Committee consisting of 2-3 Legion Auxiliary or Sons of The Legion members, in good standing, to gather member votes, tally the votes, and report the results of the election to the membership. The Election Committee members shall not have a conflict of interest with any candidate. Individuals selected for this Committee shall be approved by the membership by a majority member vote.

Section 9 Ballots and other election documentation shall be held by the Adjutant in a sealed envelope immediately after the election. Member ballots will be destroyed after the next membership meeting.

Section 10 Absentee Voting: Post 4 does not allow absentee voting.

Section 11 Elected officers will usually be sworn in and assume their positions before the close of the meeting in which the elections are held. If an officer misses this meeting, they will be sworn in at the next meeting they attend. Exception to this policy is allowed when the Post membership elects to have an installation event or banquet on a different date that may also include the Auxiliary, Sons of The Legion and Legion Riders.

Section 12 The Post Commander shall appoint a member in good standing to fill all vacancies existing in the Executive Committee or other Post offices vacant from any cause other than expiration of term. These appointments are subject to ratification by the Executive Committee and the membership at the next regularly scheduled membership meeting. Any person so appointed shall hold that office until the next regular election.

Section 13 A vacancy shall exist when an officer is absent from his/her office for three (3) consecutive regularly scheduled meetings or for a continuous period as to be considered detrimental to the interests of the Post, as determined by the Executive Committee. The Commander, with approval of the Executive

Committee may remove an officer at any time for dereliction of duty. Officers subjected to removal under this Section shall have the opportunity to address the Executive Committee prior to this action.

ARTICLE III - Duties of Officers

- Section 1 Duties of Post Commander:
- A. It shall be the duty of the Post Commander to preside at all meetings of the Post and provide general supervision over the business and affairs of the Post. The Commander shall approve all orders directing the disbursement of funds and shall make an annual report summarizing key actions and events from the previous year and recommendations for the upcoming year to be read during March regularly scheduled membership meeting. A copy of this report shall be sent to the Department Adjutant for review. This report is in addition to the annual Post Consolidated Report that is jointly prepared by the Post Commander and Post Adjutant 30 days prior to the Department Convention.
 - B. The Commander shall become familiar with and oversee all management and operational aspects of the Post, including presiding over Post membership and committee meetings. In the absence of a Lounge/Club Manager, the Post Commander and the Post Executive Committee shall jointly oversee these duties, including the supervision of all Post employees and subcontractors including quarterly performance reviews and counseling statements. The Commander shall perform such other duties as directed by the Post membership.
- Section 2 Duties of the 1st Vice Commander: The 1st Vice Commander shall assume and discharge the duties of the Commander in the absence or disability of the Commander, or when requested by the Post Commander. The primary duties of the 1st Vice shall be the supervision of all ongoing membership recruitment activities to increase membership or sustain current membership.
- Section 3 Duties of the 2nd Vice Commander: The 2nd Vice Commander plays a dual role of social and functional duties. The Second Vice Commander shall provide programs, both social and recreational activities, to encourage and increase attendance. The 2nd Vice Commander will pursue fund raising activities to provide for on-going Post improvements, routine expenses, and charities. In the pursuit of "Fairness", the Second Vice Commander will focus on the welfare of all fellow veterans and will focus on veterans' affairs and rehabilitation.

Section 4

Duties of the Post Adjutant:

- A. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National organizations may require, render reports of membership annually or when called upon at a meeting, and under the direction of the Commander, handle all correspondence of the Post.
- B. The Adjutant is responsible for keeping an accurate accounting of the Post membership records, forwarding membership applications, data forms, and dues to the Department and The American Legion.
- C. The Adjutant shall secure all membership data, forms, and records at the Post.
- D. The Adjutant shall track all memberships and dues submitted to the Department to assure that all new memberships, and renewals, are completed in a timely manner.
- E. The Adjutant shall accurately account for and forward all membership dues to the Post Finance Officer for deposit.
- F. The Post Adjutant should attend Adjutant School annually.

