



# American Legion Riders

## Apache Post 27

### Apache Junction, Arizona

Motorcycle Association

## Purpose

- To participate in parades and other ceremonies which are in keeping with the Aims and Purposes of the American Legion.
- To promote motorcycle safety programs and to provide a social atmosphere for American Legion members who share the same interest.
- To use our Association to promote and support the programs of the American Legion, and to represent the goodwill and dedication of the American Legion to our Veterans and Our Community.

## Bylaws

### 1. Membership:

1.1. **Full Members** Prospective full members in the ALR **must** meet requirements in Paragraphs (1.1.1), (1.1.2) and either Paragraph (1.1.3) or Paragraph (1.1.4) below, without exception:

1.1.1. Must be a current member in good standing in the American Legion, American Legion Auxiliary, or the Sons of the American Legion.

1.1.2. Must not at any time hold membership in more than one Post-level Chapter of the ALR.

1.1.2.1. This provision does not preclude a member from holding office in any other organization within the American Legion Family.

- AND EITHER -

- 1.1.3. Must be the legally registered owner of a motorcycle ("Trikes" qualify) of at least 350cc (21.4 CI) engine displacement and must possess a valid driver's license with any applicable motorcycle endorsement in their state of residence (military equivalents acceptable as well).

- OR -

- 1.1.4. Must be the legal spouse or "significant other" of a Post 27 ALR member in good standing. A "significant other" is defined as a partner of a qualifying Post 27 ALR Member that has completed six or more continuous months of cohabitation with the qualifying Post 27 ALR Member, and the relationship is still extant.

## 1.2. *Chapter Supporters and Honorary Members*

- 1.2.1. The Chapter Supporter classification does not constitute full membership in the ALR, but is intended as a means to provide recognition to those who show strong support to the Post 27 ALR.
- 1.2.2. Prospective Chapter Supporters must, without exception, meet the requirements of Paragraph 1.1.1 above.
- 1.2.3. Existing Post 27 Chapter Supporters at the time of the adoption of these Bylaws shall retain their status, and future Chapter Supporters shall require approval of a majority vote of Members present at a regular meeting.
- 1.2.4. All articles of clothing worn by Chapter Supporters displaying the ALR emblem must also contain the words "I support" or "Supporter".
- 1.2.5. Pursuant to Paragraph 1.2.1, the conferring of "Chapter Supporter" status must not be made in connection with the promise of any material, financial, or political benefit to the Chapter, its members or its officers; nor to any other member at any other organizational level within the ALR; nor must there be any similar gains for the supporter through the conferring of "Chapter Supporter" status.
- 1.2.6. Chapter Supporters may participate in Post 27 ALR activities, and must pay yearly dues, but shall not be eligible to vote, nor hold elected office.
- 1.2.7. Honorary Member status may be bestowed by a majority vote of the members present at a regular meeting upon an individual who is a current member of Post 27 ALR, but due to physical limitations is no longer able to ride a motorcycle. Honorary Member Status may also be bestowed in the event that the death of a spouse or significant other removes eligibility for full membership. Honorary Member Status shall be bestowed upon an individual who is a Charter Member of Post 27 ALR, but due to physical limitations is no longer able to ride a motorcycle, upon request by the individual.
- 1.2.6.1 Honorary Members must pay yearly dues, and shall be entitled to full participation in ALR functions, but shall not be eligible to run for elected office. In the event that physical limitations preventing the riding of a

motorcycle befall a sitting officer, said officer may be allowed to continue the duties of office until the next regular election.

1.3. ***Continuous Years of Membership*** Pursuant to Paragraph 1.3 of the National bylaws, the Post 27 Membership Officer shall maintain records sufficient to establish the continuous length of time any member has been affiliated with the Post 27 ALR, including the date the member joined, renewals, and date of separation.

1.3.1 A copy of these records shall be provided to any member surrendering his or her Membership, whether voluntary or not, within 30 days of his or her written request for the records.

1.3.2. A copy of these records shall be provided to other Chapters of the ALR upon written request from the subject Chapter. This request must include a signed statement of consent from the subject member, and shall contain no statement regarding the character of the member's membership.

