



THE NEW YORK AMERICAN LEGION PRESS ASSOCIATION

CONSTITUTION & BY-LAWS

ADOPTED JULY 12, 1984

AMENDED JULY 19, 1996

AMENDED JULY 23, 1998

AMENDED JULY 8, 2005

CONSTITUTION

ARTICLE I NAME

Section 1. The name of this organization shall be "New York American Legion Press Association" (NYALPA).

ARTICLE II STATUS

Section 1. The New York American Legion Press Association shall be a non-profit organization.

ARTICLE III PURPOSE

Section 1. The aims and purposes of this Association shall be to foster periodical publications of The American Legion by Department, District, County and Posts of The American Legion and in its subsidiary and/or auxiliary organizations.

Section 2. To encourage the improvement of these publications through mutual endeavor, by fostering exchange of publications and by disseminating through the medium of this Association, new ideas and other information of value in forwarding the programs of The American Legion that are closely allied with the publications and news services of The American Legion and those that are concerned with the importance of disseminating news and information to their members and to the general public.

**ARTICLE IV
ELIGIBILITY AND MEMBERSHIP**

Section 1. Membership in the New York American Legion Press Association shall be available to any member in good standing of The American Legion or its subsidiary and/or Auxiliary and Sons of the American Legion organization.

**ARTICLE V
MEETINGS AND REPRESENTATION**

Section 1. The legislative body of the New York American Legion Press Association shall be the annual meeting, which shall be convened at the location in which the annual Department of New York American Legion convention is held and at a time immediately prior to, during, or immediately following said convention. There shall be at least one other meeting during the year, which shall be held at the mid year meeting of the American Legion Department of New York.

Section 2. Any member of the N.Y. A.L.P.A. in good standing at least thirty days (30) prior to the annual meeting shall be eligible to vote at the annual meeting. Anyone in good standing at the time of any other meeting shall be eligible to vote at that meeting. Any member that is voting must be physically present to cast his/her vote. There shall be no voting by proxy.

Section 3. A quorum for the transaction of business of any regular or special meeting of the New York American Legion Press Association shall be ten (10) members in good standing representing at least five (5) different counties in the Department of New York.

Section 4. Written notice must be sent at least thirty (30) days prior to any regular or special meeting of the N.Y.A.L.P.A. to all members in good standing informing them of the date, time, place and reason for the meeting.

**ARTICLE VI
OFFICERS AND EXECUTIVE BOARD**

Section 1. The annual meeting shall elect a President, five (5) Vice Presidents, a Secretary, a Treasurer and a Historian. The newly elected President shall appoint a Membership Chairman, Chaplain, Judge Advocate, Sergeant-At-Arms, Public Relations Officer and any other such officers, as he/she deems necessary. All of these elected and/or appointed officers shall serve for a period of one year or until such time as their successors are elected. Their term of office shall commence at the close of the annual meeting.

Section 2. In addition to the elected and appointed officers there shall be elected six (6) members of the Executive Board of Directors, two (2) of which will be elected each year and serve for a period of three (3) years, (2) years, (1 Year) and none shall be from the same American Legion District unless necessary.

Section 3. The Executive Board shall consist of all elected and appointed officers and all past Presidents of the New York American Legion Press Association. All must be in good standing and shall have one (1) year except for appointed officers, which shall have no vote. A quorum for any Executive Board meeting shall be five (5) voting members.

Section 4. Any member of the New York American Legion Press Association may be elected to any office in the Association provided he/she is a member in good standing at least thirty (30) days prior to the elections and has been a member of the Association for at least two (2) full consecutive years.

Section 5. All elected or appointed officers in the N.Y.A.L.P.A. may serve for more than one term of office, except for the President who may only serve two (2) terms.

**ARTICLE VII
FINANCES**

Section 1. The annual dues of this Association shall be set by the annual meeting and shall remain at that figure until such time as they are changed by action of a future annual meeting. Any person that joins the Association after May 1 shall be considered in good standing for the current membership year as well as the coming membership year.

Section 2. A committee appointed by the President shall prepare a budget based on anticipated income, which will be presented to the annual meeting for approval.

Section 3. No member of this Association shall be reimbursed for any personal expenditure that may occur in carrying out his/her duties in this Association.

Section 4. A complete financial accounting of all income and expenditures of the Association shall be available at any meeting of this Association. This accounting shall include checks written, receipts for all expenditures, checking and savings accounts, the bank of deposit and any other property that the Association may own.

Section 5. A committee shall be appointed by the President to audit the financial records of the Association and a report shall be given by the committee at the annual meeting.

Section 6. The fiscal/membership year of this Association shall start at the conclusion of the annual meeting and end at the conclusion of the next annual meeting.

**ARTICLE VIII
DISCIPLINE**

Section 1. The Executive Board shall be the arbitrator in any differences of opinion as to the eligibility of an applicant for membership.

