

Lt. John Farnkopf American Legion Post #401
South Brunswick, NJ
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 the Great Wars; to inculcate a sense of individual obligation to 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

The name of this organization shall be: Lt. John Farnkopf American Legion Post #401, South Brunswick, NJ. Chartered May 8, 1946.

Article II - Objects

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 Department constitutions of the American Legion.

Article III - Nature

Section 1. The 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 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. No candidate for nomination or election to, or no incumbent of, any remunerative elective public office, shall hold any elective office or any appointive remunerative office in this Post of the American Legion, provided that members of Post standing committees shall not be affected.

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 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 Post Meeting following the making of such application, and shall, at such meeting, be accepted, rejected or referred for further investigation and consideration. If ten (10) 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 for cause by a two-thirds vote of the Executive Committee after charges are preferred under oath in writing, and a fair trial had upon the same.

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 Post meeting, provided, however, that he shall make payment of any arrears in his dues at the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his expulsion or suspension and his reinstatement.

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

Article V - Officers

Section 1. The administrative affairs of this Post of the American Legion shall, except as may be otherwise provided by the bylaws, be under the supervision of an Executive Committee which shall consist of the Officers of the Post. The term of office of members of the Executive Committee shall be for one year. This Post, by its bylaws, may provide for such other standing committees as the business of the organization may require.

Section 2. The Officers of this Post shall be a Commander, a First (1st) Vice Commander, Second (2nd) Vice Commander, a Finance Officer, a Chaplain, a Sergeant-at-Arms and a Service Officer, who shall be nominated from the floor at the meeting preceding the annual election; and an Adjutant, a Historian, a Judge Advocate, a Bar Chair, a Membership Chair, a Hall Rental Chair and a Building Chair, who shall be appointed by the newly elected Commander.

Section 3. Officer nominations from the floor will take place at the March meeting. Once closed, no further nominations will be accepted prior to the election of officers at the April meeting, except for those elected positions for which no one was nominated at the March meeting. Nominations for those positions will be accepted from the floor at the April meeting before elections are held.

Section 4. All Officers and Executive Committee Members shall be elected annually and they shall hold office until their successors are duly installed or as otherwise provided. Any Officer or Executive Committee Member may be removed for inefficiency by the Executive Committee, two-thirds vote of said Committee being necessary to effect such removal.

Section 5. Every member of this Post in good standing shall be eligible to hold office in this Post.

Section 6. The duties of Officers and the Executive Committee Members shall be those usually appertaining to such Officers or Committee Members and as further provided in the bylaws.

Article VI – Finance

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

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

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

Article VII - Chapter Members

Members who joined this Post prior to May 8, 1946, (or members who joined this Post prior to the issuance of Charter) shall be known as charter members.

Article VIII - American Legion Auxiliary

Section 1. This Post recognizes an Auxiliary organization to be known as the Auxiliary Unit of Lt. John Farnkopf American Legion Post # 401.

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

Article IX – Sons of the American Legion

Section 1. This Post recognizes an organization to be known as the Sons of the American Legion Squadron of Lt. John Farnkopf American Legion Post # 401.

Section 2. Membership in the Sons of the American Legion shall be as prescribed by the National Office of the American Legion.

Article X - Amendments

Section 1. This constitution is adopted subject to the provisions of the National Constitution of the American Legion and of the Department Constitution of the Department of New Jersey, the American Legion. Any amendment to said National Constitution, Department Constitution or County 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 shall have been submitted in writing through the Post Adjutant and read at the next 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 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. A copy of an approved amendment to the Constitution and Bylaws shall be filed with the Adjutant and copies given to the Commander and Judge Advocate for reference.

Article XI

This constitution is an amended constitution and will supersede any previous constitutions.

CONSTITUTION AS AMENDED

January 21, 2009

ADOPTED AT FINAL READING

January 21, 2009

_____Irv Demarest

Commander

_____Rich Allen

Adjutant

_____January 25, 2009

Date