## 2. **Officers:**

### 2.1. **Officers of the Chapter:**

There are required elected offices and duties of those offices as well as those which can be filled at the discretion of the Chapter, defined as follows:

#### 2.1.1. ***Required Offices***

##### 2.1.1.1. President:

2.1.1.1.1. Serves as Chief Administrative Officer of the Chapter and presides over all meetings.

2.1.1.1.2. Supervises all affairs of the Chapter.

2.1.1.1.3. Performs such other duties as directed by the general membership.

2.1.1.1.4. Appoints Officers to vacant Offices to serve on an acting basis until such time as the Office is filled pursuant to Paragraph 2.1.5., or on a one time basis in the event of the absence of an Officer.

##### 2.1.1.2. Vice President:

2.1.1.2.1. Assumes the duties of the President in his/her absence.

2.1.1.2.2. Assists the President in the performance of his/her duties when called on to do so by the President.

2.1.1.2.3. Oversees any committee activity, with reports made to the President or the general membership, as applicable.

2.1.1.2.4. Performs such other duties as may be required by the President.

2.1.1.3. Secretary:

- 2.1.1.3.1. Keeps a full and accurate record of all proceedings at the meetings.
- 2.1.1.3.2. Keeps membership records as may be required by the general membership.
- 2.1.1.3.3. Provides detailed minutes of prior meeting at each regular meeting.
- 2.1.1.3.4. Manages official correspondence of the Chapter.

2.1.1.4. Treasurer

- 2.1.1.4.1. Responsible for all finances of the Chapter.
- 2.1.1.4.2. Disburses and collects funds as directed by the general membership, pursuant to Paragraph 5 below.
- 2.1.1.4.3. Provides detailed financial reports at each regular meeting.
- 2.1.1.4.4. Provides financial audit data to the sponsoring Post if requested.

2.1.1.5. Sgt. At Arms/Run Coordinator

- 2.1.1.5.1. Responsible for all logistics of organized runs of the Association, including determination of dates, times, routes, and meeting places for those taking part in a run activity.
- 2.1.1.5.2. Appoints, directs, and dismisses assistant road captains and/or security personnel as may be required by activities and/or circumstances of the Chapter.
- 2.1.1.5.3. Responsible to plan for the safety of Chapter members during participation in any run or activity; and to plan for the safety of other participants in any Chapter-sponsored run or activity.
- 2.1.1.5.4. Maintains order during chapter meetings.
- 2.1.1.5.5. Ensures eligibility of those participating in Chapter elections, and ensures ineligible persons are not allowed to participate in the vote.

2.1.2. ***Discretionary Offices*** Discretionary offices are to be filled by Appointment by the President, subject to approval by a majority vote of the Members present at a regular meeting.

2.1.2.1. Historian

- 2.1.2.1.1. Compiles and maintains records to document activities of Chapter, including written and photographic documentation.
- 2.1.2.1.2. If the Chapter is so equipped, the Historian may also serve as webmaster.

#### 2.1.2.2. Membership Chairman

- 2.1.2.2.1. Relieves Secretary of responsibility for maintenance of membership records.
- 2.1.2.2.2. Collects membership dues as determined by the Chapter by-laws, and provides same to Treasurer on a regular basis.
- 2.1.2.2.3. Reviews and/or collects eligibility documentation as required by the general members, sponsoring Post Executive Board, Department, or State and Local laws.
- 2.1.2.2.4. Provides detailed membership reports at regular meetings of the Chapter.

#### 2.1.2.3. Chaplain

- 2.1.2.3.1. Provides invocation at regular meetings or other activities as may be requested by any of the Members.

2.1.3. ***Additional Roles*** Additional roles are to be filled by appointment by the President, subject the approval of a majority vote of the Members present at a regular meeting. These roles are intended to relieve Chapter Officers of certain of their roles, or to fulfill Chapter-specific requirements.

- 2.1.3.1. Examples of such roles include separation of the Sgt. at Arms and Run Coordinator duties; addition of Communications or Liaison Officer; Webmaster, Merchandise Officer, Road Captains, etc.
- 2.1.3.2. These individual roles will be considered Chapter Officers.

