

**THE AMERICAN LEGION  
DEPARTMENT OF MARYLAND  
CLINTON POST NO. 259**



**STANDING RULES**

**(Approved: January 27, 2020)  
(Revision 1: December 28, 2020)  
(Revision 2: February 22, 2021)**

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The purpose of this document is to establish standing rules for Clinton American Legion Post 259 to allow for the efficient and effective operation of its business activities. This document supplements the Post bylaws; therefore, in the event of any conflict between the two documents the bylaws take precedence.

**1. Executive Committee.**

- a. The administrative affairs of this Post shall, except as otherwise provided by the Post's bylaws, be under the supervision of an Executive Committee consisting of the elected officers and four (4) members elected at large. The term of office of the members of the Executive Committee shall be for one year.
- b. The immediate Past Commander shall be a member of the Executive Committee for one year with the same rights and privileges as do all other members.
- c. The Executive Committee shall:
  - (1) require adequate bond for all persons having custody of Post funds;
  - (2) hear officer and committee reports;
  - (3) hire such employees as may be necessary for operation of the Post's canteen and property (i.e., this includes both full-time and part-time employees); and
  - (4) authorize and approve the expenditure of Post funds not to exceed five thousand dollars (\$5,000.00) for emergency situations where payment is due prior to the next Post meeting.
- d. A dual member cannot hold an elected officer position in more than one organization (i.e., The American Legion, Sons of The American Legion, and American Legion Riders) at the same time.
- e. Executive Committee members and officers of the Post's auxiliary units (i.e., Sons of The American Legion, American Legion Riders, and American Legion Auxiliary) are ineligible to receive compensation and serve as paid employees of the Post.
- f. As prescribed in Article VIII, Section 8 of the Department bylaws, any member of the Executive Committee may be removed from office for neglect of duty, or conduct unbecoming of the office the member holds. In addition, any Executive Committee member who misses three (3) or more Executive and/or regular Post meetings without prior notification to the Commander or Adjutant will be considered for removal from office. The Commander may deem a member excused for purposes of employment, illness, family emergency, or attendance at an official American Legion function.

**2. Post Officers.** The term of office for all elected and appointed officers shall be for one year or until a successor is elected or appointed. All officers are eligible to succeed themselves; however, the Commander can only serve two consecutive terms.

- a. **Elected Officers.** The elected officers of the Post shall include the following: Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Judge Advocate, Adjutant, Finance Officer, Historian, Sergeant-at-Arms, and Chaplain.

- b. **Appointed Officers.** The Commander, subject to the approval of the membership, shall appoint the following officers: Assistant Adjutant, Assistant Finance Officer, and Service Officer.

### **3. Duties of Officers.**

- a. **Commander.** As prescribed in Article III, Section 1 of the Post bylaws. The Commander shall be a signatory on all Post depositories.
- b. **First Vice Commander.** In addition to the duties prescribed in Article III, Section 2 of the Post bylaws, the First Vice Commander shall serve as the chair of the Membership Committee and shall be responsible for all membership related matters such as the collection of dues, mailing out of membership cards, referring membership issues to the Department, and the maintenance of membership records. The First Vice Commander shall be a signatory on all Post depositories.
- c. **Second Vice Commander.** In addition to the duties prescribed in Article III, Section 3 of the Post bylaws, the Second Vice Commander shall serve as the chair of the Ways and Means Committee that's responsible for all matters pertaining to and the arrangement of all social activities of the Post.
- d. **Third Vice Commander.** The Third Vice Commander shall serve as the chair of the Building and Grounds Committee that's responsible for the upkeep and repair of the Post's property.
- e. **Judge Advocate.** In addition to the duties prescribed in Article III, Section 4 of the Post bylaws, the Judge Advocate serves as chair of the Standing Rules Committee and oversees the actions of the Disciplinary Review Committee.
- f. **Adjutant.** In addition to the duties prescribed in Article III, Section 5 of the Post bylaws, the Adjutant, upon the death of a Past Post Commander or Honorary Life Member, shall cause the publication of a death notice to be posted, provided notification has been received by the Post within a reasonable period of time after said death.
- g. **Assistant Adjutant.** The Assistant Adjutant shall assist the Adjutant in the performance of duties and has no vote during Executive Committee sessions. The Assistant Adjutant shall assume and discharge the duties of the office of Adjutant in the Adjutant's absence, at whichtime, will have a vote during Executive Committee sessions.
- h. **Finance Officer.** In addition to the duties prescribed in Article III, Section 6 of the Post bylaws, the Finance Officer serve as chair of the Budget and Finance Committee. The Finance Officer shall be a signatory on all Post depositories.
- i. **Assistant Finance Officer.** The Assistant Finance Officer shall assist the Finance Officer in the performance of duties and has no vote during Executive Committee sessions. The Assistant Finance Officer shall assume and discharge the duties of the office of Finance Officer in the Finance Officer's absence, at which time, will have a vote during Executive Committee sessions.
- j. **Historian.** As prescribed in Article III, Section 7 of the Post bylaws.

