

American Legion Riders
Gold Star Post 78
By-Laws

Article I—Name

Section 1. The Chapter existing under these By-Laws is to be known as Gold Star Post 78 American Legion Riders Chapter, Department of Tennessee, The American Legion,

Section 2. The name and nature of this Chapter are set forth in the Constitution.

Section 3. For the purposes of these By-Laws the American Legion Riders will be designated “ALR”; American Legion Gold Star Post 78 will be “Post”; Gold Star Post 78 American Legion Rider Chapter will be “Chapter”; and the Executive Committee of the Chapter shall be designated as the E Committee.

Article II—Membership

Section 1. Eligibility. To be a member of the ALR and Chapter of any type you must be a current member of American Legion Gold Star Post 78 or one of its member organizations, i.e. Auxiliary or Sons of the American Legion. Membership in one of these qualifying organizations must be maintained at all times.

Section 2. Membership Types.

Full Member. You must own a motorcycle of at least 350cc or be the spouse of the owner. Spouses must also meet the Legion Family membership requirement.

The Charter Member distinction is reserved for the original named members on the charter when the Chapter was founded.

If the Full Member is the motorcycle driver he/she must also maintain a current Driver’s License with motorcycle endorsement, current motorcycle registration, and the minimum insurance as required by Tennessee law. The Chapter has the right to request proof of these items at any time. At a minimum, proof of all requirements must be presented to the Membership Committee during the annual renewal period.

Special Class Members.

Any Full Member no longer fulfilling the motorcycle requirement of Full Membership will have their membership status reviewed by the Membership Committee. Reviews will be made on a case by case basis and the committee will make their recommendation to the full membership on whether or not to allow reclassification as a Special Class Member.

If the loss of motorcycle ownership or ability to operate a motorcycle is no fault of the member, the Chapter may allow continued full membership as a Special Class Member under the following guidelines:

- a. The member must have been a Full Member who met the original eligibility requirements.
- b. The member must maintain membership in the American Legion, Auxiliary or Sons of the American Legion Squadron.
- c. The disability or injury must be significant enough to prevent the operation of a motorcycle.
- d. In the event of death of his/her spouse if the Full Member was in "passenger" status (did not operate a motorcycle but spouse did)

Other non-permanent disability circumstances can be reviewed by the Membership Committee and presented to the Chapter membership on a case by case basis. If awarded membership under this provision the member will be granted a 12 month "grace period" at which time a mandatory review will be made by the committee and recommendation made to the Chapter membership. These members have voice and voting privileges during meetings and as committee members.

Supporter Member is intended to provide recognition to those who show strong support to the Chapter. It does not constitute Full Membership in the ALR or Chapter. Supporter Members have a voice but no vote at meetings and may not hold an elected office.

All membership recommendations require a majority affirmative vote by the membership

Section 3. Dues. The amount of membership dues or initiation fees, if any, will be determined annually by two-thirds vote of the members present at the meeting. Dues are payable at each July monthly meeting, but no later than the September monthly meeting each year.

If these By-Laws are adopted by December 31, 2015, at the first January monthly meeting, but no later than the March monthly meeting, members will pay \$6 to cover their membership until June 30, 2016.

New members joining during the year will have their dues prorated as determined by the Membership Committee.

Section 4. Fines. All Full and Special Class Members attending Chapter meetings or events must wear the ALR back patch, t-shirt or ball cap with the ALR logo or pay a \$1 fine. New members are exempt from this fine for the first 60 days of membership.

Section 5. Expulsion. Any member may be expelled or suspended from the Chapter by majority vote at any meeting of the Chapter after review and recommendation by the Executive Committee. Such action does not preclude the individual from joining another Chapter.

Article III—Chapter Meetings

Section 1. Regular Meeting. The regular meeting of the Chapter shall be held at a date, time and place as voted on by a majority of members at any regular meeting.

Section 2. Meeting Purpose. Regular meetings are for the purpose of transacting such business as may be properly brought up for action. Such meetings may be converted into entertainment meetings when designated by the Chapter's officers.

Section 3. Called Meetings. The Chapter Director or a majority of the E Committee may call a special meeting. Upon written request signed by seven members of the chapter, the Director shall call a special meeting. All Special Meetings shall have a stated purpose and only such business pertaining to that purpose may be acted upon at that meeting.

Section 4. Quorum. A quorum of any Chapter or Called Meeting shall be confirmed by the Secretary when nine members, three of which must be E Committee members, are present.

Article IV—Officers

Section 1. Officers. The Officers of the Chapter shall be Director, Assistant Director, Secretary, Treasurer, Sergeant-at-Arms, Road Captain, Historian, Chaplain and Membership Chairperson.

