

CONSTITUTION  
OF  
THE MONROE COUNTY  
COMMITTEE  
THE AMERICAN LEGION  
DEPARTMENT OF NEW YORK

**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 association in the Great 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 goodwill 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 AND LOCATION**

**Section 1.** The Name of this organization shall be The Monroe County  
Committee of The American Legion, Department of New York.

**Section 2.** The County Headquarters of this organization shall be in Monroe  
County at a place designated and approved at a regular County Committee meeting of the  
organization . Such location, once established, shall not be changed without the prior  
consent of the said County Committee.

**ARTICLE II  
NATURE**

**Section 1.** The Monroe County Committee of The American Legion, Department  
of New York, is a civilian organization. Membership therein does not affect nor increase  
liability for military or police service. Rank does not exist. No member shall be addressed  
by his/her military or naval title in any convention or meeting of the Monroe County  
Committee of The American Legion.

**Section 2.** The Monroe County Committee of The American Legion, Department  
of New York, shall be non-political 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.** Each Member shall perform their duties as a citizen according to their own conscience and understanding.

## **ARTICLE III ELIGIBILITY**

**Section 1.** Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corp, Coast Guard, or Air Force 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 (WWI); December 7, 1941 to December 31, 1946 (WWII); June 25, 1950 to January 31, 1955 (Korean War); February 28, 1961 to May 7, 1975 (Vietnam Period); August 24, 1982 to July 31, 1984 (Lebanon Grenada); December 20, 1989 to January 31, 1990 (Panama); August 2, 1990 to cessation of hostilities as determined by the Government of the United States (Persian Gulf) inclusive; or who, being a citizen of the United States at the time of his/her entry therein served on active duty in the armed forces of any of the governments associated with the United States during any said period; provided however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; and, provided, further, that no person shall be entitled to membership who, being in such service during any such periods, refused on conscientious, political or other grounds to subject themselves to military discipline or unqualified service .

**Section 2.** There shall be no form or class of membership except an active membership and dues shall be paid annually or for life.

**Section 3.** No person may be a member at any one time of more than one Post.

**Section 4.** 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/she may then appeal to the Executive Committee of the Department for permission to be admitted to membership in another Post, and shall be ineligible for membership until such permission is granted.

## **ARTICLE IV ADMINISTRATION**

**Section 1.** The legislative body of the Monroe County American Legion shall be a County Convention to be held annually and during the interim between annual County Conventions, the legislative power shall be vested in a County Committee which shall consist of representation from each Post in this county as follows: one delegate and one alternate for Post as chartered; two delegates for the next 100 members or major fraction thereof. Each Post shall elect its own representatives and shall also elect the same number of alternate representatives.

<b>MEMBERS</b>	<b>DELEGATES</b>
<b>15 for charter</b>	<b>1</b>
<b>66 - 165</b>	<b>3</b>
<b>166-265</b>	<b>5</b>
<b>266-365</b>	<b>7</b>
<b>366-465</b>	<b>9</b>
<b>466-565</b>	<b>11</b>
<b>566-665</b>	<b>13</b>
<b>666-765</b>	<b>15</b>

**Section 2.** The executive power of this committee shall be vested in the County Commander and the Executive Committee.

**Section 3.** The representation of the Posts on the County Committee Shall be fixed for the ensuing American Legion year before the County Convention which is the 1<sup>st</sup> Saturday in June, based upon membership reported by and credited to the respective Posts the preceding May 1<sup>st</sup> .

**Section 4.** All elected county officers shall attend all county committee sessions unless excused.

**Section 5.** The Budget of the Monroe County Committee shall be prepared by the new administration and presented for approval at the August meeting of the County Committee.

## **ARTICLE V THE LOCAL UNIT**

**Section 1.** The local unit shall be termed the Post, which shall have a minimum membership of fifteen. Those who desire to form a Post in Monroe County shall make application for a Charter to the Monroe County Committee. If approved by the said committee, said application shall be forwarded to the Department Executive Committee for approval and for processing pursuant to the Constitution and By-Laws of the Department and National Organization of The American Legion.