Section 5

Duties of the Finance Officer:

- A. The Post Finance Officer shall have charge of all finances ensuring all funds properly accounted for and safely deposited into the Post's bank accounts.
- B. The Finance Officer shall oversee all accounts payable and receivable, to include making timely bank deposits, to ensure adequate funds are available for all accounts payable, including sufficient cash is on-hand for daily Post operations and change funds.
- C. The Finance Officer shall sign all checks disbursing the monies of the Post.
- D. The Finance Officer shall report the condition of the finances of the Post once a month to the membership and Executive Committee at their regularly scheduled meetings.
- E. The Finance Officer shall make such recommendations as they may deem expedient or necessary for raising funds with which to carry on the activities of the Post.
- F. The Finance Officer shall furnish such surety bonds in such sums as shall be fixed by the Executive Committee and ensure that all required licenses and permits are obtained and displayed.

Section 6

Duties of the Post Judge Advocate: The Judge Advocate shall provide professional advice and clarification of directives in the conduct of the Post

business and recommend proper counsel when needed. The Judge Advocate is the guardian of constitutional form of Post government. The Judge Advocate shall be completely familiar with the National, Department, and Post Bylaws. The Judge Advocate shall maintain a copy of and be familiar with Robert's Rules of Order, as amended.

Section 7 Duties of the Post Chaplain: The Post Chaplain shall be charged with the spiritual welfare of the Post comrades. The Chaplain will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc. The Chaplain shall adhere to such ceremonial rituals as are recommended by the National and/or Department Headquarters from time to time.

Section 8 Duties of the Post Sergeant-at-Arms: The Sergeant-at-Arms shall preserve order at meetings and shall perform such other duties as may be assigned by the Post Commander.

Section 9 Duties of the Post Service Officer:

- A. The Post Service Officer assists all veterans in processing disability and finance claims, obtaining veteran records, and counseling veterans on available benefits and services. These veterans do not need to be members of Boone Post 4.
- B. The Service Officer shall keep all conversations and interactions with veterans confidential. All meetings of a confidential nature shall be conducted in a private atmosphere where others cannot hear discussions. All Service Officer records shall be properly secured to prevent unauthorized access.
- C. The Post Service Officer calls for a competent and dedicated person, preferably one who can serve for several continuous years. The Service Officer shall have a deep interest in fellow veterans, their Post, and their community. The Service Officer will be more effective if their job and location make them readily available to those needing assistance. The Service Officer shall attend the Department's Service Officer school annually for training and Department of Veterans Affairs updates.

Section 10 Duties of the Post Historian: The Post Historian shall be charged with the individual record and incidents of the Post and the Post members. The Historian shall perform such other duties as may properly pertain to the office as may be determined by the Post.

Section 11 Duties of the Post Executive Committee:

- A. The Executive Committee shall act as "Supreme Court" in matters of judgment and conduct of the affairs of this Post. The Committee is responsible for the hiring and firing of salaried and hourly employees

and contractors, as necessary. They will assist the Commander in daily oversight of Post employees, including the issuance of quarterly performance reviews and counseling statements.

- B. The Executive Committee approves all discretionary expenditures from Post funds and report exceptions to routine monthly expenditures to the membership.
- C. The Executive Committee will investigate all issues of bad conduct, theft, destruction of Post property, malicious rumors, assaults, and any other inappropriate actions committed by or against Post 4 members, Post 4 guests, or the Post in general. The Executive Committee will take appropriate action to stop such instances from happening again.
- D. The Executive Committee will counsel individuals deemed responsible for the unacceptable behavior, including verbal and written warnings, barring from the Post Lounge and social functions. In more severe matters, the Executive Committee will initiate suspension and/or removal actions from Post 4 per the guidance contained in the Department Constitution and Bylaws.
- E. If a matter of conduct or disciplinary action involving a member of the Legion Auxiliary, Sons of the Legion, or the Legion Riders comes before the Executive Committee, the Committee will consult with the Unit Auxiliary President, SAL Squadron Commander, or Chapter Director, as appropriate, and the individual concerned before taking any action. This coordination between Boone Post 4 organizations is meant to deal with personnel matters at the earliest possible time and at the lowest level possible to keep relationships between the respective organizations productive and harmonious.
- F. The Executive Committee must work within the rules and regulations as approved by the general membership. Delegation of these functions to the Executive Committee is in no way intended to usurp the powers of the membership through regular Post meetings. The Executive Committee shall submit a committee report to the membership at regular Post membership meetings.
- G. The Executive Committee has the duty to keep and maintain an Employee or member personal data private and secure. The Committee may enter into "Executive Session" to discuss in a confidential manner such personal issues. When the Committee enters into Executive Session, all non-Executive Committee members (except for the Post Commander) will be required to leave the meeting.