Section 2. Election. Nominations for annual officer elections in Section 1 shall be made during the May monthly meeting under the following guidelines:

- a. Only Full and Special Class Members who are members in good standing at the time of nomination shall be allowed to make a nomination.
- b. Only Full and Special Class Members who are members in good standing at the time of nomination and who agree to fulfill the duties of the nominated officer position shall be allowed to accept a nomination. Good Standing includes being a member for at least 6 months and the member has attended a minimum of 50% of the regular meetings during the past year. Current members must have attended at least 50% of that year's meetings. Exceptions for cause may be approved by the E Committee.
- c. A Supporter Member may not make nominations or hold office.
- d. Determination of eligibility shall be made by the Sergeant-at-Arms, in consultation with the Membership Committee, using Chapter records and whatever means of identification of the member as deemed necessary by the membership.
- e. The Secretary shall provide notice of the election two weeks in advance.

Section 3. Election Procedure. Officers shall be elected annually during the June monthly meeting by the Full and Special Class Members present at the meeting. No absentee voting will be allowed. The new officers take office at the next scheduled monthly meeting following their election.

All elections of officers shall be by paper ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office for which they were a

candidate. In the event of a tie vote, a re-vote will be conducted for that specific office(s) at the end of all other office votes.

If these By-Laws are adopted by December 31, 2015, the existing elected officers and the current appointed Membership Chairperson will remain in office until June 30, 2016. Should any of these positions be vacant at that time an election shall be held for the remainder of the June 30, 2016 term per the procedures outlined in Section 2 and 3.

Section 4. Vacancies.

a. All vacancies in any Chapter office, from any cause other than the expiration of the term, shall be filled according to Section 2 of this Article. The person so elected shall hold office for the unexpired term of the vacated position.

b. A vacancy shall exist when an officer is absent from the Chapter due to resignation, recall, loss of qualifications, incapacity from injury or illness, or for a continuous period of unexcused absences considered detrimental to the interest of the Chapter by the remaining members of the E Committee.

Section 5. Recall. Any officer may be recalled by a majority vote of the Full and Special Class members present at a meeting, by providing written notice of the recall vote. It shall be to either the mailing or email addresses of record indicated in Article VIII, Section 1, to all members at least 5 days prior to the date when the recall is to be voted upon.

Article V—Duties of Officers

Section 1. Director. It shall be the duty of the Chapter Director to preside at all meetings of the Chapter and to have general supervision over the business and affairs of the Chapter, and such officer shall be the chief executive officer of the Chapter. The Director shall perform other such duties as directed by the Chapter membership.

Section 2. Assistant Director. The Assistant Director shall assume and discharge the duties of the Director in the absence or temporary disability of, or when called upon by the Chapter Director.

Section 3. Secretary. The Secretary shall have charge of and keep a full and correct record of the proceedings of all meetings, keep such records as the Post and Department organizations may require, render reports of membership annually or when called upon at a meeting and, under direction of the Director, handle all correspondence of the Chapter.

Section 4. Treasurer. The Treasurer shall have charge of all finances and disburse funds as directed by the membership or Chapter E Committee. Chapter finances shall be held in such manner as allowed by the rules of the Post. He/she shall provide a detailed financial report at each regular meeting with such recommendations as he/she may deem expedient or necessary to carry out the financial activities of the Chapter. The Treasurer prepares the Chapter's financial report upon request for the Post or Department.

Section 5. Sergeant-At-Arms. The Sergeant-At-Arms shall preserve order at all organized meetings and gatherings. He/she is responsible for proper setup and display of the

necessary items, such as flags, to conduct meetings in a proper manner. Assist the Road Captain in enforcing all rules of safe riding during sponsored rides and runs. He/she will perform such other duties, or chair such committees as may be from time to time assigned by the Director or E Committee. The Sergeant-At-Arms may execute the duties of Road Captain and, if necessary, temporarily fill that Officer position as directed by the Chapter Director.

Section 6. Road Captain. The Road Captain shall plan all tours, runs, and riding events; lead the Chapter in formation riding or parades; encourage interest in activities; enforce all rules of safe motorcycle operation and group riding. Additionally, he/she may select assistants and/or security personnel as may be required for particular Chapter motorcycle activities.

Section 7. Historian. The Historian shall be charged with maintaining records to document activities and incidents of the Chapter and its members, including written and photographic documentation. He/she shall perform such other duties as may properly pertain to the office as determined by the Chapter or E Committee. The Historian will provide the Chapter Webmaster with necessary documentation to maintain a professional, up-to-date cyber record of Chapter activities.

Section 8. Chaplain. The Chaplain shall provide invocation at regular meetings or other activities as may be required by the general membership. He/she shall also be charged with the spiritual welfare of the members and will offer divine, but non-sectarian, service in the event of dedications, funerals, public functions, etc.

Section 9. The Membership Chairperson shall lead the Membership Committee and ensure that all records of membership are maintained in accordance with the policies of the ALR and Chapter including the verification of current Legion Family membership and when applicable, proper vehicle insurance, Tennessee registration, and driver's license motorcycle endorsement.

