

CONSTITUTION AND BYLAWS

POST CONSTITUTION CONSTITUTION OF THE ROSCOE ENLOE POST #0005, DEPARTMENT OF MISSOURI

CONSTITUTION 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 this organization shall be Roscoe Enloe Post #0005 of the American Legion, Department of Missouri (herein after Post 5).

ARTICLE II – OBJECTS

Section 1. The objects and purposes of Post 5 shall be to promote the principles and policies as set forth in the foregoing preamble, and the National and Department Constitutions of the American Legion.

ARTICLE III – NATURE

Section 1. Post 5 is a civilian organization and membership therein does not affect or increase liability of military or police service.

Section 2. This organization shall be absolutely non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking office or preferment.

ARTICLE IV – MEMBERSHIP

Section 1. Eligibility to membership in Post 5 shall be as prescribed by the National Constitution of the American Legion.

Section 2. 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 or more of the 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 3. Any member of Post 5 may be expelled or suspended upon charges based upon disloyalty, dishonesty, or conduct unbecoming of a member of the American Legion, (See Department Bylaws) by two-thirds vote of the members present and voting after charges are proffered under oath in writing, and a fair trial had upon the same, as prescribed by the National and Department Bylaws of the American Legion.

Section 4. No person who has been expelled by a Post shall be admitted to membership in the Post, without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, he may appeal to the Executive Committee of the expelling Post for permission to apply for membership in Post 5 and shall be ineligible to apply for membership until such permission is granted.

ARTICLE V – OFFICERS

Section 1. The administrative affairs of Post 5 of the American Legion shall be under the supervision of the Post Executive Committee, which shall consist of the elected Officers of the Post and the immediate Past Commander. All other past Post Commanders shall be considered members of the Executive Committee with a voice but no voting privilege. Post 5, by its Bylaws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of Post 5 shall be a Commander, First Vice-Commander, Second Vice-Commander, Adjutant, Finance Officer, Historian, Chaplain, Service Officer, Sergeant at Arms and Judge Advocate. The nominating Committee shall be composed of not more than five (5) currently paid up members who are Past Commanders of Post 5 and shall submit a slate of officers to the floor at the meeting preceding the annual election.

Section 3. All Post officers shall be elected annually and they shall hold office until their successors are duly elected and installed. Any officer may be removed for inefficiency upon recommendation of the Executive Committee and by three-fourths vote of the membership present at the regular Post meeting.

ARTICLE VI – FINANCE

Section 1. The revenue of Post 5 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 annual Post dues shall be fixed and determined by the Post Executive Committee with approval of the majority of the Post membership present at the regular Post meeting.

ARTICLE VII – AMERICAN LEGION AUXILIARY

Section 1. Post 5 recognizes the Auxiliary organization known as the Roscoe Enloe Post 5 Auxiliary Unit of the American Legion Auxiliary.

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

ARTICLE VIII – SONS OF THE AMERICAN LEGION

Section 1. Post 5 recognizes Sons of the American Legion organization known as “The Sons of the American Legion Squadron of The Roscoe Enloe Post 5 of the American Legion, Department of Missouri”.

Section 2. Membership in The Sons of The American Legion shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion and thereafter approved by the Department of Missouri Executive Committee.

ARTICLE IX – LEGION RIDERS

Section 1. Post 5 recognizes a Legion Riders organization known as “The American Legion Riders Chapter 5 of the Roscoe Enloe Post 5 of The American Legion, Department of Missouri”.

Section 2. Membership in the Legion Riders shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of the American Legion and thereafter approved by The Department of Missouri Executive Committee.

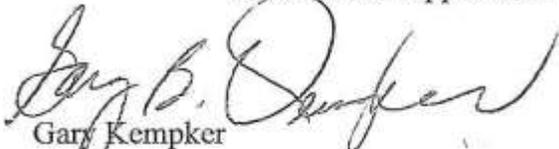
ARTICLE X – AMENDMENTS

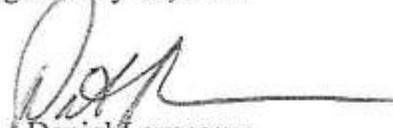
Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and the Department Constitution of the American Legion, Department of Missouri. Any amendment to said National Constitution, which is in conflict with any provision hereof; shall be regarded as automatically repealing or modifying the provisions of this constitution, to the extent of such conflict.

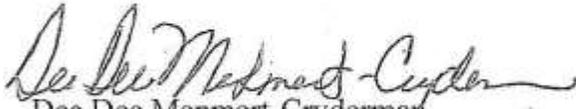
Section 2. This Constitution may be amended at any regular Post meeting by a vote of two-thirds of the members of said Post attending such regular meeting of the Post and provided further, that written notice shall have been given all members at least seven days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposed amendment of the Constitution is to be voted upon.

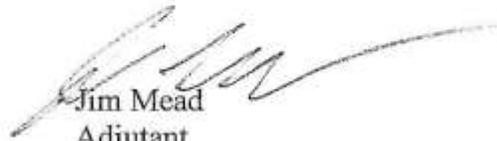
Voted on and Approved at the Executive Committee Meeting on May 11, 2021

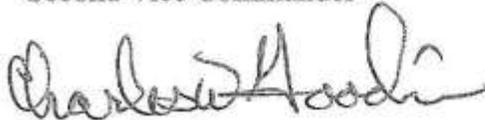
Voted on and Approved at the Post Meeting on May 18, 2021


Gary Kempker
Commander


Daniel Levasseur
First Vice Commander


Dee Dee Menmert-Cryderman
Second Vice Commander


Jim Mead
Adjutant


Charlie Goodin
Judge Advocate