- H. The Executive Committee will meet prior to regular membership meetings to review pending Post business and operations and will make decisions on non-discretionary issues to facilitate well-organized membership meetings. These meetings will usually be held during the week prior to the membership meeting and again one hour before the monthly membership meeting. Special meetings of the Executive Committee may be called by the Commander when deemed necessary for the conduct of Post business.

ARTICLE IV - Major Committees and Appointments

- Section 1 The Post Commander, immediately upon taking office each year, may appoint the following standing committees: Americanism, Ceremonials, Economic, Finance, Foreign Relations, Graves Registration and Memorial, House and Entertainment, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of the American Legion, and Visiting or VAVS or any other committees as determined by the Officer's Guide. Such standing committees shall consist of such members and chair as shall be designated by the Post Commander.
- Section 2 Immediately after Post elections, the Commander shall appoint a House Committee. The House Committee shall consist of one (1) Chairperson and at least two (2) additional members, all in good standing, to be appointed yearly after and ratified by the membership.
The House Committee shall meet for organization and such other business as may come before it at the call of the Post Commander, or upon request of two (2) House Committee members.
The House Committee members, in coordination with the Post Executive Committee, are responsible for repair and maintenance of the facility pertaining to business, also cleaning, repair of premises and appearance/décor of premises, and ensuring compliance of rules and regulations necessary for keeping good order within the law.
- Section 3 The Post Executive Committee may decide to have a Bar Manager to oversee the operation of the Post Lounge operations if it deems necessary. The Bar Manager may be a salaried employee (membership not required, but desired) at a rate of pay determined by a vote of the Executive Committee. The Bar Manager may be appointed yearly by the Commander and ratified by the

Executive Committee. The Bar Manager shall be responsible for following general good business practices, such as purchasing and keeping on hand adequate stock and merchandising of same, scheduling other Lounge employees, and shall be present for all House Committee and Executive Committee meetings to report and advise only.

ARTICLE V - Delegates to Department Conventions

- Section 1 Delegates and alternates to a Department Convention shall be appointed by the Commander at a regularly scheduled meeting at least twenty (30) days prior to the date of such convention.
- Section 2 Reimbursement of Delegate expenses – The membership shall vote each year to authorize or not authorize reimbursement of Delegate expenses to the Department Convention. Reimbursement of expenses will be contingent upon the Delegate attending all Convention meeting sessions and their attendance at a minimum of 50-percent (50%) of the previous year’s membership meetings and available Post finances. This 50% attendance may be waived by the Commander if the member joined Post 4 after the start of the year or for medical conditions.
- Section 3 The Post Commander will automatically be a Delegate at the Department Convention and shall make every attempt to attend Department Fall, Winter, and Spring Conferences and the Department Convention. The Post Commander may be reimbursed one night's lodging expense for the Fall, Winter, and Spring Conferences and up to two nights lodging for the Department Convention.
- Section 4 Delegate Voting:
- A. The Department specifies each year the number of votes that each Post will be allowed based upon their final member count for the current year, usually about 30 days prior to the annual Convention. Based upon volunteers, the Post may appoint delegates up to the number of votes allowed by the Department. An equal number of alternate delegates may also be appointed.
 - B. The delegation commander shall cast a Post vote for each issue or position during the Department Annual Convention. Votes for Department elected positions shall be discussed at the Post meeting preceding the Department Convention, with a consensus by the membership as to how the Post votes will be cast.

