

**AMERICAN LEGION
KAPPERMAN POST 44
Newburgh, Indiana**

Constitution of Kapperman Post No. 44, Inc.
Department of Indiana
As Amended March 11 2020

PREAMBLE

For God and Country, we associate ourselves together for the following purpose: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred per cent 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 Kapperman Post No. 44, Inc., the American Legion, Department of Indiana.

ARTICLE II – Objects

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

ARTICLE III – Nature

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

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 public office or preferment.

Section 3. Rank does not exist in The American Legion; no member shall be addressed by his Military or Naval title in any meeting of this Post.

ARTICLE IV – Membership

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

Section 2. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 3. All applications for membership shall be acted upon at the next regular Post meeting following the making of such application, and shall at such meeting, be accepted, rejected, or referred for further investigation and consideration. If five (5) or more members 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 months from the date of such rejection.

Section 4. Any member of this Post may be expelled pursuant to article XII, Sections 1 and 2 of the Department Constitution and Article III of the Department By-Laws.

Section 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in the Post regular meeting, and the payment of current dues for the year in which the reinstatement occurs.

Section 6. No person who has been expelled by a Post shall be admitted to membership in this Post without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post. He/she may then appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

Section 7. ***Disciplinary actions administered by the Executive Committee are restricted to violations committed exclusively on Post property.*** Any member of this Post may receive a letter of warning or a letter of suspension from the Executive Committee after the Committee has had ample opportunity and time to review each individual case. Letters of warning are not an action being administered by the Executive Committee. Suspension letters are letters of action that can be executed for a period of time deemed necessary by the Executive Committee and the severity of the event(s). A member may appeal the decision of the Executive Committee after an action has been administered. The appeal process shall consist of the suspended member contacting the Commander requesting an appeal and to appear before the Executive Committee to provide information pursuant to his/her case. The Executive Committee shall not hear any other members unless the Committee requests such members to come forward.

ARTICLE V – Officers

Section 1. The administrative affairs of this Post of The American Legion shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee which shall consist of three (3) elected at-large members in addition to the Post Commander, 1st Vice Commander, and the Finance Officer. The term of office of the members of the Executive Committee shall be for one (1) year except as provided by Article II, Section 4 of Post By-Laws. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The Officer Committee of this Post shall consist of a Commander, 1st Vice-Commander, 2nd Vice-Commander, an Adjutant, a Finance Officer, a Post Historian, a Post Chaplain, a Post Service Officer, a Judge Advocate, and a Sergeant-of-Arms, and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at the two regular meetings preceding the annual election; except the Adjutant and Judge Advocate as otherwise provided in the By-Laws Article II Section 3.

Section 3. All Officers and Executive Committeemen shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any officer or Executive Committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal.

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

Section 5. The duties of the officers and the Executive Committee shall be those usually appertaining to such officers or Executive Committeemen members as further provided in the By-Laws.

ARTICLE VI – Finance

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

Section 2. The amount of such annual Post membership dues shall be fixed and determined by this Post. The fiscal year of Kapperman Post 44 shall be from July 1 to June 30.

Section 3. The Post shall pay to Departmental Headquarters the National and Departmental annual membership dues for every member of this Post.

ARTICLE VII – American Legion Auxiliary

Section 1. This Post recognizes an Auxiliary organization to be known as the Auxiliary Unit 44 of Kapperman Post 44, the American Legion.

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

ARTICLE VIII – Sons of the American Legion

Section 1. This Post recognizes an organization to be known as The Sons of the American Legion Squadron 44 as a program of The American Legion Post 44.

Section 2. Supervision of The Sons of the American Legion Squadron 44 shall be as described in the By-Laws of The American Legion Post 44, Article 7, Section 13.

Section 3. Membership in The Sons of the American Legion Squadron 44 shall be as prescribed by the National Constitution of The Sons of The American Legion.

ARTICLE IX – American Legion Riders

Section 1. This Post recognizes an organization to be known as The American Legion Riders Chapter 44 as a program of The American Legion Post 44.

Section 2. Membership in The American Legion Riders Chapter 44 shall be as prescribed by the National Constitution of The American Legion Riders.

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 Department of Indiana, the American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members of said Post attending such regular meeting, providing that the proposed amendment(s) shall have been submitted in writing and read at the preceding regular meeting of said Post, and providing further, that written notice shall have been given to all members at least ten (10) days in advance of the date when such amendment(s) are to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

Adopted by unanimous vote this 11th day of March, 2020 Kapperman Post No. 44, The American Legion.

By: _____
Commander, Christopher Hile

Attested: _____
Adjutant, Kelly Givens

The Constitution above was amended in regular meeting, with quorum present, on the 11th day of March, 2020 by more than two-thirds vote of the members present, the amendments having been read at the prior regular meeting, and members of the Post having been given notice more than ten days prior to this date, the 11th day of March, 2020.

Kapperman Post No. 44
The American Legion
Department of Indiana

By: _____
Commander, Christopher Hile

Attested: _____
Adjutant, Kelly Givens