

CONSTITUTION and BYLAWS
of
THE AMERICAN LEGION
DEPARTMENT OF VIRGINIA
AMERICAN LEGION QUANTICO BUCK KEYES POST 28



17934 Liming Lane
Triangle, Virginia 22172

Revised, Adopted and Approved
April 22, 2023

TABLE OF CHANGES

This revision includes all updates made since January 1983. The First Reading was at the General Membership Meeting held on March 25, 2023, and all members present at the meeting were given a copy of the Draft Bylaws for review. A copy was also sent to all members of the Executive Committee for review.

The Final Reading and Approval was made during the General Membership Meeting held on April 22, 2023.

Attested: _____
George C. Lussier Jr., Adjutant

Approved: _____
Willie McCrory, Commander

Witness: _____
Jerry Pickham, Vice Commander

Witness: _____
Bradley Falls, Vice Commander

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CONSTITUTION
of
THE AMERICAN LEGION
DEPARTMENT OF VIRGINIA
AMERICAN LEGION QUANTICO BUCK KEYES POST 28
As Amended

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 American Legion Quantico Buck Keyes Post 28, Department of Virginia, Triangle, Virginia. The organization shall be incorporated in the Commonwealth of Virginia under the name American Legion Quantico Buck Keyes Post 28 Inc.

Section 2: The Post Home of The American Legion Quantico Buck Keyes Post 28 Incorporated, shall be located on the property located at 17934 Liming Lane, Triangle Virginia.

ARTICLE II – PURPOSE

Section 1: The objects and purposes of Post 28 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 28 is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 2: This organization shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor 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 their military or naval title in any meeting of Post 28.

ARTICLE IV – MEMBERSHIP

Section 1: As provided in the National Constitution, Article IV, Section 1: Any person shall be eligible for membership in The American Legion who was a member of the Armed Forces of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917, to November 11, 1918, and December 7, 1941, to the date of cessation of hostilities as determined by the government of the United States; all dates inclusive, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political, or other grounds to subject himself to military discipline or unqualified service.

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Section 2: There shall be no form or class of membership except an active membership and dues shall be paid annually or for life. There shall be no associate memberships, or any memberships by any other designation for anyone who does not meet the eligibility requirements of The American Legion.

Section 3: No person may be a member at any time of more than one Post. Should it become apparent that such "dual membership" exists, the offending Legionnaire shall be notified immediately and required to select the Post in which they wish to remain.

Section 4: Application for membership shall be made in writing under such regulations as may from time to time be prescribed. Post 28 shall be the judge of the qualification of its members, provided such members are eligible for membership in The American Legion, and may set such other reasonable and lawful standards of qualification for membership as it may determine.

Section 5: All applications for membership shall be acted upon as outlined in the Bylaws Article IV – Membership.

Section 6: Any member of Post 28 may be suspended or expelled upon a proper showing of cause, providing that the charges shall be based upon disloyalty, neglect of duty, dishonesty or unbecoming a member of The American Legion, (ref Article IV, Section 2, of the National By-Laws) by a 2/3 affirmative vote of the Executive Committee after charges are preferred, under oath and in writing, by a member of the Post and a fair trial had upon same before said Executive Committee, presided over by the Judge Advocate of the Post. Any other discipline of members will be in accordance with Department of Virginia Bylaws, Article IV.

Section 7: Any person who has been suspended or expelled, may appeal the decision of the Executive Committee to the Post. The appeal must be in writing and made within 30 days of notice of such suspension or expulsion. The Commander shall call a special meeting of the Post for a hearing upon the appeal within 30 days of the appeal being filed with the Post Adjutant, or it may be heard at a regular meeting of the Post if the meeting is held within 30 days of the receipt of the appeal.

Section 8: A member who has been expelled or suspended from Post 28 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 9: No person who has been expelled by another Post, shall be admitted to membership in Post 28 without the consent of the expelling Post. If such consent has been asked for and denied, the person may appeal to the Department Executive Committee to be admitted to membership in another Post and shall be ineligible for membership until such permission is granted.

ARTICLE V – OFFICERS

Section 1: The administrative affairs of Post 28 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 the elected officers of the Post, six elected members, and all Past Post 28 Commanders. Two members shall be elected to the Executive Committee each year and the term of office shall be for three years. If all the elected positions are vacated, the six elected members will have two who shall be elected for a one-year term; two for a two-year term; and two members for a three-year term, each to succeed those terms that have expired. A member of the Executive Committee may be re-elected to a three-year term on the committee. Post 28, by its Bylaws, may provide for such other standing committees as the business of the organization may require.