- k. **Sergeant-at-Arms.** As prescribed in Article III, Section 8 of the Post bylaws.
  - l. **Chaplain.** In addition to the duties prescribed in Article III, Section 9 of the Post bylaws, the Chaplain serves as the chair of the Visitation Committee.
  - m. **Service Officer.** The Service Officer shall offer advice to veterans who wish to handle their own claims and to assist members of the Post, their surviving spouses and orphans, in obtaining rightful entitlements from Federal and State Governments. The Service Officer serves as chair of the Veterans Affairs and Rehabilitation Committee.
- 4. Delegates.** The number of delegates and alternates elected shall comply with Department regulations. All delegates and alternates to the annual Department Convention shall be nominated at the February and March meetings and then elected at the March meeting. All nominees are required to express an intent to attend the Department Convention and special meetings. In the event a delegate or alternate is unable to attend the Department Convention or special meetings, the Commander shall be notified immediately to allow for the timely appointment of a replacement.
- 5. Nominations.** The Commander shall appoint a Nominating Committee consisting of at least three (3) members. The Nominating Committee is responsible for assembling a list of willing and qualified candidates for all elected positions. If the committee does its job, the Post can enjoy some basic assurance that the candidates nominated have at least expressed an interest in the job, have agreed to serve, have an understanding of the expectations for the job, and are qualified for the offices for which they are nominated. The guidelines to follow in carrying out this responsibility are as follows:
- a. The committee shall announce at the February meeting the procedures that will be followed in conducting the nomination process. The announcement should include a deadline of April 15<sup>th</sup> for receipt of nominations and a reminder that elections will take place at the May meeting.
  - b. Members interested in holding an office must submit in writing to the Nominating Committee chair the name of the office they are seeking and a brief summary stating why they feel they are qualified to hold the position.
  - c. The committee shall make every reasonable effort to identify available candidates for each position prior to the April meeting. If no candidate is found, the committee can leave that slot open for nominations from the floor. No one should be nominated without their consent because, if elected, the person may decline to serve, then the membership will have to hold a special election to fill the position.
  - d. The committee must confirm the eligibility of all nominees with the Post Adjutant.
  - e. Persons serving on the Nominating Committee can be nominated for an elected office.
  - f. The Nominating Committee chair shall provide a report of all qualified candidates for each position at the March and April membership meetings in the following order:

Disciplinary Review Committee (seven positions)  
Executive Committee members elected at large (four positions)  
Chaplain  
Sergeant-at-Arms  
Historian  
Finance Officer  
Adjutant  
Judge Advocate  
Third Vice Commander  
Second Vice Commander  
First Vice Commander  
Commander

- g. The Nominating Committee's nominations do not require a vote to be taken to accept them. Once the committee makes its final report at the April meeting, it is discharged from its duties.

**6. Nominations from the Floor.** After the Nominating Committee makes its report at the March and April membership meetings, the Commander asks if there are any other nominations, which will be made from the floor for each position one at a time. When the Commander completes nominations from the floor at the April meeting, nominations are considered closed and the next step is to hold the election at the May meeting. When conducting nominations from the floor, the following items should be noted:

- a. The Commander presides over this part of the meeting even if the Commander is one of the nominees for a position.
- b. A person can nominate themselves.
- c. Nominations do not have to be seconded.
- d. A member can rise and decline the nomination during the nominating process.
- e. After each nomination, the Commander repeats the name of the nominee(s) to the body.
- f. A motion to close a nomination for a position is not necessary, because the Commander declares each nomination closed after making sure that no more nominations are forthcoming.
- g. The Adjutant is responsible for updating the Nominating Committee's report with those nominations taken from the floor. This will assist the Adjutant in the preparation of ballots that will be distributed for conduct of the election process.
- h. The Adjutant should record the nominations from the Nominating Committee in the minutes first, and then list nominations taken from the floor for each office in the order they were presented by the members.

