

BY-LAWS OF THE
HOME ASSOCIATION
ROBERT H. HOKE, POST 272
AMERICAN LEGION
505 NORTH MOUNTAIN ROAD
HARRISBURG, PENNSYLVANIA 17112-2369

ARTICLE I – NAME

Section 1: The Association shall be incorporated pursuant Title 15 Corporations and Unincorporated Associations, Pennsylvania Consolidated Statutes by filing DSCD: BCL-206 with the Department of State Corporation Bureau.

Section 2: The name of this organization as stated in the Articles of Incorporation is: "American Legion Post 272 Home Association" (HA).

Section 3: The formation of the Home Association is authorized by Article XI - Home Association in the By-Laws of American Legion Post 272. This Article shall govern the relationship between the Post and the Home Association and compliance with the established lease agreement and Post House Rules.

ARTICLE II- PURPOSE

Section 1: The purpose of the Association is to assist the members of American Legion Post 272 with the programs, functions and purposes as outlined in the Post, Department, and National Constitutions of The American Legion.

Section 2: These programs will be supported by the Association, within its resources, by providing facilities, equipment and other services for the conduct of such recreational, social and professional activities, as deemed appropriate.

ARTICLE III – MEMBERSHIP

Section 1: The membership of the Association shall be classified as "Active" and "Social" Members.

Section 2: "Active" members shall consist of Legionnaires in good standing of the American Legion Post 272. Acceptance into Post 272 as a Legionnaire is automatic membership in the Association. "Active" members also include those members in good standing in the Sons of the American Legion Squadron 272 and the American Legion Auxiliary Unit 272.

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Section 3: "Social" members shall consist of persons 21-years of age or older and who are not members in good standing of The American Legion Post 272. "Associate" members must be sponsored by an "Active" Legionnaire member. Section 3a: Application process is the submission of a written application, investigation, recommendation to the Executive Committee and majority vote for approval.

Section 4: "Social" members shall have all of the rights of "Active" members, except that only "Active" Legionnaires may vote at Association meetings and hold office within the Association.

ARTICLE IV - OFFICERS AND TRUSTEES

Section 1: The elected officers of the Association shall be:

1. President
2. A First Vice President
3. A Second Vice President
4. A Secretary
5. A Treasurer
6. Trustees (4)

Section 2: The Officers and Trustees of the Association may only be "Active Legionnaires" who are members in good standing of The American Legion Post 272.

Section 3: The President, Vice Presidents, Secretary, and Treasurer shall be elected by a majority vote of the active Legionnaires present and voting at the regular scheduled meeting of the Association and serve in that capacity for one year. Trustees shall be elected by the same process but shall serve for three years under a rotating system.

Section 4: The administration of the Association shall be under the supervision of an "Executive Committee" composed of the Officers and Trustees named in ARTICLE IV, Section I and all Past Post Commanders of Post 272 who are still members in good standing. The Club Manger shall be an ex-officio member without the power to vote. The final decision on matters pertaining to the Association will be rendered by the Executive Committee. While the management of the affairs of the canteen, kitchen and banquet rooms are the responsibility of, and under the direct control of the Club Manager under the guidance of the Association President, the administration of the affairs of the Association, and the conditions of employment of the Club Manager, are the responsibility of and under the direct control and supervision of the Executive Committee. The Executive Committee alone shall be responsible for hiring, disciplining and termination of Association employees.

Section 5: Duties of the Officers.

1. The President is the presiding Officer of the Association and shall perform the duties consistent with this position. The Assistant Manager will serve as the Club Manager in his/her absence. The President is, in all cases, bound to carry out the instructions presented by a majority of the Executive Committee.

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2. The First Vice President shall, in the absence of or the removal of the President, perform the duties of the President and others as may be prescribed by the Executive Committee. The First Vice President shall be Membership Chairman.

3. The Second Vice President shall, in the absence of the First Vice President or President, shall be prepared to assume their duties. The Second Vice President shall oversee the personnel management of the Association employees.

4. The Secretary shall keep an accurate and complete record of all meetings and business conducted by the Executive Committee and regular Association meetings. He/She will prepare and process all correspondence, officially notify membership of all regular and special meetings, as appropriate.

5. The Treasurer maintains the records of all receipts and disbursements of the Association, ensures maintenance of all records in accordance with generally approved accounting techniques and ensures that all records required by Pennsylvania Law are maintained in the prescribed manner.

6. Club Manager. Management control of the canteen, kitchen and banquet rooms and the custody of its funds and property is an inherent responsibility delegated to a Manger, subject to joint review by the President and Treasurer. The Manager, who it is recommended shall be bonded, will be hired by the Committee and will perform such duties as prescribed by the Committee. The Manager is also delegated the responsibility for the management and the performance of duties by all employees. Employee performance of duty will be annotated in the employee file maintained by the Manager. The Manager is responsible for all monies derived from the operation of the Association and shall record in the appropriate ledger section prior to deposit of said funds.