2.1.4. ***Considerations for Office*** Any Full Member of Post 27 ALR in good standing, having fulfilled the requirements of Paragraph 1.1, is eligible to serve in any office of this Chapter, with the following exceptions:

- 2.1.4.1. To ensure that prospective Officers are fully aware of the personality of, and issues at this Chapter, no Member having been so for less than one calendar year shall be considered for any Office of this Chapter. In the event that no members fulfilling this requirement are available or willing to serve, compliance to this provision is waived in favor of survival of the Chapter.
- 2.1.4.2. Supporting and Honorary Members are eligible to hold discretionary and/or appointed offices, and will have a vote in meetings pertinent to the office function, unless restricted by the guidelines for that function.

2.1.5. ***Vacancy in Office/Line of Succession*** This section defines the method in which responsibility for the operation of Post 27 ALR shall be Allotted in the event of the incapacity of one or more of the

- Officers in the line of succession, or a vacancy in an Office.
- 2.1.5.1 The line of succession shall be President, Vice President, Secretary, and then Treasurer. Officers that are in an acting capacity are not considered to be in the line of succession.
- 2.1.5.2 In the event of incapacity of the Vice President, Secretary, or Treasurer, or a vacancy in any of those Offices, the President shall make appointments to those Offices subject to approval by a majority vote of the members present at the next regular meeting.
- 2.1.5.3 A temporary incapacity of sixty days or less shall not require a replacement, unless there are extenuating circumstances requiring that the Office be filled. A temporary incapacity of more than sixty days or such that the office must be filled in less time shall be filled by the process described in paragraph 2.1.5.2., until such time as the incapacitated individual is able to resume the duties of Office.
- 2.1.5.4 In the event of the simultaneous incapacity of all four of the above named Officers, the Commander of Apache Post 27 shall appoint an Acting President to serve until such time as a special election can be held. Said Acting President must be a current full member of Post 27 ALR, and shall appoint the positions of Vice President, Secretary, and Treasurer, until such time as a special election can be held. The special election shall be held within sixty days of the incapacity, unless a majority vote of members present at the next regular meeting approve delaying the election until such time as appears to be in the best interests of Post 27 ALR, or the next annual election.
- 2.1.6 *Impeachment of Officers/Removal from Office***
- 2.1.6.1. Officers in the line of succession and the Sgt. at Arms/Run Coordinator are the only Officers subject to Impeachment proceedings. Officers not in the line of succession with the exception of Sgt at Arms/ Run Coordinator serve at the discretion of the President and may be removed from Office upon approval of a majority vote of Members in attendance at a General Meeting.
- 2.1.6.2. Impeachment and conviction resulting in removal from office shall not extend beyond removal of the Officer from office, but this provision shall not proscribe additional proceedings up to and including expulsion and/or suspension as described in Paragraph 6.
- 2.1.6.3. Impeachment shall only be for the following: Conduct as described in Paragraph 6, Misuse or misappropriation of funds or consistent inability to perform the requirements of Office.
- 2.1.6.4. Impeachment shall require a majority vote of the Officers in the line of succession, a tie vote of the Officers in the line of succession plus a majority vote of the Members at a general meeting, or a two thirds majority vote of the members at a general meeting.
- 2.1.6.5. Articles of Impeachment in writing, shall be presented by certified mail, and the Sgt. at Arms or the President in person, to the Officer in question, particularly describing the conduct or actions considered to be impeachable, no less than thirty days before the anticipated trial. In

the event that neither the Sgt. at Arms nor the President has been able to deliver articles of impeachment after 2 attempts by either the Sgt. at Arms or the President, delivery by certified mail will be considered to be adequate notice to the Officer in question. No response to certified mail, and the above mentioned failure of hand delivery will be considered to be abandonment of office. All records relevant to Post 27 ALR held by the Officer in question are property of the Apache Post 27 American Legion Riders and must be surrendered upon abandonment or conviction on Articles of Impeachment.