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Section 2: The officers of Post 28 shall be a Commander, two Vice-Commanders, Adjutant, Finance Officer, Post Historian, Post Chaplain, Post Service Officer, Post Sergeant-at-Arms, Judge Advocate, and such other officers as may be deemed necessary, who shall be nominated from the floor at the meeting preceding the annual election. All elected members will also serve on the Post 28 Executive Committee.

Section 3: All officers and two members of the Executive Committee shall be elected annually, and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or member of the Executive Committee may be removed for inefficiency by a vote of the membership, a two-thirds vote being necessary to affect such removal.

Section 4: Every member of American Legion Quantico Buck Keyes Post 28 in good standing shall be eligible to hold office.

Section 5: The duties of officers and the executive committee shall be those usually appertaining to such officers or committee and as further provided in the Bylaws however, a candidate for or incumbent of a remunerative office shall not hold office in Post 28.

Section 6: No person in a position of authority over the Post, such as the Post Commander, Post Officers, or members of the Post Executive Committee may benefit personally from a decision they could make.

ARTICLE VI -- FINANCE

Section 1. The revenue of this Post shall be derived from annual membership dues and from other such sources as may be approved by the Post Executive Committee and approved by the Post.

Section 2. The amount of membership or initiation fees and annual dues shall be fixed and determined by this Post.

Section 3. The Post shall pay to Department Headquarters the Department and National annual membership dues within thirty (30) days from receipt thereof for each paid member of the Post.

ARTICLE VII-- REAL PROPERTY

Section 1. Real property owned by Post 28 may be sold, leased or otherwise disposed of, where control of said property is involved, (after first complying with the Department and National Constitution and following the procedures provided by the Department Adjutant), at any regular meeting by a vote of two-thirds (2/3) of the Post members attending a regular meeting, provided that the proposal shall have been submitted in writing, after approval by a majority of the Post 28 Executive Committee, and further after approval by a majority of the Board of Trustees of American Legion Quantico Buck Keyes Post 28 Inc., and read at the preceding regular meeting of the Post, and provided further notice shall have been provided to all members at least fifteen (15) days in advance of the date when such proposal is to be voted upon.

Section 2. No real estate owned by Post 28 will be sold or used as collateral for a loan without the approval of the Board of Trustees of American Legion Quantico Buck Keyes Post 28 Inc. In the event the Post 28 real estate becomes encumbered with a lien the Department Adjutant should be notified of said lien.

Section 3: The Post shall make no purchase of real property, nor sell, mortgage, lease away or otherwise dispose of its real property, unless authorized by a vote of two-thirds (2/3) of the members eligible to vote thereon at any

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regular or special meeting, provided notice of the same has been forwarded to each member at least ten (10) days in advance of said meeting. The title to all real and personal property theretofore held by the Trustees shall be conveyed to and shall vest in Post 28 in its corporate capacity, and management and control thereof shall be vested in the Board of Directors of the Incorporated Post.

Section 4. Upon dissolution of this Post, none of its assets may be distributed to any private member or individual, but such assets shall be transferred to The American Legion, Department of Virginia, or if it should not be a qualified tax-exempt entity to receive the same, then to The American Legion.

ARTICLE VIII – AUXILIARY AND OTHER ORGANIZATIONS

Section 1: Post 28 recognizes an Auxiliary Organization known as the American Legion Auxiliary Unit 28. Membership in the Auxiliary shall be prescribed by the National and Department of Virginia Constitutions and By-Laws of The American Legion Auxiliary.

Section 2: Post 28 recognizes a Squadron of The Sons of The American Legion Organization known as the Sons of The American Legion Squadron 28, The American Legion, Detachment of Virginia. SAL Squadron 28 may adopt its own Constitution and By-Laws, subject to approval of same by the Post 28 Executive Committee. Membership in the Sons of The American Legion shall be governed by such rules and regulations as may be prescribed by the National and Department Constitutions and By-Laws.

Section 3: Post 28 recognizes a program of American Legion Riders known as the American Legion Riders Chapter 28, The American Legion, Department of Virginia. Membership in American Legion Riders Chapter 28 shall be governed by such rules and regulations as may be prescribed by the National and Department Constitutions and By-Laws. Legion Riders Chapter 28 may adopt its own Constitution and By-Laws, subject to approval of same by the Post 28 Executive Committee. The Legion Riders Chapter shall elect a Director from its membership. There shall be a member of the Post 28 appointed Liaison to the Legion Riders Chapter. Any Liaison appointed shall report as directed by the Post Executive Committee concerning the Legion Riders Chapter activities.