ARTICLE VI - Charitable Gaming

- Section 1 Charitable Gaming Duties:
- A. The elected Post Commander will be the Post 4 Corporation Chief Executive Officer and the Post 4 Charitable Gaming Chief Executive Officer (CEO).
 - B. The elected Post Finance Officer will be the Post Charitable Gaming Chief Finance Officer (CFO).
 - C. All Post bartenders and Bar Manager (if used) will be Charitable Gaming Chairpersons.
 - D. Charitable gaming reports shall be provided to the Post membership at regularly scheduled monthly meetings.
- Section 2 The Post Charitable Gaming Finance Officer (CFO) shall ensure compliance with all Federal, State, and local gaming laws. The Gaming CFO shall report all charitable gaming activities to the Post Accountant and Post membership at least monthly.
- Section 3 No person convicted of a felony, gaming offense, criminal fraud, forgery, theft, falsifying business records, violation of KRS 238.995(7), or any two (2) misdemeanor crimes in Federal court or the courts of any State, the District of Columbia, or any territory, consistent with the provisions of KRS Chapter 335B within ten (10) preceding years, may be an employee, Post Commander, Post Finance Officer, Executive Committee member, Post Charitable Gaming Chairperson, or any other person, as required by law.
- Section 4 No Person listed with the State as a Gaming Chairperson may be a Gaming Chairperson for any other organization.
- Section 5 No person involved with charitable gaming shall receive any compensation for services related to the charitable gaming activities, including tipping.
- Section 6 Within two (2) days of the charitable activity, all gross receipts and adjusted gross receipts shall be deposited into a checking account devoted exclusively for charitable gaming and designated as the "charitable gaming account".

ARTICLE VII - Membership

- Section 1 All new members desiring to join Boone Post 4 shall complete a new member application, or Member Data Form for transferring members, and submit them to the Adjutant for review. The Adjutant will then submit the application to the membership for approval at the next regular membership meeting. All proposed members will present a DD Form 214 along with their application and membership dues. An alternative official discharge form will be sufficient if the

Service that the member served in did not use the DD Form 214. Membership applications and back-up documentation will be sent to the Executive Committee for review.

The Post membership may vote to not charge active members of the Northern Kentucky Honor Guard annual dues based upon their service to the community. The Commander of the Honor Guard shall submit a list of members to the Adjutant annually on July 1st.

During the membership meeting, the Adjutant shall summarize the proposed member's DD Form 214 or appropriate discharge certificate to the membership prior to membership vote, highlighting years of service, awards, foreign service, and discharge status. Membership voting will be by majority vote.

After membership approval, new members will be sworn in at a membership meeting (not required for transferring members), welcomed to Boone Post 4, and provided a Post Membership Packet.

Section 2

Honorary Life Membership -- The Post may award an Honorary Life Membership to members who have significantly served the Post through many years of active Post 4 membership, multiple Post officer terms, or many years of significant volunteerism in Post 4 activities and programs. Accomplishments should be over and above the average active Legion member. Any Post 4 member may suggest a member for life membership by submitting details to the Executive Committee. The Executive Committee will verify that the individual is worthy of such an honor and submit the details to the membership for their approval.

Members awarded an Honorary Life Membership shall be issued a plaque at a membership meeting attesting to their service to Post 4. The Post plaque listing all Post 4 Life Members will be updated when individuals are approved for life membership. The Post will pay the individual's annual dues to the Department each year if the individual remains a member of Post 4 and submit a Member Data Form changing the member's status to Life.

Section 3

The Post shall pay the Department and National membership dues for those members who served in World War II.

Section 4

Boone Post 4 shall be the judge of its own membership. Applications for Post membership or transfer will be approved, or disapproved, by the membership.

Section 5

Members are expected to conduct themselves appropriately when at the Post and refrain from derogatory remarks about members or conduct that may be offensive to others. The Executive Committee will investigate reports of bad conduct and take appropriate action to discipline offenders. The Post Judge

Advocate shall review the results of disciplinary actions above the minor barring of an individual from Post social functions prior to taking further action.

Section 6

Post members may be expelled from Boone Post 4 upon a showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, and conduct unbecoming a member of The American Legion. This action is not to be taken lightly and should be considered only when the offense is so paramount that there is no other reasonable alternative to address the situation. Additional examples of such offenses include, but are not limited to, theft of money or Post property, destruction of Post property, severe assaults to others, and where continued bad conduct warnings have not been effective. The Post shall use the procedures contained in the National Officer's Guide, Practice and Procedure in the Expulsion or Suspension of a Member of The American Legion, and Department Constitution and Bylaws when deciding the expel a Post member.

