



Tardiff-Belanger Post # 39  
20 S. Maple St.  
PO Box 144  
Madison, ME 04950

# CONSTITUTION

## PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in 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 good will on earth; to safeguard and transmit to posterity the principals of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

## ARTICLE 1 (NAME)

The name of this organization shall be Tardiff Belanger Post #39, the American Legion, Department of Maine.

## ARTICLE II (OBJECTIVE)

The objectives and purposes of this Post are to promote the principles and policies as set forth in the foregoing preamble, and the National and Departmental Constitutions of the American Legion.

## ARTICLE III (NATURE)

**Section 1:** This Post is a civilian organization and membership herein does not affect nor increase liability for Military or Police Service. Rank does not exist in the American Legion. No member shall be addressed by his/her military title in meetings of this Post.

**Section 2:** This organization shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principals or for the promotion of the candidacy of any person seeking public office.

## ARTICLE IV (POST)

**Section 1:** Eligibility for membership in the Tardiff-Belanger Post #39, American Legion shall be as prescribed by the National and Departmental Constitutions of the American Legion.

**Section 2:** All new applications for Membership, which are accompanied by a DD-214, honorable discharged certificate or Active Duty Military ID card and the necessary annual dues, shall be acted upon at the next Post General Membership meeting. Following receipt and shall at said meeting be either accepted or rejected or referred for further investigation and consideration. If a majority of the Members present cast their votes against the acceptance of said application, then such application shall be recorded as rejected. No person who has been suspended or expelled by another Post shall be admitted for Membership at this Post. A member may appeal to the Department of Maine Executive Committee for permission to apply for Membership at this Post. They will remain ineligible for Membership until such permission is granted.

**Section 3:** Any Post officer or Executive Committee Member may be removed from their respective office for inefficiency or cause by the Executive Committee or a 2/3rd's vote of the Membership attending any General Membership meeting.

**Section 4:** Any member of this Post, Auxiliary Unit, Sons of the American Legion may be temporarily suspended by a written complaint from any member of the Post supported by a 2<sup>nd</sup> member in good standing who also witnesses the incident or incidents listed as detrimental to the Post until such time as the Executive Committee meets. Unit President (Auxiliary) and Squadron Commander (S.A.L.) shall accompany all members from their respected Units or Squadron that are being brought forth in front of the Executive Committee. Any member may then be suspended or expelled by a 2/3rds vote of the Executive Committee for any reason considered detrimental to the Post or to the American Legion as a body.

**Section 5:** A member whose dues for the current year have not been paid by January 1 shall be classified as delinquent he/she shall be suspended from all privileges, until his/her dues are paid. If the individual has not paid their dues by June 30<sup>th</sup>, his/her membership to the American Legion will be forfeited. A member whose membership has been suspended or forfeited may be reinstated to active member in good standing by majority vote of the Post Membership at a General Membership meeting and the payment of current dues for the year in which reinstatement occurred.

## ARTICLE V (OFFICERS)

**Section 1:** The administrative affairs of the Post shall, except as otherwise provided by the by-laws, be under the supervision of the Executive Committee, which shall consist of the elected Officers of the Post. The term of the Executive Committee shall be for a period of one (1) year. The Post, and its by-laws, may provide for such other standing committees as the business of the organization may require.



**Section 2:** The Officers of the Post shall be:

Commander	1 <sup>st</sup> Vice Commander
2 <sup>nd</sup> Vice Commander	Adjutant
Finance Officer	Sgt-of-Arms
Historian	Chaplain
Judge Advocate	Service Officer
3 Executive Committee Members	

**Section 3:** The Commander will appoint an Election Committee of members in good standing. The Committee shall consist of two (2) Post members in good standing and the Sgt-of-Arms to supervise the elections. The officers listed in Article V, Section 2 of this constitution shall be elected by written ballot at the scheduled meeting of the Post in the month of March and shall hold office from installation for a period of one (1) year, or until their successors are chosen and installed. Voting is to take place at the March general membership meeting 7:00 p.m. (1900 hrs.) in the lounge area. Post ID cards are required in order to vote.

**Section 4:** Upon completion of voting, the Election Committee will tally the votes and announce the results immediately. All ballots and voting tally sheet will be placed in a sealed envelope.

**Section 5:** The installation of newly elected officers will take place prior to the next general membership meeting.

**Section 6:** Every American Legion, Post member in good standing shall be eligible to hold office in this Post.

**Section 7:** The duties of the Officers and the Executive Committee shall be those usually pertaining to the respective office and as further provided for in the By-Laws.

## ARTICLE VI (FINANCE)

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

**Section 2:** The amount of such annual Post dues shall be in the amount of \$40.00 and be changed with the recommendation by the Executive Committee and a majority of the Post members at a scheduled General Membership meeting for such determination after proper advance notice being given to the membership of said meeting.