Section 4. Once created, this Post may cease its sponsorship of American Legion Squadron 28 or Riders Chapter 28 for good cause, such as failure to maintain a minimum membership, failure to function, participating in activities illegal, immoral, or opposed to our form of Government and the American way of life, and in the discretion of the Post 28 Executive Committee, subject to ratification by the Post 28 membership.

ARTICLE IX – SOCIAL MEDIA AND THE INTERNET

Section 1. All members of this post and all participants in the programs of this post are required to adhere to the Social Media Guidelines promulgated by the Department of Virginia.

Section 2. Applicants for social media accounts and registrants of domain names for this post or its programs are serving as agents of this post and ownership of these account and domain names are vested in the post. Applicants or registrants should obtain approval from the Post Executive Committee to establish a domain name or social media account. Applicants or registrants shall, upon demand, transfer the account or domain name to another individual designated by the Post Executive Committee.

ARTICLE X - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National and Department Constitution of The American Legion. Any amendment to said National Constitution or Department Constitution which conflicts 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 28 meeting by a vote of two-thirds (2/3) of the members of Post 28 attending such regular meeting; provided that the proposed amendment shall have been submitted in writing to the Post Executive Committee in session and approved by it; or if rejected, in whole or in part, it may be taken to a regular Post meeting on a minority report; and provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post; and provided further, that written notice shall have provided to all members at least 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.

Section 3. Anything not covered by this constitution shall be governed by the Constitution of the Department of Virginia.

BYLAWS
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THE AMERICAN LEGION
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AMERICAN LEGION QUANTICO - BUCK KEYES POST 28
As Amended

American Legion Quantico Buck Keyes Post 28 Constitution and Bylaws

The Post existing under these By-Laws is to be known as American Legion, Quantico Buck Keyes Post No. 28. The objects and purpose of this Post are set forth in the Constitution.

These Bylaws are adopted subject to the provisions of the National Constitution of the American Legion and the Department Constitution. Any amendment to the said National or Department Constitutions which conflicts with any provision hereof shall be regarded as automatically repealing or modifying the provisions of these Bylaws to the extent of such conflict.

ARTICLE I - MANAGEMENT

Section 1: The government and management of Post 28 lie with the membership. Day-to-day management is entrusted with the Post 28 Executive Committee as hereinafter provided. They shall be elected annually as provided in Article VII of these By-Laws, and all shall take office immediately upon installation.

Section 2: 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 ten days after the installation of new officers. Thereafter the Post Executive Committee shall meet at the call of the Post Commander as often as said Post Commander may deem necessary. The Post Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of the Post Executive Committee. A minimum of five (5) members of the Committee shall constitute a quorum thereof.

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 the custody of Post funds; shall cause all funds to be placed in the hands of the Post Finance Officer for deposit and accounting purposes; shall hear the reports of Post Committee Chairmen, and generally, shall have charge of and be responsible for the management of the affairs of this Post. At the end of each fiscal year, a review committee shall be appointed with the Post Judge Advocate as Chair to conduct a complete review of Post records before turning them over to the new Post Finance Officer. Except for hiring and firing of employees, all actions of the Post Executive Committee shall be submitted for approval to the membership at the next regular membership meeting.

Section 4: The action of the Executive Committee will be reported back to the Post at the next regular meeting in each instance. All payments made by the Staff, including the Office Manager, must be approved by the Finance Officer. Checks should be countersigned either by the Finance Officer or Post Commander. All transactions involving receipt and disbursement of funds shall be audited quarterly by an auditing committee which shall submit a written report of audit to the Post membership.

Section 5: A House, Facilities, and Social Quarters Committee shall be composed of up to seven (7) members, assigned by the Commander and approved by the Executive Committee and they shall serve for a term of one (1) year. There shall be at least one member representing the Auxiliary, one member representing the SONS, and one member representing the Legion Riders Chapter. The Chair of the Committee will be the Second Vice Commander unless otherwise named by the Commander. In the event an individual is a paid member of the Post Staff, they may be a member of the Committee but without a vote.

Section 6: The House, Facilities, and Social Quarters Committee will meet monthly and provide a report at the Executive Committee with all recommendations for changes to any of the areas of responsibility. Once approved by the Executive Committee, the actions shall become a portion of the Executive Committee's report to the Post for final approval.

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Section 7: The House, Facilities, and Social Quarters Committee is responsible for establishing and publishing the House Rules necessary to preserve order and decorum in the Social Quarters and on Post Premises.

Section 8: All vacancies existing in the Executive Committee, or in any office of the Post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer who succeeded. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

ARTICLE II - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this organization in all cases in which they are applicable and in which they are not inconsistent with these bylaws and any special rules this organization may adopt.