ARTICLE VIII - Authority to Spend Post Funds

Section 1

All expenditures of Post funds from all accounts for discretionary items shall be approved by the Executive Committee with ratification by the general membership at regularly scheduled Post membership meetings. Examples of these non-essential discretionary expenditures are:

- A. Routine charity donations that are not time sensitive,
- B. Expenditures relating to Post member or fund-raising events,
- C. Reimbursement of Department Convention Delegate expenses,
- D. Purchase of non-essential materials, supplies, or other products for Post 4, and
- E. Non-essential improvements to Post property or facilities

Section 2

Expenditures that are deemed non-discretionary shall be approved by the Post Executive Committee. Non-discretionary expenditures are classified as those expenses that are routine monthly costs, emergency in nature, or time sensitive expenditures, such as:

- A. Monthly mortgage, utilities, and insurance,
- B. Repairs to heating, electric, and plumbing,
- C. Payment of State licensing, taxes, and fines,
- D. Time-sensitive expenditures of a minor nature, such as small donations or last-minute event preparation, and
- E. Expenses that are mandated by Federal or State regulation.

The Post Executive Committee shall report to the Post membership all major

non-discretionary expenses during monthly membership meetings.

Section 3

The Post Lounge shall have its own Bar Checking Account. This account will pay all expenses associated with the operation of the Lounge. Expenses to operate the Bar itself will be deemed as non-discretionary. Other Bar expenses relating to the Bar, such as expenses associated with the pool table, juke box, televisions, and ATM machine will be deemed discretionary and will be approved by the Executive Committee. The Bar Account will not be used for any expenditure not associated with the Lounge. The Post Finance Officer and/or Post Commander shall review all expenditures from this account.

Section 4

Service Officer and Chaplain Donation Authority: The Finance Officer shall establish a dedicated petty cash fund not to exceed \$300. This fund will be established and replenished from the Post General Account. The elected Post Service Officer or Post Chaplain will have the authority to expend Post funds under the following conditions:

- A. The Post Service Officer or Chaplain may make disbursements from a dedicated petty cash fund to assist Veterans and American Legion members for lodging, food, transportation, or other emergencies in the following amounts:
- B. Any one-time donation up to \$25 may be made without further authorizations.
- C. Donations above \$25, but not exceeding \$50, will be approved by the Service Officer/Chaplain and one other Post officer. Donations of \$50 to \$100 will be approved by the Post Executive Committee between meetings, or the membership if time allows.
- D. All donations will be investigated by the Service Officer or Chaplain by calling surrounding Legion Posts and VFWs to assure that the individual has not already obtain donations elsewhere. The Service Officer or Chaplain will also review past donation forms to ensure that the individual has not asked for repeated donations. The Chaplain will confer with the Post Service Officer (and vice versa) to determine past donations and procedures, if necessary.
- E. In the absence of the Post Service Officer or Chaplain, donations up to \$25 can be approved by a minimum of two Post officers if the need is urgent.
- F. There will be a monthly cap of \$200 for all donations. No additional donations for the month may be disbursed without the specific approval of the Post 4 Executive Committee.

- G. The Service Officer and the Chaplain will use approved donation forms as stated in the Post Donation Standard Operating Procedures and report all donations at monthly membership meetings

Section 5

The Post mortgage shall not be re-negotiated to receive excess funds back to the Post or to lengthen the mortgage term unless it is necessary for the survival of the Post and all other options of raising funds have been exhausted. The Executive Committee must approve any such action prior to bringing such action before the Post membership. It shall take a two-thirds (2/3) membership vote of members present at a regular membership meeting to refinance or reestablish the Post mortgage for any reason. Before such action can be taken the Post membership must be notified by U.S. Mail at least one month prior to the membership meeting that this action will be voted on.

ARTICLE IX - Meetings

Section 1

- A. The regular meetings of this Post shall be held at the Legion Hall on the second Sunday of each month at 2:00 PM, at which may be transacted such business as may properly be brought up for action. Such meetings may be converted into entertainment meetings as deemed advisable by the officers of the Post.
- B. The membership may change a scheduled meeting date on a case-by-case bases by a majority vote by those in attendance (51% or more) when there are conflicts related to holidays, other Legion meetings or conventions, or other issues deemed significant by the membership. The Department Headquarters will be notified of all changes in meeting dates.
- C. Ten (10) Post members (including Post officers) shall constitute a quorum at monthly membership meetings. A minimum of five (5) of these 10 members will not be officers of the Post.
- D. The membership may vote to permanently change the regularly scheduled membership meeting date. A valid motion to change the date may be brought up for discussion at any membership meeting, and if passed by a simple majority, a notice will be communicated to the entire membership (when feasible) through email, Post newsletter, and Post website and Facebook pages. The matter will be tabled for the following two months, at which time the membership shall either approve or disapprove the change by a majority vote of two-thirds (2/3) of those in attendance.