**Section 2.** No Post shall be named after any living person.

**Section 3.** Each Post in the Monroe County organization shall have a Post Constitution and By-Laws which together with any subsequent amendments thereto shall be forwarded through the County Committee for approval and then to the Department Judge Advocate and the Department Executive Committee before becoming effective.

**Section 4.** Any post whose charter is suspended, cancelled, revoked or voluntarily retired shall cease operations and turn over to Department its charter and all records, properties and monies in its possession.

**Section 5.** Post officers shall be elected and installed for the current year of The American Legion prior to the County Convention.

## **ARTICLE VI DUES**

**Section 1.** All annual dues shall be payable to a post in Monroe County in advance of October 20<sup>th</sup> of each year, for the succeeding calendar year.

**Section 2.** All Posts are required to expeditiously forward their dues to the Department Organization and all dues are payable at the Post level on or after August 20<sup>th</sup> of each year, and in any event shall be due by January 1, of each year.

**Section 3.** The County per capita shall be \$4.50 of which the sum of \$1.50 per member shall be set aside in a separate fund for the support of the Monroe County American Legion Baseball Program. The remainder will be placed in the General Fund for the administration of the Monroe County organization.

## **ARTICLE VII PARLIAMENTARY PROCEDURE**

**Section 1.** Roberts' "Rules of Order, Newly Revised" shall govern the parliamentary procedure of the County Convention and the County Committee Meetings unless otherwise stated in these Constitution & By-Laws.

## **ARTICLE VIII AMERICAN LEGION AFFILIATES**

**Section 1.** The Monroe County Committee of The American Legion recognizes an organization known as "The American Legion Auxiliary, County of Monroe."

**Section 2.** Composition, membership and organization of the aforesaid auxiliary shall be in accordance with the terms of the National and Department Constitutions and By-Laws and its Executive Committee.

## **ARTICLE IX CONSTITUTIONAL AMENDMENTS**

**Section 1.** Amendments to this constitution may be made at any annual convention of the Monroe County Committee by a two-thirds vote of the delegates entitled to vote at such convention, provided that notice of said amendments has been given to all posts at least 30 days prior to the convention and provided that no amendments shall be made which are in conflict with the Constitution and By-Laws of either the National and Department organization of The American Legion.

**Section 2.** Amendments hereto may be proposed by any Post to be voted on at the annual Convention, but such proposed amendments shall be submitted to County Headquarters at least sixty days prior to the County Convention. Any other amendments subsequently proposed shall be referred by the County Commander first to the Constitution By-Laws Committee, and the latter shall report the same only if approved unanimously by that committee.

**BY-LAWS  
OF THE  
MONROE COUNTY  
COMMITTEE  
THE AMERICAN LEGION  
DEPARTMENT OF NEW YORK**

**ARTICLE I  
MANAGEMENT**

**Section 1.** County Committee: The authority of the County Committee on all matters affecting the Monroe County organization of The American Legion is to be recognized by the Posts of this County. The executive power of the Monroe County Committee is further recognized by the Posts of this County.

**Section 2.** Standing Committees: The County Commander shall recommend to the executive committee each year after his/her election the following standing committees, Americanism, Baseball, Blood Donor, Bowling, Boy Scouts, Boys' State, Children & Youth, Constitution and By-Laws, Contest Advisory and Awards, Convention, Credentials, Disaster Preparedness, Distinguished Guests, Education and Scholarship, Employment, Finance, Foreign Relations, Law & Order, Legionnaire of the Year, Legislation, Membership, National Security, Oratorical, Public Relations, Rehabilitation, Sons of The American Legion, Special Projects, and such other special committees as determined by the County Executive Committee (except the Executive Committee, to be constituted as hereinafter provided), and shall be a member ex officio of all appointed committees.