**Section 3:** The Post shall pay to Department Headquarters the National and Department of Maine annual Membership dues for every member of the Post.

**Section 4:** Under **NO** circumstances shall any Post funds be loaned to any individual, corporation or partnership.

## ARTICLE VII (CHARTERED MEMBERS)

**Section 1:** Charter Members are defined as those Members who joined Tardiff-Belanger Post #39, Post of the American Legion before November 11<sup>th</sup>, 1919.

## ARTICLE VIII (POST AUXILIARY)

**Section 1:** Tardiff-Belanger Post recognizes an Auxiliary Organization to be known as Unit #39 American Legion Auxiliary, Department of Maine.

**Section 2:** Membership in the American Legion Auxiliary Unit shall be as prescribed by the American Legion Auxiliary Unit.

**Section 3:** Auxiliary Post #39 bylaws shall be submitted to the Post upon submission to department.

## ARTICLE IX (SONS OF THE AMERICAN LEGION)

**Section 1:** Tardiff-Belanger recognizes as a program of the Tardiff-Belanger "The Sons of the American Legion" (SAL) to be known as Squadron Post #39 Sons of the American Legion, Detachment of Maine.

**Section 2:** Membership in the Sons of the American Legion shall be as prescribed by the National American Legion's guidelines and Department of Maine Constitution.

**Section 3:** The SAL shall be governed Tardiff-Belanger by such rules and regulations as may be approved by Tardiff-Belanger, American Legion.

**Section 4:** Charter members of the Sons of the American Legion will be those individuals selected by the Membership in compliance with the National Constitution. Their names will be posted on the Original Charter of the organization.

## ARTICLE X (AMERICAN LEGION RIDERS)

**Section 1:** Tardiff-Belanger recognizes as a program of Tardiff-Belanger "The American Legion Riders" (ALR). They are to be known as the American Legion Riders Chapter Post #39.

**Section 2:** Membership in the American Legion Riders shall be as prescribed by American Legion Tardiff-Belanger Constitution and By-Laws. All Tardiff-Belanger American Legion members, American Legion Auxiliary Unit Post #39 members and Sons of the American Legion Squadron Post #39 members in good standing and in compliance with the Tardiff-Belanger Constitution and By-Laws, shall be eligible for membership in the American Legion Riders Chapter Post #39.

**Section 3:** The ALR shall be governed in Tardiff-Belanger by such rules and regulations as may be approved by the Tardiff-Belanger, American Legion.

## ARTICLE XI (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 Maine, the American Legion. Any amendments to said National or Department Constitutions which conflict with the provisions herein, shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.


**Section 2:** This Constitution may be amended at any regular Post meeting by a vote of two-thirds of the members of the Post attending such regular meeting provided that the proposed amendments shall have been submitted in writing and read two (2) times at the regular General Membership meeting of the Post. They are to be posted on the bulletin board a minimum of ten (10) days. They are to be entitled "Proposed Amendment(s) to the Constitution of Tardiff-Belanger of the American Legion". Following the reading of the amendments at the 2<sup>nd</sup> meeting, the vote will take place.

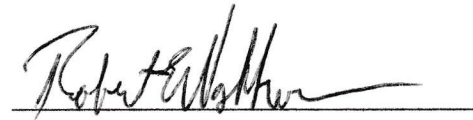


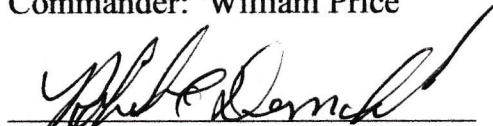
## Executive Committee Certification

This Post #39 Constitution was hereby established and ratified by a Two-Thirds (2/3) Majority Vote of the Post #39 Executive Committee on September 19, 2022.

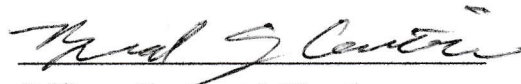
This Post #39 Constitution was approved by the General Membership present at the regular Monthly Meeting on: 07 NOV 22.

  
Commander: William Price


  
Adjutant: Bob Washburn

  
1<sup>st</sup> Vice: Bob Demchak

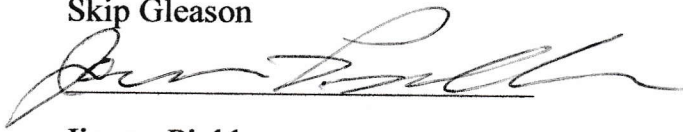
  
2<sup>nd</sup> Vice: Eric Fluet

  
Officer: Raymond Cloutier

### Executive Committee Members:

  
Ted Brown

Skip Gleason

  
Jimmy Pinkham