- Section 2 A. The Executive Committee shall meet at 6:00 pm on the Monday before the regularly scheduled monthly Post meeting for organization and such other business as may come before it at the call of the Post Commander, or upon request of three (3) Executive Committee members.
- B. The Executive Committee may also meet immediately before membership meetings if Post issues warrant such a meeting. Three (3) or more Executive Committee members shall constitute quorum required to be able to conduct any business.

Section 3 The Post Commander or a majority of the Executive Committee shall have the power to call a special meeting of the Post at any time upon written or telephonic request of the membership. In emergency situations, announcement of this special meeting may be made by calling as many members as possible, posting notices on the Post's Internet website and Face Book pages, and posting readily noticeable announcements at the Post.

ARTICLE X - Other Recognized Programs

Section 1 The American Legion, Boone Post 4 recognizes an organized program known as Sons of The American Legion (SAL), which is administered by and subject to the control of Post 4. Routine, day-to-day operation of SAL Squadron 4 will be under control and direction of its elected officers and SAL membership.

Section 2 The American Legion, Boone Post 4 recognizes an organized program known as the American Legion Riders (ALR), which is administered and subject to the control of Post 4. Routine day-to-day operation of ALR Chapter 4 will be under control and direction of its elected officers and ALR Membership.

Section 3 The American Legion, Boone Post 4 recognizes an organized program known as The Northern Kentucky Honor Guard, which is administered by and subject to the control of Post 4. Boone Post 4 is the official sponsor of this organization and is responsible for the M1 rifles and blank ammunition received from TAACOM, Department of the Army. Routine day-to-day operation of The Northern Kentucky Honor Guard will be under control and direction of its elected Commander and Honor Guard members.

Section 4 All sub-programs of Boone Post 4, to include the SAL, Legion Riders, and NKY Honor Guard, shall be audited by the Post Finance Officer annually.

ARTICLE XI - Post Facility

- Section 1 The Post building and attached premises are controlled by The American Legion for the welfare of the Boone Post 4 family. The Executive Committee will have final responsibility for resolving use issues when there are conflicts between official meetings, Post social activities, or hall rental events.
- Section 2 The Post Memorial Hall shall be used primarily for official scheduled meetings of Post 4 family organizations. The Hall shall be reserved for these meetings at no cost without approval from the membership. Otherwise, the Hall may be used for post activities and rentals. Hall rentals will be the responsibility of the Post Commander or Adjutant; however, these activities may be delegated when approved by the Executive Committee. The proceeds of all Memorial Hall rentals shall be deposited into the Post General Account.
- Section 3 The Executive Committee shall publish House Rules for the Post Lounge and Hall. The Post Commander and Executive Committee shall enforce the provisions of these rules. House rules will be reviewed and approved by the membership annually.
- Section 4 All officers of Boone Post 4 have the responsibility to help provide safety and comfort in the Post Lounge. In the event the bartender deems it necessary to ask a patron to leave the premises, an officer, upon the request of the bartender on duty, may ask the patron to leave. In extreme cases of possible bodily harm or destruction of property the Bartender should contact the Boone County Sheriff's Office to request assistance. In no instance should the Bartender leave their duty station behind the bar. The Bartender on duty may refer the incident to the Executive Committee for further action if the Bartender believes the offense warrants further action.

ARTICLE XII - Member Notifications

- Section 1 Every member shall furnish the Post Adjutant with his/her address and telephone number, and email address if available.
- Section 2 The Post Adjutant shall give notice of the annual elections at least three (3) weeks prior thereto whenever these elections are not held in accordance with Article II, Section 1 of these Bylaws.
- Section 3 The Post membership shall be given a two-months' notice by regular mail of all major changes within the Post to allow for ample time to ensure that all members have an opportunity to review the change and make plans to attend the membership meeting when the actual vote on the measure will take place.