**Section 3.** The power of all committees shall be to recommend appropriate action to the County Committee or to the County Executive Committee; and/or implement its programs and policies.

**Section 4.** An Executive Committee: The Executive Committee shall be appointed by the County Commander, with the consent of the County Committee. It shall be composed of seventeen voting members and shall have full power to act, as hereinafter or otherwise provided, in the interim between meetings of the County Committee.

On the Executive Committee shall serve the Commander, four Vice-Commanders, the Adjutant, the Treasurer, the two Chaplains, the Judge Advocate, The Chairperson of the Finance Committee, the Historian and the Retiring County Commander together with nine additional members, two of whom shall have served on the retiring Executive Committee. The Judge Advocate, Chaplains and the Historian shall have no vote on the committee, but shall be ex officio members thereof.

The Executive Committee Shall have power to approve matters requiring the expenditure of monies from the County Treasury, but not to exceed \$100.00 between special or regular meetings of the County Committee. Vacancies occurring in the Executive Committee shall be filled by the County Commander with the consent of the County Committee at the first meeting held after such vacancy occurs.

**Section 5.** The Finance Committee shall consist of seven voting members, one of whom shall be the County Treasurer, and six others who shall serve for staggered three year terms, two being appointed each year by the County Commander and approved by the County Committee. The Chairperson of the Committee shall be appointed annually, from among the aforesaid six appointed members, and may be reappointed. Appointments for vacancies on the Committee shall be for the unexpired position of the term, in which the vacancy occurs. There shall be no more than one appointed member from a Post to serve on the Finance Committee. The Finance Committee shall meet monthly.

**Section 6.** The Finance Committee shall examine and audit the books of the County Treasurer at the end of the fiscal year, and at such other times as may be necessary. The books of this organization shall be setup on the accrual, and not on the cash basis. The fiscal year of this organization shall be from July 1<sup>st</sup> to June 30<sup>th</sup>.

Unless otherwise elsewhere provided, all unexpended funds appropriated to each committee and for every function shall at the end of the fiscal year revert to the General Fund, except for an amount not to exceed 10% of the appropriation, as the County Committee may authorize for a special purpose or function.

**Section 7.** The County Commander shall be responsible for all publicity which affects the county organization, with the advice of the Executive Committee, which he/she will handle personally or appoint a Chairman of Public Relations who will be responsible directly to the County Commander.

**Section 8.** The Membership Committee shall consist of a chairman and such other persons as deemed necessary.

**Section 9.** The Convention Credentials Committee shall have the duty of examining the credentials and register all persons properly entitled to participate in the County Convention, and prepare an accurate list of the voting strength of the Convention.

**Section 10.** The Time-Place Committee shall receive all application for the forthcoming County Convention not later than November 1<sup>st</sup> preceding. It shall review the cause, the post interested, the facilities available and the financial arrangement proposed, and render its report to the County Committee for the December meeting for action at that meeting.

**Section 11.** The County Commander may remove for cause, with the approval of the Executive Committee any member of any committee and may fill by appointment any vacancies in such committees, with the approval of the County Executive Committee, in the same manner as he/she made original appointments to the same.

**Section 12.** The County may adapt and approve such rules and regulations for the orderly management of the Monroe County organization and Posts within the County not in conflict with the National, Department, and County Constitution and By-Laws of the American Legion.

## **ARTICLE II OFFICERS**

**Section 1.** The officers shall consist of a Commander, Four Vice-Commanders, an Adjutant, a Treasurer, two Chaplains and a Historian all of whom shall be elected by the County Convention and shall be installed at the Convention at which they are elected. They shall hold office for one year until the succeeding County Convention, or until their successors have been chosen; and they shall perform the customary duties pertaining to their respective offices. No post shall have more than one such elective officer on the County Executive Committee, except that the offices of Adjutant, Treasurer, Chaplain, and Historian shall not be counted. Vacancies occurring in any of these offices (except Commander) other than through expiration of term, shall be filled by a majority election of the County Committee on the recommendation of the County Commander to be held at the first meeting after such vacancy occurs. Nominations for all offices of the Monroe County Committee shall be made at the annual County Convention.