- 2.1.6.6. Impeachment trials will be held at a normally scheduled general meeting, with the general membership voting to convict or exonerate, and all such votes shall be by secret ballot. Conviction shall require a two thirds majority vote of members attending the meeting. Rules of trial shall be decided by a majority vote of the members attending the meeting.
- 2.1.6.7. Officers removed from office by this process have the right of appeal to first the District of which this organization is part, and then to the Department of which this organization is part, governed by the rules of said District or Department.

### **3. Elections:**

- 3.1. Officers of the Chapter shall be elected through annual nominating and voting.
  - 3.1.1. Election of officers will take place annually, at the regular meeting in the month of May. Election may be by voice vote, show of hands, or by balloting, as determined by a majority vote of members present at the preceding meeting in the month of April. Any contested election shall be decided by secret ballot, the process of which is to be supervised by the Sgt. at Arms. Proxy voting shall not be allowed at any meeting for any purpose.
  - 3.1.2. Nominations shall be made at the regular meeting in the month of April, and shall be recorded in the minutes of said meeting by the Secretary.
    - 3.1.2.1. Only Members of the Chapter in good standing (fulfilling Paragraph 1.1) at the time of nominations shall be allowed to make a nomination.
    - 3.1.2.2. Only Members of the Chapter in good standing (fulfilling Paragraph 1.1) at the time of nominations and who will fulfill requirements for officers (Paragraph 2.1.4) by the time elections are held shall be allowed to accept a nomination.
    - 3.1.2.3. Determination of eligibility shall be made by the Sgt. At Arms using membership records of the Chapter.

- 3.1.2.4. Only Full Members of the Chapter in good standing (fulfilling Paragraph 1.1) at the time of election shall be allowed to vote.

#### 4. **Meetings:**

- 4.1. General Meetings will be held monthly at a date, time and location as determined by a majority vote of the members attending a general meeting. Special meetings at a certain date, time, and location may be called by the President. Committee level meetings at a certain date, time and location may be called by the President or the Officer in charge of the committee.
- 4.2. Two Officers in the line of succession along with seven Full Members will constitute a quorum for general meetings.
- 4.3. Roberts Rules of Order are guidelines, and may be relied upon in the conduct of meetings.

#### 5. **Finances:** Finances of the Post 27 ALR will be from Association membership dues and other legal sources of income.

- 5.1. As a Post-level activity of the American Legion, the Chapter enjoys the tax-exempt status of the Post and must manage its finances in accordance with applicable Federal (IRS), State, and local laws applicable to nonprofit organizations.
- 5.2. Disbursement of funds will be only those authorized at any regular meeting of the Chapter, except as described below. Upon ratification of this document, use of funds for everyday ordinary expenses such as office supplies, and emergency expenditures not to exceed three hundred dollars, are authorized on a continuing basis. Any such funds named in the preceding sentence must be authorized by at least two Officers in the line of succession before being disbursed.
- 5.3. Two signatures of Officers in the line of succession are required on all checks for all expenditures.
- 5.4. One Officer of Apache Post 27 is required to be a signatory on all bank accounts of any kind.
- 5.5. Annual Membership dues are twenty dollars per year, and shall not be changed more than once in a calendar year. A majority vote of Members in attendance at a general meeting is required to change membership dues. Any changes in Membership dues shall be recorded in the minutes of the general meeting in which they are adopted, but shall not require an amendment to these bylaws. There are no initiation fees.
- 5.6. The Membership year is from January 1 to December 31, and membership dues must be paid by January 1 of the calendar year of membership. Members joining in the months of January through June shall pay the entire membership dues for the calendar year. Members joining on or after July First shall pay dues at a rate of two dollars per month, including the month of joining the Post 27 ALR, plus

annual dues for the following calendar year.