Article VI—Executive Committee

Section 1. Composition. The voting members of the E Committee shall be all of the elected Officers and the immediate Past Director. All past Directors are considered members with right of input no vote.

Section 2. Meetings. The E Committee shall meet for organizational or such other business as may come before it at the discretion of the Director within 10 days after the installation of new officers

Section 3. Quorum. A quorum shall consist of six (6) members of the E Committee.

Section 4. Chapter Management. Between Chapter meetings the administrative power of the Chapter shall be vested in the E Committee. If during the business of the board a tie vote should occur the issue will be tabled until its next meeting unless a majority of the members present believe that this issue is too important to leave unresolved. In this case

a second vote may be conducted. If still unresolved, the Director, with approval of a majority of the members present, may call for a special meeting of the Chapter membership where the issue may be presented for consideration and vote.

Section 5. Spending Authority. To ensure that the Chapter's business may continue in a timely manner the E Committee may vote to spend a maximum of \$250 at any one time. A full report must be given at the next scheduled membership meeting.

Article VII—Appointments

Section 1. Authority. The Director, immediately upon taking office each year, may appoint committees for the furtherance of all chapter programs.

Section 2. Standing Committees. The Director may appoint standing committees to handle reoccurring Chapter functions such as the Legacy Fund or Finance.

Section 3. Other Committees. The Director, at any time, may appoint a committee for any specific purpose as the need arises, such as for special events, fund raisers, etc.

Section 4. Makeup. The makeup of all committees, including its chairperson shall be determined by the Director, except that Chapter Supporters may not serve as chairpersons. Chapter Supporters have a right to input and vote on appointed committees.

Article VIII—Notices

Section 1 Member Obligation. Every member shall furnish the Secretary and Membership Chairperson with a completed application form providing valid phone numbers, email, emergency contact, and postal mailing address. Every member shall update this information whenever changes have been made.

Section 2. Notices. The Secretary shall cause notice of the annual officer election and By-Law amendments to be given at the regularly scheduled meeting prior to the scheduled regular meeting for that election or amendment vote.

Article IX—Finances

Section 1. Records. All Chapter finances will be maintained according to the rules of the Post.

Section2. Disbursement. All funds shall be disbursed only when authorized during a membership meeting except for funds up to the limit authorized for the E Committee in accordance with Article VI, Section 5.

X—Apparel

Section 1. Rationale. All Chapter Members are representatives of The American Legion Family and are strongly recommended to dress in a manner that promotes a positive image for these American Legion organizations, particularly when operating in group activities or interacting with the community.

Section 2. Standards. Members of the Chapter shall adhere to all standards published by the ALR or State ALR leadership.

Section 3. American Flag. Established standards for the display and wearing of the Flag must always be observed.

The Flag is never to be worn on the seat of the pants, or any location that could be considered disrespectful to the Flag.

When worn on the shoulder of a garment, the field of stars must be forward as if the Flag is carried in the wind on a pole.

When worn on the front or back of a garment, the field of stars is to be on the left as viewed.

Section 4. Vest. All members are encouraged, but not required, to obtain a leather vest for inclusion of ALR required patches and other patches of personal preference as required below. If ALR patches/logos are affixed to any other type of outer jacket or vest, these rules must also apply.

a. The American Flag must be the highest patch on the wearer's left front side. This applies to the Flag patch itself, if only part of a patch this rule does not apply.

b. A small ALR patch must be the highest patch on the wearer's right front side.

c. The ALR patch must be the dominate feature of the back of the garment upon which it is worn

d. No "property" or "property of" patches are ever allowed.

e. Motorcycle club patches are not authorized.

Article XI—Rules of Order

All meetings of the Chapter and E Committee shall be conducted under "Robert's Rules of Order".

Article XII—Limitations of Liability

Section 1. The Chapter shall not incur, or cause to be incurred, liability or obligation which shall subject to liability any other ALR chapter, subdivision, members of The American Legion, Post, Department, or other individuals, corporations or organizations.

Section 2. Neither the Chapter and its Post will provide no liability or medical insurance to cover members while they participate in any Chapter function or event. The member is solely responsible for all liability, including medical expenses.

Article XIII—Dissolution

Upon dissolution of the Chapter, all property, including funds, will be donated to the Post. The State Director must be immediately notified in writing.

Article XIV—Amendments

Section 1. Amending. These By-Laws may be amended at any regular meeting by a vote of two-thirds of the Chapter's Full and Special Members attending said meeting, provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting.

Section 2. Notice. Written notice of the vote on an amendment, sent either to the mailing or email addresses of record indicated in Article VIII, Section 1, shall be given to all members at least 5 days in advance when such amendment is to be voted upon.

Section 3. Reporting. Any changes will be reported in writing to the State leadership and the Post.

Amended by the Chapter on the 6th day of October, 2015

These By Laws replace all previous versions issue by this Chapter.

Attested to: **Larry V. Kersey** Director

Linda Ritch Secretary