**Section 2.** In the event of the death or resignation or permanent disability of the County Commander, their successor shall be elected from the four Vice-Commanders at the next meeting of the County Committee.

**Section 3.** The Vice-Commanders shall serve immediately under the Commander and shall act in accordance with the powers granted them herein, and report to the commander.

**Section 4.** The election of officers shall be by majority of votes, the value of the vote of each Post being equal to the number of delegates to the County Convention to which it is entitled.

**Section 5.** The County Commander shall be the executive head of the Monroe County American Legion Committee with full power to enforce the provisions of the County Constitution and By-Laws and the will of the County Convention. He/she shall be in charge of the County Headquarters, supervise and assign the office staff, should one be deemed necessary by the Executive and Finance Committees and shall be responsible for the efficient administration of the organization with the approval of the Executive Committee. He/she shall be the chairperson of the County Convention, the County Executive Committee and the County Committee. He/she shall recommend all necessary committees, subject to the ratification of the County Executive Committee and County Committee and shall perform such other duties as are usually incident to the office. He/she shall serve as ex officio member of all of the committees of the organization. He/she shall head the Monroe County delegation to the District and Department Convention following his/her term of office. He/she shall preside at all County Committee meetings, and in his/her absence a Vice-Commander shall preside.



In the event of the absence of the County Commander and all Vice-Commanders, a member of the County Executive Committee shall preside in the order set forth in Article II, Section 1 hereof.

**Section 6.** The County Vice-Commanders shall be the administrative assistants to the County Commander. Among them shall be evenly divided all of the posts of the organization for close liaison work. As designated by the Commander, they shall serve as his/her representatives in functions and proceedings in his/her absence.

**Section 7.** The Adjutant shall give notice of all County Conventions and shall keep the minutes of all meetings. He/she shall conduct the correspondence and keep the records of this organization, and the names and addresses of the officers of each Post. He/she shall keep records including lists of Posts in the County and the address and size of membership and the time and place of meetings of each Post. All deaths and changes of address shall be reported to the Monroe County Adjutant by each Post.

**Section 8.** The Treasurer shall, subject to the control of the Finance Committee, be charged with the collection and custody of all funds of the organization, including all payments made by Posts and all other sources, and shall keep its accounts and report thereon at each regular meeting of the County Committee. The accounts shall be audited annually, and at such times as the Finance Committee may deem it necessary. He/she will pay all bills when audited and approved by the Finance Committee.

**Section 9.** The County Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by County, Department, and National Headquarters and shall perform such other duties as are usually incident to the office.

**Section 10.** The County Historian shall collect from year to year all records and data of value and interest for the County Headquarters of the American Legion and shall compile during his/her terms of office a complete history of the year's activities. He/she shall also assist Post historians so as to coordinate and unify the work of these officials, and shall have such other duties as the County Executive Committee shall prescribe.

**Section 11.** The County Judge Advocate shall be appointed by the County Commander, with the consent of the Executive Committee, and shall hold office for one year or until a successor is appointed. His/her ruling to the County Committee, officers and Post organizations or its officers as to inquiries formally and official made by them shall be binding until and unless overruled by the Department Executive Committee.

**Section 12.** No officer of this organization shall receive compensation for services rendered within the scope of the normal duties of his/her office. Reasonable reimbursement of proper expenditures incurred on official Legion duties, and to the extent authorized in the budget, may be made to any officer or member of the organization.

**Section 13.** Whenever a County officer fails to attend two consecutive regular or special meetings of the County Committee, Executive Committee or some committee to which he/she has been detailed without excuse therefore satisfactory to the County Commander and the Executive Committee, his/her office may be declared vacated by the County Committee and a successor by majority vote may be elected by it, upon recommendation of the County Commander.