ARTICLE V - MEETINGS

Section 1: The regular scheduled meetings of the Association will be held on the second Thursday of each month at seven o'clock p.m. The Executive Committee shall meet one hour prior to the regular scheduled meeting of the Association.

Section 2: Voting privileges at the Association meeting are limited to the Legionnaires present. "Associate" members may attend the meetings of the Association but will have no vote at the proceedings.

Section 3: The proceedings of the meetings will be in accordance with Robert's Rules of Order, revised.

Section 4: A quorum for the Executive Committee meetings shall be six (6) members. A quorum for regular meetings shall be ten (10) "Active" members.

ARTICLE VI - FINANCES

Section 1: HA Financial Report - A ledger currently showing income in detail shall be maintained and posted, and shall be kept according to regularly accepted accounting procedures.

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Section 2: Profit & Loss Report -- An expense ledger showing all expenditures shall be kept according to regularly accepted accounting procedures.

Section 3: The ledgers shall remain on the premises at all times and shall be available for audit by The American Legion Post 272 upon request. In addition, an annual audit shall be performed by an auditing committee appointed by the Executive Committee.

Section 4: Appropriate tax forms shall be filed each year with the internal Revenue Service showing the yearly activity of the Association. Appropriate forms and remittance will be made as required to the Commonwealth for such items as Sales Tax and others.

Section 5: Funds and financials will be handled solely by officers of the Association or the Club Manager. At no time will this responsibility be entrusted to any non-management employee, Active member not an officer, or volunteer.

ARTICLE VII - RECORDS

Section 1: A minute book shall be maintained by the Secretary and shall contain all of the following: minutes of all regular and special meetings; the names and dates of applicants for membership and the dates the members were admitted; the financial report of the Treasurer and all elections and appointments of officers and committees.

Section 2: A complete membership register shall be maintained, showing the date of application, the date of admission and the date and amount of dues paid.

ARTICLE VIII - BY-LAWS

Section 1: The Association shall adhere to the By-Laws as approved by the active members of the Association.

ARTICLE IX - AMENDMENTS

Section 1. Amendments may be made to these By-Laws by a vote of two-thirds of the active members present at a regularly scheduled meeting provided the proposed amendment was presented to the members at the previously regularly scheduled meeting.

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Attest: These By-Laws are approved this 4th day of April 2023 by majority vote of the members present.

/s/ Roderic O'Connor
President
Post 272 Home Association

/s/ Michelle Zandome
Secretary
Post 272 Home Association

Attachment 1: Revision Description Record.

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Attachment 1

Revision Description Record

Revision 9/13/2012:

Amendment to ARTICLE VI - Finances; as follows: Section 7: Fiscal Oversight Committee. The Home Association Fiscal Oversight Committee shall consist of at least five (5) voting members and will be chaired by the Home Association Treasurer. This committee shall be responsible for all fiscal matters within the Home Association. These include, but not limited to preparation and presentation of Annual Working Budget; preparation and presentation of Annual Audit; and oversight of management of Small Games of Chance, Banquet, Canteen and Dining operations. Prepare monthly reports to the membership and other fiscal activities as required. Committee will operate in accordance with Charter.

Revision 2/11/16:

- Previous version (13 September 2012) of American Legion Post 272 Home Association By-Laws re-formatted for uniformity and clarity. Several spelling errors were corrected.
- Content/intent of the document is unchanged from the previously approved version.
- Page Number and Revision Date were added to the footer of the document.
- Attachment 1, Revision Description Record added to the end of the document.

Revision 04/04/2023:

- Previous version (02/11/2016) of American Legion Post 272 Home Association By-Laws was re-formatted for uniformity and clarity. Several spelling errors were corrected.
- Content/intent of the document is unchanged from the previously approved version.
- Page Number and Revision Date were added to the footer of the document.
- Amendment to Article IV – Officers and Trustees; as follows: Section 5, bullet 6 –insert “It is recommended” the Club Manager shall be bonded. Strike “management of the kitchen”.
- Amendment to Article VI – Finances; as follows: Strike previous Section 1. Renumber all successive sections. Section 2. -Rename “Receipts Ledger” to “HA Financial Report”. Section 3. - Rename “Expenditure Ledger” to “Profit & Loss Report”. Section 6: Strike “bonded” Club Manager; replace “non-bonded” to “non-management” employee. Strike Section 7.
- ARTICLE VII – RECORDS Section 2. – Strike “individual index cards shall be maintained for each member”.
- ARTICLE IX – Strike “All amendments must be approved by Department before being implemented”.