**7. Elections.**

- a. The election of Post officers, the four at large Executive Committee members, and the seven members of the Disciplinary Review Committee shall be held on the day of the May general membership meeting.
- b. The voting will open at 12 noon and close at 7:30 pm.
- c. At the time of voting, all members must show their current membership card.
- d. Voting shall be by ballot.
- e. The candidate must receive a majority vote to be elected.

- f. After the ballots have been counted, the Judge of Elections shall read the voting results for each office/position. Immediately after the results are reported for each office/position, the Commander shall declare the winner of each respective office.
- g. Candidates for uncontested offices shall be elected by acclamation.
- h. As prescribed in Article VI, Section 8 of the Post bylaws, the installation of all Executive Committee members shall be conducted prior to the Department Convention and the newly installed Executive Committee members shall assume their duties on the closing date of the Department Convention. The Post shall hold its annual installation ceremony on the fourth Saturday in June.

**8. Committees.** The Post Commander, immediately upon taking office each year, shall appoint the Chairs of the standing committees. Each committee Chair shall render a monthly committee activity report to the Post membership. At the call of the Post Commander, the committee Chair shall represent the committee before the Post Executive Committee.

- a. **Americanism Committee.** The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc.; and activities for community and civic betterment.
- b. **Children and Youth Committee.** The Children & Youth Committee shall ensure that any child of a veteran in need of care and protection shall receive proper and timely service and aid; to strengthen the family unit; extend support to sound organizations and facilities that provide services for children and youth; and to maintain a well-rounded program that meets the needs of the young people in their respective community.
- c. **National Security Committee.** The National Security Committee shall urge Post members to assist in community emergency preparedness, and to support local and national civilian defense projects.
- d. **Budget and Finance Committee.** The Budget and Finance Committee shall be chaired by the Finance Officer/Treasurer and consist of two (2) or more members appointed by the Post Commander. This committee shall be charged with the administration of the Post's financial policy, the preparation of the annual budget for presentation to the Executive Committee at the June meeting, the monitoring of income and expenditures and advising the Executive Committee and the Post membership when there are issues of concern to be addressed. The Post's annual budget shall be presented at the June meeting for approval. Once the budget has been approved, any additions (i.e., line items not included) or increase in expenditures that exceed the budgeted amount must be referred to the Executive Committee for its findings and recommendations and then be presented to the membership for acceptance or rejection at the next scheduled regular meeting.
- e. **Membership Committee.** The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the recruitment, reinstatement, and, eligibility of members subject to Department and National bylaws. This committee is chaired by the First Vice Commander and shall also consist of as many appointed members as deemed necessary.

- f. **Ways and Means Committee.** The Ways and Means Committee shall have charge of all matters pertaining to, and arrangement of, social activities of the Post. This committee is chaired by the Second Vice Commander and shall also consist of as many appointed members as deemed necessary.
- g. **House Committee.** The House Committee is responsible for assisting the House Manager in matters pertaining to Post rentals, scheduling of the halls, and utilization and control of necessary janitorial services insofar as halls, kitchen, parking area and restrooms are concerned.
- h. **Building and Grounds Committee.** The Building and Grounds Committee is responsible for the upkeep and repair of the Post's equipment and property. This committee is chaired by the Third Vice Commander and shall also consist of as many appointed members as deemed necessary.
- i. **Veterans Affairs and Rehabilitation Committee.** The Veterans Affairs & Rehabilitation Committee shall assist veterans in obtaining needed medical care and transportation to medical appointments; in the pursuance of claims and in obtaining other veteran's rights and benefits; to visit comrades who are sick or disabled; and to visit and comfort members of their families when sick or bereaved. This committee is shared by the Service Officer and shall also consist of as many appointed members as deemed necessary.
- j. **Standing Rules Committee.** The Standing Rules Committee is responsible for ensuring that the Post's Standing Rules are consistent with the Post's bylaws and the constitution and bylaws of the National Organization and the Department of Maryland. All proposed amendments and changes to the standing rules shall first be reviewed by this committee. This committee shall then present all proposed amendments to the Executive Committee for concurrence and to the membership for adoption at a regularly scheduled meeting. This committee is chaired by the Judge Advocate and shall also consist of as many appointed members as deemed necessary.
- k. **Audit Committee.** The Audit Committee shall consist of three (3) or more members not connected with the disbursement of funds. It shall cause the start of the annual financial review to be made by itself or an auditing firm within thirty (30) days of the close of the Legion year. All books, accounts, and financial records of the Post shall be turned over to the committee which shall conduct the financial review or deliver the records to the auditing firm performing the financial review. The committee shall make every effort to deliver the results of the financial review to the Executive Committee within a reasonable time after the thirty (30) day delivery date. The Audit Committee shall conduct periodic financial reviews as required throughout the year. The Audit Committee shall ensure that the annual inventory of Post equipment and Post personal property is conducted and included in the financial records of the Post.
- l. **Visitation Committee.** The Visitation Committee shall be charged with the visiting and comforting of members and their families when sick or bereaved, and visiting ex-servicemen in nearby hospitals. This committee is chaired by the Chaplain and shall also consist of as many appointed members as deemed necessary.