Examples of “major changes” include, but not limited to, structural building changes, a change in monthly meeting days, decisions on monetary loans, the refinancing of loans, banning the use of tobacco products on Post property, and major non-essential expenditures of over \$5,000.

ARTICLE XIII - Mandatory Reports

- Section 1 The Adjutant shall complete the Annual Post Consolidated Report and submit it to the Department 30 days before the annual Department Convention. Additionally, the Adjutant shall submit the list of newly elected Post officers at this time.
- Section 2 Annually, the Commander must complete a Commonwealth of Kentucky Corporation Annual Filing Report. The due date is September 15th of each year (the 15th day of the 3rd month after the beginning of the taxable year.) This may be done using the Internet at www.sos.ky.gov. Additionally, the Adjutant shall submit the list of newly elected Post officers to the Secretary of State and to the Division of Charitable Gaming at this time.
- Section 3 The Commander must complete an annual tax filing with the Internal Revenue Service, commonly known as IRS Form 990.
- Section 4 The Finance Officer will report the status of Post finances, monthly Lounge profits, and monthly Charitable Gaming profits at every monthly membership meeting. Profit & Loss statements will be reported to the membership monthly.
- Section 5 The Finance Officer shall ensure that the Post Accountant completes all quarterly Charitable Gaming reports in a timely manner. The Finance Officer shall review completed Charitable Gaming reports for accuracy and submits these reports to the Kentucky Office of Charitable Gaming on time.
- Section 6 The Post Adjutant and Finance Officer shall maintain all Post records, retiring such records as necessary at the end of the Post’s tax year. Retired records shall be held for the time prescribed by the IRS.

ARTICLE XIV - Limitations of Liability

- Section 1 This Post shall incur, or cause to be incurred, no liability nor obligation whatsoever which shall subject to liability of any other Post, subdivision, group of persons, members of the American Legion, or other individuals, corporations, or organizations.
- Section 2 This Post shall defend and spend whatever amounts are necessary in all lawsuits and judgments against Boone Post 4 Legion officers, providing such

lawsuits or judgments arise from such officers performing their official duties in conjunction with decisions of the Legion Executive Committee and/or Legion membership.

ARTICLE XV - Rules of Order

- Section 1 All proceedings of this Post shall be conducted under and pursuant to Robert's Rules of Order, except as herein otherwise provided.
- Section 2 All words in these Bylaws in the masculine gender shall include the feminine gender.

ARTICLE XVI - Amendments

- Section 1 The Executive Committee shall review the Post Bylaws annually after the election of Post officers to ensure that they reflect the major policies and procedures of Post 4. The Executive Committee shall review any major membership discussions, significant disagreements, and new policies and decide whether these issues should be included in the Bylaws. The Executive Committee or an appointed By-Law Committee shall draft By-Law amendments and present them to the membership.
- Section 2 These Bylaws may be amended at any regularly scheduled Post meeting by a vote of two-thirds (2/3) of the total authorized votes cast by attending members at that meeting, provided that the proposed amendment(s) have been made available for review to the Post membership through the Post's Internet website, the Post's monthly newsletter, and by prominent posting in the Post Lounge/Club Room at least sixty (60) days prior to voting. The entire proposed amendment(s) shall be made available in writing to the membership during this sixty (60) day period by request at the Post Lounge. Major changes or Amendments to these Bylaws shall follow the procedures contained in Article XIII, Section 3 of these Bylaws.

Legislative History: These bylaws were written, revised, and approved by the Post Bylaws Committee on July 31, 2022. The final draft of these bylaws was available for membership comments starting on August 14, 2022. No comments were received. These bylaws were approved by the Post membership during the October 9, 2022, membership meeting.

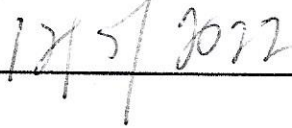
APPROVED:

X



Daniel "Gunny" Finke
Commander, Boone Post 4, Florence, KY


Date:



12/5/2022

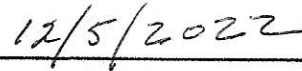
ATTEST:

X



Michael "Mike" Smith
Adjutant, Boone Post 4, Florence, KY

Date:



12/5/2022