ARTICLE III - MEMBERSHIP ELIGIBILITY

Any person is eligible for membership in The American Legion if the individual has served at least one day of active duty in the Armed Forces of the United States at any time from the period of April 6, 1917, through November 11, 1918; or any time after December 7, 1941, in accordance with the guidelines specified by the National Bylaws of The American Legion. No person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political, or other grounds to subject themselves to military discipline or unqualified service.

ARTICLE IV – MEMBERSHIP, DUES, AND FEES

Section 1: Any person eligible to join The American Legion who desires to become a member of American Legion Quantico Buck Keyes Post 28, Department of Virginia, Triangle, Virginia shall fill out an official application form. The application shall bear the applicant's signature and must be countersigned by a member in good standing who will verify the applicant's eligibility. When submitted the form must be accompanied by one year's dues payment.

Section 2: Membership in The American Legion is based on a calendar-year, from January 1 to December 31 and when a member pays their dues, they are paid up for that membership year. However, the renewal process for the upcoming year's membership begins on July 1 with renewal notices sent out from National in July, October, January, March, and May. Once a member renews, they are removed from future renewal notices for that year. Each member can pay their dues by sending their payment to the Post 28 Adjutant, by stopping by Post 28 and paying their dues, or by going online at <https://mylegion.org/> and clicking on the renew button.

Section 3: When a member pays their dues to Post 28, the Post 28 Adjutant will send the National and Department per capita; when a member pays online, National will send the Department and Post 28 per capita to the Department and the Department will then forward to Post 28 their per capita amount. Members will also receive a twelve- month subscription to The American Legion Magazine when their dues are paid. It is the responsibility of the members to keep the Adjutant informed of their current and correct address.

Section 4: Membership dues shall be established by vote of the membership, which amounts shall include the National and Department dues and are due no later than December 31 of each year. Members whose dues have not been paid by December 31st. of any current year shall be considered delinquent and will be denied access to Post 28 until dues are paid. Should dues be two (2) months in arrears, the member will be dropped from

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membership. The member may be reinstated by Post 28 upon paying dues for the current year and must be reinstated before being placed in good standing.

Section 5: Initiation ceremonies for new applicants will be conducted during the year at the discretion of the Commander, in accordance with the ritual provided by the National Headquarters of The American Legion.

ARTICLE V - VISITING MEMBERS

Section 1: Any member of The American Legion, in good standing, may visit and attend the meetings of Post 28. The Sergeant-at-Arms shall examine the member's membership card and ascertain if they are entitled to a seat.

Section 2: A visiting member shall not have the right to vote or debate in matters dealing with Post 28 but may be allowed the privilege of the floor by a majority of the members present. They shall not be permitted, however, to speak for or against any Post 28 candidate or candidates for nomination or election as officers. Violations of this section shall render all nominations and elections null and void.

ARTICLE VI - MEETINGS

Section 1: Regular meetings of Post 28 shall be held at least once a month. All meetings will be conducted in conformity to The American Legion Manual of Ceremonies, and pursuant to Roberts Rules of Orders, as revised, except as herein otherwise provided. Five (5) elected members, present in person, shall constitute a quorum at all meetings.

Section 2: Special meetings of Post 28 may be called by the Post Commander, a majority of the Executive Committee, or upon the written request of ten members of Post 28 in good standing; provided that a minimum of ten days' notice, exclusive of Sundays and Holidays, of the date and object of such meeting be given to every member and provided that no business be transacted at such meeting other than that for which the meeting was called. Because of the widespread location of the membership of Post 28, to ensure all members have an opportunity to learn of the meeting, the information will be posted on our social media sites.

Section 3: In the event a legal holiday or inclement weather occurs on the meeting dates set in Section 1 and Section 2 of this article, the Post Commander shall arrange to hold the meeting on another date.

Section 4: The Order of Business for the General Membership meeting shall be as suggested by National Headquarters in the Post Officers Guide but at a minimum include the following:

- a. Reading or Presentation of Minutes of previous meeting.
- b. Finance Officer's Report.
- c. Report of Committees, if any.
- d. Unfinished Business and Approval of Bills.
- e. New Business and Correspondence.
- f. Any Other Business for the Good of The American Legion.

ARTICLE VII - NOMINATION, ELECTION, AND INSTALLATION

Section 1: The Post 28 nominating committee shall be appointed during the month of February by the current Commander and may consist of at least three members in good standing who will come up with a slate of officers for the New Year. The Commander will designate one of the nominees to act as Chair of the Nominating Committee.

Section 2: The nominating committee's main function is to come up with a list of candidates who desire to serve as one of the Principal Officers of the Post or as a Member of the Executive Committee for the ensuing year. The nominating committee will provide their report during the regular meeting in March. After the report is presented, the Commander will ask if there are any other names which should be included on the ballot. Once all candidates have been identified, the information will be provided to the Adjutant who will prepare the ballot for the election of new officers during the Month of April.