m. **Publicity Committee.** The Publicity Committee shall be charged with the assembly, publication, and dissemination of the Post newsletter, and the promotion of public support of Legion programs by the establishment of proper contact with the American Legion Magazine, and Department and National Legion news service. This committee shall also be charged with promoting public support of Legion programs through publicity of Post programs and activities in the local news media. All publications must first be reviewed by the Commander prior to their release.

n. **Sons of The American Legion Committee.** Pursuant to Post Bylaws Article IV, the Sons of The American Legion Committee is responsible for attending SAL meetings and providing a report of the organization's activities to the Post membership.

o. **The American Legion Riders Committee.** Pursuant to Post Bylaws Article IV, the American Legion Riders Committee is responsible for attending ALR meetings and providing a report of the organization's activities to the Post membership.

p. **Honorary Life Membership Committee.** The Honorary Life Membership Committee shall be composed of all honorary life members of the Post. The chair of this committee shall be elected by the committee and shall serve for a term of one year or for a lesser period of time as determined by the Honorary Life Membership Committee.

The Honorary Life Membership Committee shall act as the Nominating Committee for selecting honorary life members in the Post. At the regular Post meeting in March of each year, the membership shall be advised how to make recommendations for honorary life membership and the selection of candidates will be in accordance with the guidelines stated below. All recommendations must be referred to the Honorary Life Membership Committee for their consideration.

The committee shall meet in May of each year. The Adjutant shall notify all committee members in writing at least two weeks prior of the date, time, and place of the May meeting. In addition, the Commander may call a special meeting at any time, provided a two-week advance notice is given.

The committee will submit the name of candidates (if any) selected for honorary life membership in the Post for approval at the next membership meeting of the Post after first submitting same to the Post Executive Committee for their recommendation.

The guidelines for selecting candidates for honorary life membership in the Post shall be as follows:

- (1) It is the intention of the Post that honorary life membership is to be conferred upon a member only when the member has rendered services to the Post and to The American Legion that are in truth and in fact distinguished. Such service shall be marked by notable and superior performance and thereby entitled to bestowed such great honor and special recognition.
- (2) To be eligible, prospective candidates shall have been a member in good standing with Clinton American Legion Post 259 for no less than ten (10) years.
- (3) The Honorary Life Membership Committee of its own volition may use additional criteria in selecting candidates.
- (4) Honorary Life Membership Awards will be presented at the Post annual installation ceremony.

- q. **Legionnaire of the Year Committee.** The purpose of the Legionnaire of the Year Committee is to identify and select a member that deserves special honor on the basis of their service to the Post, The American Legion, the community, state, and nation performed during the calendar year. An award certificate will be presented to the recipient at the officer installation ceremony in June as well as a jacket. The Post Commander shall appoint all recipients of the Legionnaire of the Year award to serve on this committee.
- r. **Disciplinary Review Committee.** The purpose of the Disciplinary Review Committee is to determine the facts of a misconduct complaint against a Member, and to recommend the appropriate penalty the misconduct may warrant. The Committee shall be composed of seven (7) members elected for a term of one year, of whom two receiving the fewest votes shall be deemed alternate members serving at the call of the Chair. The Chair of this committee shall be selected by the Committee.

## **9. Meetings.**

- a. The regular meeting of the Post shall be held at the Post home on the fourth Monday of each month unless otherwise ordered by the membership.
- b. A special meeting may be called by the Commander or five members of the Executive Committee, or by majority vote at any regularly scheduled meeting. The agenda for special meetings shall be limited to those items issued in the call for the meeting. A minimum of a ten (10) day notice is required for notice of a special meeting of the general membership.
- c. The quorum required for conducting business at an Executive Committee meeting shall be the majority of the Executive Committee members.
- d. No member shall speak more than twice on the same question nor longer than three (3) minutes each time. No member shall speak a second time on the same question if a member who has not spoken on that question arises to claim the floor to speak thereon. A member having the floor shall confine their remarks to the question before the body.
- e. During debate, a member shall address all remarks directly to the chair and shall not engage in dialog with other members; as much as possible, the use of names of members shall be avoided; the maker of the motion shall not speak against his own motion; and no member shall be permitted to disturb the meeting or hamper the transaction of business.