6. **Expulsion:** Methods for the expulsion or suspension of members are specified below.
  - 6.1. Expulsion or suspension of any Post 27 ALR Member shall only be for conduct that damages the reputation of the American Legion, the American Legion Riders, or conflicts with the purposes of the above named associations.
    - 6.1.1. Before any Member is expelled or suspended, the reason, along with substantiating evidence, shall be presented to the President, who shall then make a determination whether or not the accused Member should be suspended pending final disposition of the case.
    - 6.1.2. For a Member to be expelled, charges must be brought against the accused member during a regular or special meeting of the general membership (the President has the authority to call a special meeting, but shall not call such a meeting at a time or place that would reasonably preclude the accused Member from attending). The accused Member shall be notified by a hand delivered written notice given personally to the accused Member by an Officer in the line of succession at least two weeks in advance, or by certified mail at least three weeks in advance of the proceedings. Specific reasons for expulsion or suspension shall be contained in the notice. The accused Member shall be entitled to rebut any and all charges, free from interruption, during the meeting. If appropriate, and accepted by the person(s) bringing charges, an apology by the accused Member at any time from the start of the case will terminate the case.
    - 6.1.3. A majority vote of the Members in attendance shall be required to impose disciplinary action of expulsion or further suspension. If appropriate, and approved by a majority vote of the members present, an apology by the accused member, or acceptance of a reprimand by the accused Member, or both, shall suffice to end the proceedings. Fines are not authorized.
    - 6.1.4. The accused Member shall not be present during deliberations as to guilt or innocence, nor during deliberations as to what type of disciplinary action is appropriate, but may be consulted in the event that disciplinary measures short of expulsion or suspension are being considered.
  - 6.2. Any member no longer fulfilling the requirements of Paragraph 1.1 is immediately expelled from full membership in the ALR until such time as the requirements as outlined Paragraph 1.1 are again fulfilled. In the event that a Member no longer fulfills the requirements of Paragraph 1.1 due to a motor vehicle accident that removes his or her motorcycle from his or her ownership, a six month "Grace Period" is allowed to obtain a qualifying motorcycle.

## 7. **Charter Membership:**

7.1 Charter Membership in the Post 27 ALR shall consist of the original 21 Members that founded the Post 27 ALR

8. **Clothing** No item of clothing shall be worn by any member of the Post 27 American Legion Riders that implies or suggests that the Post 27 American Legion Riders is a Motorcycle Club.

8.1. *The American Flag*

- 8.1.1. When worn by a Post 27 ALR member, the Flag must not be subjugated by any other emblem or standard on the item of apparel to which it is affixed.
- 8.1.2. When worn by a Post 27ALR member, the Flag must not be obscured or covered by any other emblem or standard on the item of apparel to which it is affixed.
- 8.1.3. Established standards for the display and wearing of the Flag must be observed:
  - 8.1.3.1. When worn on the shoulder of a garment, the field of stars must be forward, as if the Flag is carried into the wind on a pole.
  - 8.1.3.2. When worn on the back or front of a garment, the field of stars is to be on the left.
  - 8.1.3.3. When worn in conjunction with one (1) flag of another organization, sovereignty, territory, or nation, the Flag must be in a numerically superior (to the left of the other flag when viewed from the front).
  - 8.1.3.4. When worn in conjunction with several flags of other organizations, sovereignties, territories, or nations, the Flag must be worn in the center and above any other flag in the grouping.
  - 8.1.3.5. No graphic or slogan is ever to appear across the Flag.
  - 8.1.3.6. The Flag is never to be worn on the seat of the pants, or on any other location that could be considered disrespectful to the Flag
- 8.1.4. When worn garments bearing the Flag are to be discarded, the Flag is to be removed from the garment and retired in a manner appropriate to the Flag of The United States of America.

8.2. *The ALR Back Patch*

- 8.2.1. The ALR Back Patch, configured as put forth by the Founding Members and available through The American Legion Emblem Sales, is the only back patch containing the American Legion Emblem to be worn by any member of the Post 27 ALR.

9.0 *Amendments*

- 9.1. Amendments to this document that deal only with technical details such

as spelling and grammar shall be made with the approval of the President and the Secretary. Such amendments will be announced at the next regular meeting and entered into the change log below.

9.2. Amendments other than those described in paragraph 9.1. shall be proposed at a regular meeting, and require a two thirds majority vote of the members attending at the following regular meeting for ratification. Following ratification, the amendment(s) shall be entered into the change log below.

10.0. ***Ratification***

10.1. Ratification of this document shall require a two thirds majority vote of the members attending the general meeting at which this document is presented for ratification.