Section 3: The report of the nominating committee is never adopted. Voting is the act of adopting and that will be done during the month of April. The names of proposed nominees may be listed on the Post 28 website after all nominations have been made. As the nominating committee is not making a formal nomination of candidates a second is not required however, if a member wishes to run for one of the principle offices or as a member of the executive committee, and they have not been identified at the March meeting, they can be nominated from the floor during the April meeting and unless they nominate themselves, a second is not needed.

Section 4: All voting will be by ballot and take place during the month of April, with special dates set when a Post Officer will be available to provide a ballot to a member in good standing so they can vote. The final vote, for those who had not previously voted, will take place at the regular meeting in April.

Section 5: At the April meeting, polling agents will be assigned by the Commander to provide ballots for the membership, who had not previously voted, to vote.

1. The polling agents will be responsible for checking the membership card of all members prior to providing a ballot to the member. There will be no identifying data noted on the ballots.

2. All members who desire to vote will be required to sign or initial next to their name on the membership roster, to receive a ballot. The roster will be updated by the Adjutant just prior to the voting period.

3. The member will then fill out the ballot and place the completed form in the sealed ballot box.

5. Once it has been verified all members present had the opportunity to cast their vote, the tellers will move to a quiet area to open the box and count the votes.

6. Once the vote is verified by the election tellers, the information will be provided to the Post Commander who will declare the results of the election under "New Business." The Adjutant will record the results of the election in the minutes of the meeting.

7. At the completion of the meeting, all ballots, and the result sheet, with the signature of the three election tellers, will be placed in a sealed envelope and kept in the Post 28 safe until after the installation of all officers.

Section 6: The installation of all new officers will take place during a formal ceremony to be held during the May meeting unless otherwise specified, or a formal installation event is planned.

Section 7: The following positions are the Principal Officers of Post 28. Commander, First Vice Commander, Second Vice Commander, Post Adjutant, Post Finance Officer, Post Sergeant-at-Arms, Post Judge Advocate, Post Historian, Post Chaplain, and Post Service Officer.

Section 8: The Post Commander, First Vice-Commander, Second Vice-Commander, Post Adjutant, Post Finance Officer, Post Sergeant-at-Arms, Post Judge Advocate, and Post Chaplain automatically become members of the Executive Committee with full power as such to serve until the expiration of their respective terms or the election of their respective successors.

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Section 9: Of the six elected members to the Post 28 Executive Committee two will be included in the list of nominations to serve for a three-year term. In the event there are other vacancies, nominations for those positions will also be included on the ballot.

Section 10: Delegates and Alternates to the Department Convention shall be appointed by the Post Commander and approved by the Executive Committee. Such appointments shall be made at least twenty (20) days prior to the date of the convention. The Executive Committee may authorize such expenses for Delegates and Alternates as the Committee deems appropriate.

Section 11: In the event of a vacancy in any of the elective offices, a notice of a special election to fill the position will be posted on our social media outlets under special announcements. All efforts will be made to have the election to fill such vacancy at the next regular monthly meeting after the vacancy has been announced.

Section 12: Any officer being absent for three (3) consecutive meetings, unless good and acceptable cause can be shown for such absence, may forfeit the right to hold such office and the Post Commander may declare the office vacant. Once the office is declared vacant, the Commander will make efforts to fill such vacancy as outlined in Section 11 above.

Section 13: In the absence of any regular officer of Post 28, the Commander shall have the power to appoint a qualified member to act during the meeting in which the absence of the regular officer occurs.

ARTICLE VIII - DUTIES OF POST 28 OFFICERS

Section 1: COMMANDER

It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post; to see that this Constitution and By-laws is observed; to serve as the Chief Executive Officer of the Post; and to approve all orders directing the disbursement of funds. The Commander shall appoint an Audit Committee consisting of three members to audit the Post Records and present that audit to the Executive Committee. The Commander shall appoint all committees, call special meetings, when necessary, serve as an ex-officio member on all committees, and serve as the Chair of the Executive Committee.

Section 2: FIRST VICE-COMMANDER

The Post First Vice Commander shall assume and discharge the duties of the office of Post Commander in the absence or disability of, or when called upon by the Post Commander and shall be fully involved in, and responsible for, all aspects of Post Membership.

Section 3: SECOND VICE-COMMANDER

The Post Second Vice Commander shall assume and discharge the duties of the office of Post Commander in the absence or disability of, or when called upon by the Post Commander and in the absence of the First Vice Commander, and shall be fully involved in, and responsible for, all aspects of Post Membership.