## **10. Discipline of Post Members.**

- a. The discipline of a member of this Post shall be governed by the rules and procedures set forth in the current edition of the Department Judge Advocate's Manual adopted by the Department Executive Committee.
- b. Complaints of misconduct shall be submitted in writing to either the Post Commander or the Post Adjutant. A copy of the complaint shall be served upon the accused by either a Post Officer who shall certify as to delivery of said charges into the presence of the accused, or by registered mail directed to the known address of the accused.

- c. The Post Commander may direct the Discipline Review Committee to determine the facts of the complaint and to recommend a disposition of same to the Post Commander and the Post Judge Advocate.
- d. The Post Commander may, with or without a hearing, suspend a member from the use of Post facilities for a period not to exceed 90 days, provided, however, that the member shall have a right to a hearing before the Post Executive Committee or before the Post Membership if the member requests same in writing within 10 days after being advised of said suspension, and said hearing shall be held within 10 days after the Post is so notified.

## **11. Post Home.**

- a. **Canteen.** The club facilities, herein known as the canteen, shall be part of the social activities of the Post and directed and operated by the Executive Committee. The canteen is managed by a House Manager who shall be a paid employee and is responsible for the supervision of all bartenders and custodians employed by the Post. The canteen and social activities shall be open to every member of this Post in good standing and their guests and to members of its auxiliary units in good standing subject to the posted House Rules approved by the membership.
- b. **Building.** The social halls, the adjoining restrooms, kitchen, and limited use of the parking area may be rented to individuals or organizations for their use. No other part of the building, including the canteen, may be rented out or made available for their use. Occupancy by civic, religious or patriotic organizations, The American Legion, and The American Legion Auxiliary may be granted under the same conditions. All rentals and uses must be for legitimate purposes, none of which can be for purposes that are inconsistent with the principles or policies of The American Legion. No rentals are to be granted if they conflict with any function of this Post or its auxiliary units. No indecent show or exhibition, disorderly gathering, or any conduct detrimental to the integrity of The American Legion and this Post shall be permitted.
- c. **Building Commission.** This commission was established to either look for a new home or to make extensive renovations to our present quarters. The latter has been used extensively in renovations. This commission shall have six (6) members serving for three (3) years, two (2) of which shall be nominated each year by the incoming Commander to the Executive Committee for their approval and then to the membership for their approval. The commission shall have no power to sign for anything or in any manner obligate the Post. Their findings shall be communicated to the Executive Committee and thence to the membership. Members of the commission can be removed for serving on this commission in the same manner as all elected officers. The commission can only be dissolved by the general membership by a three-fourths ( $\frac{3}{4}$ ) vote.
- d. **Revenue.** All revenue received from the operation of the canteen, hall rentals, or use of the non-restricted portion of the building shall be turned over to the Finance Officer.
- e. **Contracts and Agreements.** All contracts and agreements that obligates the Post for payment of goods and services must be signed by the Post Commander.

- f. **Key Security.** A Key Custodian shall be appointed by the Post Commander to implement, execute, and enforce key control policies and procedures. The keys are the property of the American Legion and at no time become the property of an individual. Keys should be issued only to individuals who have a legitimate and official requirement for the key. At a minimum, the following items must be adhered to:
- (1) Inventories of keys shall take place no less than once per calendar year with one inventory being held during the month of July, which coincides with the change in administration.
  - (2) Keys will be maintained in a locked cabinet or container in a secured area. At least one copy of each key will remain in the locked cabinet identified as the master key. The master key will not be issued to any person.
  - (3) A Key Control Register should be developed identifying key assignments based on positional responsibilities. Keys will be returned when an individual no longer has a legitimate and official requirement for the key.

**12. Past Commanders Club.** This Post recognizes an internal group known as the Past Commanders Club consisting of past commanders of Clinton American Legion Post 259 that will serve as an advisory body to the Post Commander when so requested. The chair will be elected by the club members whose term of office will be determined by the club members. Each year, the outgoing Post Commander will be presented with a Past Commander pin and jacket at the annual officer installation ceremony.

**13. Amendments.** These standing rules may be amended at any regular membership meeting by a majority vote, provided the proposed amendment has been submitted in writing to the Standing Rules Committee at the previous regular meeting.