## **ARTICLE III COUNTY CONVENTION**

**Section 1.** The annual County Convention shall elect delegates and alternates to the District and Department Convention, a County Commander, four Vice-Commander, Adjutant, Treasurer, two Chaplains, and Historian.

**Section 2.** A quorum shall exist at the County Convention when there are present 60% of the Posts partially or wholly represented as hereinabove provided.

**Section 3.** Delegates and alternates to represent Posts at County Conventions shall be elected by each Post and a list of names shall be submitted to the county at least fourteen days prior to the convention.

**Section 4.** No delegates or alternates will be seated at the County Convention unless he/she shall present proper credentials duly certified as aforesaid and shall have paid in advance or at time of registration a registration fee as fixed by the County Committee; said registration fee to be reimbursed to the host post to offset any and all expenses incurred by said convention.

**Section 5.** A post may vote the entire number of votes to which it is entitled only if a majority of delegates are registered at the Convention. Any delegate may request a polling of the delegation of his/her Post, and thereupon the vote may be cast in such manner and in such number only as there are delegates of the Post present and voting at the time of the polling, provided that the majority shall be entitled to cast the votes of any member registered but absent.

**Section 6.** Delegates to the District and Department Conventions shall be expected, except in cases of personal emergency, to attend these Conventions and if they fail to attend, the County Commander shall strike them from the delegation, and their place assigned to the alternate available.

**Section 7.** The annual County Convention shall be composed of delegates and alternates from each Post who are delegates and alternates to the County Committee and have served therein during the immediate preceding year. Furthermore, the said alternate may be advanced to delegates to the County Convention. In addition, there shall be such members from the Posts as shall total one delegate and one alternate for Post as chartered; two delegates and two alternates for each additional 100 members or major fraction thereof. The Post membership shall be determined as paid up May 1<sup>st</sup> of each year. The vote of each Post at the County Convention shall be equal to the total number of its delegates to which the post is entitled.

<b>MEMBERS</b>	<b>DELEGATES</b>
<b>15 for charter</b>	<b>1</b>
<b>66-165</b>	<b>3</b>
<b>166-265</b>	<b>5</b>
<b>266-365</b>	<b>7</b>
<b>366-465</b>	<b>9</b>
<b>466-565</b>	<b>11</b>
<b>566-665</b>	<b>13</b>
<b>666-765</b>	<b>15</b>

**Section 8.** All Past County Commanders, while in good standing in their respective Posts, in the County of Monroe shall be life delegates to all Monroe County Conventions and to all meetings of the Monroe County Committee with vote to be exercised at all of said conventions and meetings at the same time as with their respective Posts.

**Section 9.** The County Convention shall be held on the 1<sup>st</sup> Saturday of June of each year in advance of the District and Department Conventions. Delegate fees and other financial arrangements for the County Conventions by the sponsoring post shall be reviewed and approved by the County Committee.

**Section 10.** Resolutions presented to the County Convention must have first been adopted by a Post at a regular or special meeting called for that purpose or by a regular or special committee of this organization and submitted to the County Headquarters at least ten days previous to the date of the County Convention. All such resolutions shall be printed and made available to all the delegates of the Convention for their information and in advance of any vote thereon. The provisions pertaining to the presentation of resolutions may be waived by majority vote in the said County Convention.

## **ARTICLE IV MEETINGS OF THE COUNTY COMMITTEE**

**Section 1.** The annual meeting of the County Committee shall be the County Convention and regular meetings of the County Committee shall be held on the first Monday of the month, Special meetings may be called by the Commander. Special meetings shall be called upon the written request of two-thirds or more of the members of the Executive Committee, or upon the written request of one-third or more members of the County Committee.

**Section 2.** At meetings of the County Committee a representation by one member from each of one-third of the Posts in the County shall constitute a Quorum.

**Section 3.** A credentials chairperson shall register all persons properly entitled to participate in the County Committee meeting, and prepare an accurate list of the voting strength of the meeting. Each January all Legionnaires must show a membership card for the current year.