Section 4: ADJUTANT

The Post 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, issue membership cards, handle certificates of transfer, render reports of membership annually or when called upon at a meeting, and under direction of the Post Commander, handle all correspondence of the Post. The Post Adjutant shall comply with Article IX, Section 4, Department Constitution. The Post Adjutant will serve as the Secretary of the Executive Committee.

Section 5: FINANCE OFFICER

The Post Finance Officer shall have charge of all finances and see that they are safely deposited by the Post Finance Officer, or Office Manager, in the name of the Post in a depository bank approved by the Executive Committee. All such funds shall be deposited within seventy-two (72) hours after receiving same and report once a month to the Post Executive Committee and the Post, in writing, the condition of the finances of the Post, with such recommendations as The Post Finance Officer may deem expedient or necessary for raising funds with which to carry on the activities of the Post. The Post Finance Officer, or the designee approved by the Executive Committee, shall sign all checks disbursing the moneys of the Post, and such checks should be countersigned by the Post Commander, as authorized by the Post Executive Committee. The Post shall furnish such surety bond in such sum as shall be fixed by the Post Executive Committee. The Finance Officer will have oversight of all program accounts including the Sons of The American Legion Squadron 28, and The American Legion Riders Chapter 28 and ensure appropriate signature cards are submitted, after designation of the officers authorized to have access to Post funds. The Finance officer will make certain that the of the Post are audited annually. The Finance Officer will serve as the treasurer of the Executive Committee and Chair of the Finance Committee.

Section 6: JUDGE ADVOCATE

The Post Judge Advocate shall supply professional advice in the conduct of the Post business, or to retain proper counsel. The Post Judge Advocate shall be the Chair of any committee concerning the amendment of the Post Constitution or By-Laws. The Post Judge Advocate shall oversee the annual review of the Post financial accounts as set out in Section 3, Article II of these By-Laws. The Post Judge Advocate shall be responsible for the orderly conduct of disciplinary procedures.

Section 7: HISTORIAN

The Post Historian shall be charged with the individual records and incidents of the Post and Post members and shall perform such other duties as may properly pertain to the office as may be determined by the Post or Post Executive Committee.

Section 8: CHAPLAIN

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

Section 9: SERGEANT-AT-ARMS

The Post Sergeant at Arms shall always preserve order during meetings and shall perform such other duties as may be from time to time assigned to the Post Sergeant at Arms by the Post Commander or Post Executive Committee. The Post Sergeant at Arms shall have charge of the Post Colors and shall not display or permit them to be displayed without specific authority of the Post Commander.

Section 10: SERVICE OFFICER

The Post Service Officers shall comply with the Service Officer's Manual and Post Officers Guide of The American Legion, and recommendations of National and Department Headquarters, and needs of this Post.

ARTICLE IX - EXECUTIVE COMMITTEE

The day-to-day management and affairs of Post 28 shall be entrusted to the Executive Committee. The Executive Committee shall have general control and supervision of all finances previously approved by the General Membership.

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 the custody of Post funds; shall cause all funds to be placed in the hands of the Post Finance Officer for deposit and accounting purposes; shall hear the reports of Post Committee Chairmen, and generally, shall have charge of and be responsible for the management of the affairs of this Post. At the end of each fiscal year, and review committee shall be appointed with the Post Judge Advocate as Chairman to conduct a complete review of Post records before turning them over to the new Post Finance Officer. Except for hiring and firing of employees, all actions of the Post Executive Committee shall be submitted for approval to the membership at the next regular membership meeting.

ARTICLE X - MEMBERS OF THE EXECUTIVE COMMITTEE

Those elected to serve as the Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Judge Advocate, and Chaplain will, upon election automatically become members of the Executive Committee with full power as such to serve until the expiration of their respective terms or the election of their respective successors; six members, elected at large with two members to serve for a three-year term, two for a two-year term, and two for a one-year term with each to succeed those terms that have expired; and all Past Post Commanders who shall act ex-officio with the same voting power as an elected member. A member of the Executive Committee may be re-elected to a three-year term on the committee.

Any member of American Legion Quantico Buck Keyes Post 28, in good standing shall be eligible to hold office. Five members of the Executive Committee shall constitute a quorum and the unexpired term of a member of the Executive Committee caused by resignation, death or other circumstances shall be filled by election at the next regular meeting.

ARTICLE XI - POST COMMITTEES

Each standing committee shall provide a report of activities during the preceding month at each regular Post meeting. The Chair of each committee may appoint such sub-committees as deemed necessary and appropriate, appointing a chairperson thereof. The Executive Committee may establish such other committees, as it deems necessary and appropriate, and shall designate the number of members thereof and provide to each such additional committee a mandate specifying the duties and objectives thereof. Members and the Chair shall be appointed by the Post Commander subject to the concurrence of the Executive Committee.

Section 1: FINANCE COMMITTEE

The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing, and accounting of all Post funds. The committee will include the Finance Officer as Chair, Post Adjutant, First Vice Commander and Facility Manager, and others as identified by the Commander.

Each Committee Chair will provide estimates to the Finance Committee no later than 1 August and the Finance Committee will submit a proposed budget to the Executive Committee for approval with final approval by the Post 28 membership during the September meeting.

Section 2: HOUSE, FACILITIES, AND SOCIAL QUARTERS COMMITTEE

The House and Building Committee shall promulgate rules and regulations for the conduct of members and carrying out of Post Activities; shall assure that all such rules and regulations are in conformity with the National and Department Constitution and By-Laws and shall submit the same to the Executive Committee for adoption, modification, or rejection thereof. All rules and regulations so adopted shall be duly posted at the Post Social Quarters and shall take effect as of the first of the month following their adoption. The Committee will have reviewing authority for all employees, providing recommendations for/against hiring and other personnel actions to the Executive Committee for action.

The House Committee shall consist of at least five (5) members who will be identified by the Commander during the first Executive Committee meeting following the installation of new officers. At the discretion of the Commander representatives from Auxiliary Unit 28, SAL Squadron 28, and Legion Riders Chapter 28 may be assigned to the committee but without vote. No remunerative officer shall be appointed to this committee.

The Committee will have oversight responsibility of all new construction work, as approved by the Executive Committee, ensuring we remain in compliance with all regulations and that all required permits have been obtained before any work is performed and all required inspections are performed when necessary.

Section 3: MEMBERSHIP COMMITTEE

Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements, and eligibility of members. The Committee will consist of the following members: The Finance Officer, the Adjutant, and others identified by the Commander. A membership report will be provided at each meeting and include the names of all veterans approved for membership in Post 28. In the absence of a Membership Committee the Adjutant will provide the report.

Section 4: PUBLIC RELATIONS COMMITTEE

The Public Relations Committee shall be charged with the promotion of public support of the Legion's programs by the establishment of proper contact with The American Legion Magazine, Department, and national Legion news service and by local publicity of Post programs and activities. The Committee will have oversight and responsibility of the use of all social media outlets and prepare articles for newspapers when appropriate.

Section 5: ADDITIONAL COMMITTEES

In addition to the above, the Commander, may appoint additional standing committees including the following: Americanism, Ceremonials, Children and Youth, Economic, Foreign Relations, Graves Registration and Memorial, Legislative, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of The American Legion, Veterans Affairs and Rehabilitation, and Visiting or VAVS. Such standing committees shall consist of members, and the chair thereof, as shall be designated by the Post commander.

ARTICLE XII – DISCIPLINE

Members may be suspended or expelled from The American Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The American Legion. Charges against any Legionnaire shall be made under oath and in writing. Charges shall specify with reasonable particularity the act or failure to act constituting the offense complained of, together with a definite statement as to the time and place of said act or failure to act. Detailed procedures for investigation, actions to be taken, penalties if needed, and right of appeal are detailed in Article IV, of the Department By-laws. No Legionnaire in good standing shall lose their membership until given a fair trial as set forth in this ARTICLE.

ARTICLE XIII – DEATH OF MEMBER

Immediately upon the death of a member of Post 28, the Post Commander and/or Adjutant shall at once notify the members of the death, and of the time and place of the funeral, and give other such information as may be necessary. They shall have the power to arrange for and have delivered to the deceased members residence or funeral home, a suitable floral piece, in the name of Post 28, the cost of which to be assumed by Post 28 and the sum of such floral piece to be established on a yearly basis.

It is of particular importance that the Post Chaplain and Post Service Officer be made aware of the death of a Post 28 member.

ARTICLE XIV - CHANGES TO THE BYLAWS

These By-Laws may be amended at any regular Post 28 meeting by a vote of two-thirds of the members attending such regular meeting; Provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting; and, provided, further, that notice shall have been given to all members at least 30 days in advance of the date when such amendment is to be voted.

Immediately after the first reading of the modified By-laws, a copy will be sent to the Department Judge Advocate for review to ensure all provisions comply with National and Department guidelines.

Amendments to these Bylaws shall become effective immediately upon the adjournment of the meeting at which they are voted upon and approved and will supersede and cancel all previous Bylaws. Once approved by the General Membership, the Adjutant will forward a copy to Department Headquarters for their files.