**Section 4.** Delegates unable to attend in person at any meeting of the County Committee may be represented by an alternate who has been duly elected. No delegates shall act as alternate or proxy for any other delegate, and no two delegates shall be represented by the same alternate.

**Section 5.** At meetings of the County Committee, voting, except as provided in Article II, Section 1, shall be by voice vote, excepting that any alternate properly acting for such delegate or the County Commander, may call for a roll call vote, in which case each Post shall be entitled to one vote for each of its members or alternates properly present at such meetings. Roll call votes shall be recorded by the Adjutant.

**Section 6.** The regular place of meetings of the County Committee shall be as voted at the preceding meeting and not change. However, not more than once a year, the County Committee, as voted at the preceding meeting, may meet at the home of one of the constituent Posts of the county.

**Section 7.** The delegates and alternates of all Posts to the County Committee shall be elected by such Posts. Any vacancies occurring in such representation shall be filled by election by the Post concerned.

## **ARTICLE V MEETINGS OF THE EXECUTIVE COMMITTEE**

**Section 1.** Regular meetings of the Executive Committee shall be held on the Wednesday preceding the first Monday of the month. Special meetings may be called at any time by the Commander and shall be called on the written request of five or more members thereof.

**Section 2.** Four elected members shall constitute a quorum of the Executive Committee.

## **ARTICLE VI NOTICES**

**Section 1.** Each Post shall furnish to the County Adjutant the address of its Adjutant, to which all notices and documents may be sent, and the same shall be held to have been duly sent to or served upon a Post when mailed to it at the address so furnished. In default of a Post having furnished such an address, any notice or document shall be held to have been duly served upon a Post if mailed to it at the address of its Commander or other officer.

**Section 2.** Every Post through its Adjutant shall furnish to the County Adjutant the address of each representative on the County Committee from such Post to which all notices and documents may be sent, and the same shall be held to have been duly sent to or served on such officer or representative when mail to him/her at the address so given. In default of such address having been furnished, any notice or document shall be held to have been duly served upon him/her five days after the same is deposited in a letter box address to such person, care of his/her Post Adjutant

**Section 3.** Twenty days previous written notice of all County Conventions shall be given to all Posts in the County. One week previous written notice of all special meetings of the County Committee shall be given to its members; and two days previous notice of all special meetings of the Executive Committee.

## **ARTICLE VII HEADQUARTERS**

**Section 1.** County Headquarters shall be at a place to be determined by the County Committee and the place and address thereof shall be communicated to all Posts in the County and to the Department Adjutant.

**Section 2.** All monies received shall be deposited in a duly authorized banking institution, and none of such monies authorized shall be withdrawn except for such purposes and upon a draft signed by the Commander and the Treasurer of Monroe County American Legion and/or at least one other member thereof duly elected for that purpose.

**Section 3.** The County Commander with the consent of the Executive Committee may appoint such subordinate officers and employees of the Monroe County American Legion as may be needed for the administration of the affairs of the Monroe County American Legion and prescribe their duties and benefits.

## **ARTICLE VIII ELECTION OF DELEGATES AND ALTERNATES TO DISTRICT AND DEPARTMENT CONVENTION**

**Section 1.** The delegates to the District and Department Conventions and the alternates shall be chosen by the County Convention as set forth in Article III, Section 7, of these By-Laws, and shall consist of such delegates and alternates as the Department Constitution and By-Laws provide.

**Section 2.** Delegates and alternates so elected shall be given written credentials certifying to their election, over the signature of the County Commander or a Vice-Commander and the County Adjutant.

**Section 3.** The registration fee for each delegate and alternate to the Department Convention shall be paid by the respective Posts to County Headquarters within two weeks after the County Convention.