ARTICLE XV – MISCELLANEOUS PROVISIONS

Section 1. BOOKS AND RECORDS

The Post shall keep an original or duplicate record of the proceedings of the meetings of the members and the Executive Committee; the original or a copy of its Charter, Constitution and By-Laws, including all amendments thereto to date certified by the Adjutant of the Post; and an original or a duplicate Membership Register, giving the names of the members and showing their respective addresses and other details of the membership of each. The Post shall also keep appropriate, complete, and accurate books or records of account. The records provided for herein shall be kept at the Post.

Every member shall have a right to examine, in person or by agent or attorney, during usual hours during which the Post is open, for any proper purpose, the Membership Register, books and records of account and records of the proceedings of the members and Executive Committee and to make copies or extracts therefrom at the member's cost. A proper purpose shall mean a purpose reasonably related to the interest of such person as a member in the Post. In every instance where an attorney or other agent shall be the person who seeks the right to inspection, demand under oath shall be accompanied by a Power of Attorney or such other writing, which authorizes the attorney or other agent to so act on behalf of the member. The demand under oath should be directed to the Post Adjutant at the regular office of the Post.

Section 2. AMERICAN LEGION EMBLEM AND BRAND MARK USE

The name, brand mark, and emblems of The American Legion are registered service marks and protected by criminal and civil provisions of the federal law. To request limited licensed use of the name, brand mark, or emblem(s) of The American Legion, permission must be obtained from the National organization, through the Department Headquarters Adjutant. For more information go to www.legion.org/emblem/request where you will find the guidelines and necessary forms.

Section 3. DISSOLUTION

No part of the net earnings, or properties of this corporation, on dissolution or otherwise, shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private person or individual, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II.

In the event of a dissolution of this Corporation for any cause, all its assets shall become the property of The American Legion Department of Virginia, subject to the claims of creditors; provided however that in the event of the forfeiture either simultaneously with or prior to dissolution of the Charter issued by the National American Legion to said subordinate unit, American Legion Quantico Buck Keyes Post No. 28, title to all of the assets of this Corporation shall be in The American Legion, Department of Virginia to be disposed of, subject to the claims of creditors.

American Legion Quantico Buck Keyes Post 28

Post History

The American Legion Quantico Buck Keyes Post 28 was formed in 1925 receiving a temporary charter on May 19, 1926. The Post permanent charter was issued on February 8, 1935.

The Post derives its name from Charles R. 'Buck' Keyes, a WWI Veteran who was born on May 2, 1893, in Quantico Virginia and served as a Top Sergeant in Company K, 318th. Infantry, 80th. Division made up primarily of draftees from Virginia, West Virginia, and Pennsylvania and nicknamed the "Blue Ridge Division." The 80th. landed in France on June 8, 1918, and by mid-August joined forces with the British Third Army on the front lines, where they took part in the Somme and the Meuse-Argonne offensives. 'Buck' Keyes served with distinction through the principal battles and was badly gassed in the battle of Argonne Forest. After returning home, 'Buck' Keyes died one day before his 29th. Birthday, on May 1, 1922, following an illness of three weeks with Bright's disease. He was buried on May 5, 1922, in Chamberlain Village Cemetery, located on the Quantico Marine Corps Base where Officers of Post 28 laid a wreath at the grave site on Memorial and Veterans Day for many years.

Post 28 members met in many locations over the years; first at a church in Quantico, and then in a building next to the Quantico Town Hall which they purchased. The building, which consisted of a meeting room and small bar and was modified in 1944 and finally sold in 1965. A three-story building, which was ultimately gutted by a fire in 1969 was the next Post home. Following the fire, meetings were held in various eating places in Quantico until early 1971 when the Post purchased property on Old Stagecoach Road in Dumfries.

The property had a small house, which remained on the property in front of the large addition the Post built which would serve up to 200 people. Needing a place for the youth in the Community the Post was sold in 1994 to the Boys and Girls Club of Dumfries and the members then met in the Dumfries Town Hall until 1995 when the Post purchased the property and buildings where the Post now sits, on Liming Lane in Triangle.

The motto of the post is "The sun never sets on Quantico Buck Keyes Post 28" and is derived from the fact that as the sun sets in our beloved land, there is a member somewhere in the world where the sun is rising. Several members have been stationed in Okinawa, Japan, or on the oceans every year. The Post in Okinawa was formed due to the influence of Past Post Commander Bob Wolford and, ironically, carries the number 28.

Quantico was added to the name of the Post in 1976 to keep a continuity of our original charter, location, and association with the history of the Quantico Marine Corps Base and town of Quantico. Today the Post continues to have strong ties to Quantico, Dumfries, Montclair, and Triangle, remaining active in those communities.

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