## **ARTICLE IX DISCIPLINE OF POST MEMBERS**

**Section 1.** 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 other conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose his/her membership until given a fair trial in such manner and form as the Department By-Laws and Department Executive Committee shall prescribe. This section shall govern procedure whenever charges are brought against any person at any time appearing upon the rolls of a Post as a member upon the grounds of his/her ineligibility to membership either in the Post or in The American Legion.

**Section 2.** Any member who has been suspended or expelled has the right of appeal to the Department Executive Committee in the manner prescribed by said Committee. The decision of the Department shall be final.

## **ARTICLE X LIMITATION OF JURISDICTION OF POST MEMBERS, POSTS AND THE MONROE COUNTY COMMITTEE**

**Section 1.** No individual Legionnaire, unless specifically previously authorized by the proper body, shall have the right to speak in the name of The American Legion Department of New York, the Monroe County Committee or any Post in The American Legion. His/her individual action is full and unhampered, being that of an American citizen, but he/she shall not represent such action to be that of any American Legion organization.

**Section 2.** All matters of State, National or International scope that appeal to Legionnaires or Posts in Monroe County shall be acted upon only through the Department or National Convention or officials thereof.

**Section 3.** Any Post in Monroe County or the Monroe County Committee may discuss the action taken by the Department or National Organization and adopt a resolution protesting against such action taken by the Department or National Organization and request through proper channels that such action be reversed.

**Section 4.** Each Post and the Monroe County Committee shall confine its action to matters affecting such territory as is normal to and co-extensive with the territory of such Post or County Organization, respectively. The Monroe County Committee shall not act on matters pertaining to territory or people outside of Monroe County.

## **ARTICLE XI MONIES AND COLLECTION**

**Section 1.** All County and Post Officials handling American Legion monies shall be properly bonded by a good and solvent security company, as security to cover double the average amount of money handled in a single year. In case of delinquencies of the payment of monies due the County Headquarters, action shall be taken at once by the proper officials to bring about a speedy and complete settlement. The bonds provided by the County officials shall be approved by the County Executive Committee, and the bonds of Post officials shall be approved by the Post Executive Committee.

**Section 2.** The Monroe County Committee shall, should it be deemed advisable, detail special auditors to investigate the membership roll and financial statement of any Post or subdivision within this County.

## **ARTICLE XII AMENDMENTS**

**Section 1.** Amendments to these By-Laws may be made at any annual Convention of the Monroe County Committee by a two thirds vote of the delegates entitled to vote at said convention, provided that notice has been sent to all member posts of the proposed amendment at least 30 days prior to the Monroe County Convention, such proposed amendments shall be submitted to headquarters at least 60 days prior to the Monroe County Convention, and provided that no amendments shall be made which are in conflict with the Constitution and By-Laws of either the National or Department Organization of The American Legion, and further provide that these By-Laws shall also be amended from time to time in like manner by the Monroe County Committee whenever and only so far as is necessary to cause them to conform to changes hereafter made in the Department or National Constitution and By-Laws. Further, this constitution and by-laws may be amended by unanimous vote at any annual convention by the delegates and alternates thereat, without notice.

## **ARTICLE XIII ADOPTION**

**Section 1.** All acts of record done under prior By-Laws by any officer or committee of this County are hereby affirmed, ratified and approved.

**Section 2.** This Constitution and By-Laws was approved and adopted as to form and content by the Annual Convention of the Monroe County American Legion held on June 4, 2005 in Chili, New York and supersedes all prior Constitutions, By-Laws or amendments thereto.

**Section 3.** This Constitution and By-Laws was approved by the Department Judge Advocate on June 18, 2005

**Section 4.** This Constitution and By-Laws was approved by the Department Executive Committee at Binghamton, New York on July 6, 2005

**Members of the Monroe County American Legion Constitution and By-Laws Committee,**

**Robert L. Morrill – Chairman**

**Ernest E. Bacon - Finn A. Donaldson Jr. - Samuel M. Gallo**

**Mary Ann O'Coin - Edward J. Penrose - Rene C. Vanmulem - Peter N. Verzillo**