**ARTICLE IX
AMENDMENTS AND APPROVAL**

Section 1. This constitution may only be amended at the annual meeting of the New York American Legion Press Association by a three fourths (3/4) vote of the total authorization thereat, provided that the proposed amendment shall have been submitted to the Secretary and the President in writing not less than sixty (60) days prior to the annual meeting and then transmitted to the entire membership of the Association no less than thirty (30) days prior to the opening of the annual meeting.

Section 2. No amendments to this constitution shall be introduced which shall be contrary to the spirit and policy of The American Legion.

Section 3. This Constitution shall become effective at the conclusion of the annual meeting where adopted and/or amended, and shall be in effect thereafter.

**ARTICLE X
PARLIAMENTARY AUTHORITY**

Section 1. This Association shall be governed by "Robert's Rules of Order, Newly Revised" on all points not covered by this Constitution.

BY-LAWS

ARTICLE I MEMBERSHIP

Section 1. Membership in the New York American Legion Press Association shall be composed of staff members of publications printed by The American Legion and its subsidiary and/or auxiliary organization. Membership shall also be available to persons who regularly write American Legion columns that appear in other publications. Persons that were once, but no longer active in the area of news writing or those that are the news makers of The American Legion or its subsidiary and/or auxiliary organizations shall also be eligible for membership provided they are in good standing with their respective organizations.

ARTICLE II OFFICERS

Section 1. Authority between meetings shall rest with the Executive Board which shall consist of all duly elected and appointed officers and all past President of this Association that are in good standing. The President shall be the chairman of the Executive Board.

Section 2. The presiding officer at all meetings of N.Y.A.L.P.A. shall be the President. In his/her absence the presiding officer shall be in the following order: one of the live Vice-Presidents, Secretary, any other elected officer.

Section 3. **President:** The duties of the President shall be to act as the administrative head of the Association, and may call the Executive Board for counsel and assistance. The President shall be the chairman of the Executive Board and shall have the power to appoint committees to carry out the policies and programs of the Association. The President shall appoint a Chaplain, Sergeant-at-Arms, Judge Advocate, Public Relations Officer and other officers that is deemed necessary, and fill any vacated elected office, all with the approval of the Executive Board. The President shall appoint a committee of three (3) to audit the books of the Association at least once a year and also a committee of three (3), which will select qualified candidates for elective office in the Association. The President shall the right to call special meetings provided the membership is notified at least ten (10) days in advance and the reason for such meeting is given. The President shall make an annual report at the annual meeting relative to the condition, activities and programs of the Association, and along with the Secretary shall sign all written contracts and obligations of the Association, which first have been approved by the Association. He/she shall write known as the "Presidents Message" to be distributed with the Association Newsletter at least four (4) times a year.

Section 4. **Vice-Presidents:** There shall be elected five (5) Vice-Presidents which will serve for one year and perform such duties as may be assigned to them by the President or the Executive Board, within the terms of the Constitution and By-Laws. In the absence, resignation or death of the President, a Vice-President will be selected by the Executive Board to serve as an acting President. The Vice-President may serve for more than one term of office. Whenever possible Vice-Presidents will be selected and represent the same areas as the Department Vice-Commanders of the American Legion (1& 9; 2 &10; 3 &4; 5 & 6; 7&8 Districts) and such area representation should rotate from year to year.

Section 5. **Secretary:** The Secretary shall maintain a record of the membership, minutes and other records of the Association and shall handle the correspondence of the Association. He/She shall keep records of the proceedings of the meetings of the Association and all the matters of which a record shall be kept. The Secretary shall keep the Executive Board advised of the membership and from the Treasurer the financial standing of the Association and provide the full membership and financial report in writing with sufficient copies to be distributed at the mid-winter and annual meetings, and shall make periodic reports (at least four (4) times a year) to the membership as to the activities of the Association through the Association publication. The Secretary shall sign all written contracts and obligations of the Association, along with the President, which first have been approved by the Association, and shall not hire anyone to help in the performance of his/her duties. He/she shall notify all elected and appointed officers and committee members of their election and/or appointment, and shall issue notices of all meetings and in the case of special meetings shall add a brief note stating the object of such call. The Secretary may serve for more than one term.

Section 6. **Treasurer:** The Treasurer shall be responsible for all the finances of the Association. He/she shall maintain the general business account and the Scholarship Account. He/she shall provide the Secretary and President with the location of all accounts, names of financial institutions and account numbers. He/she shall sign all checks and provide a detailed accounting of all receipts and expenditures at the annual meeting and the mid-winter meeting and at times as directed by the President. Only in the event that the Treasurer is unable to perform his/her duties, the Secretary and President shall also have authority to sign checks for the general business account and scholarship account.

Section 7. **Membership Chairman:** The Membership chairman shall keep a record of all members and report it to the Secretary and Treasurer at least every month. He/she shall send renewal notices at the direction of the President and Treasurer. He/she shall chair the Membership Committee consisting of all the Vice- Presidents and Directors. He/she shall provide the information table at the annual meeting and the mid-winter meeting. He/she along with the Treasurer shall effect the transmittal of dues collected on behalf of the National American Legion Press Association (NALPA) to NALPA.

Section 8. **Chaplain:** It shall be the duty of the Chaplain to offer prayer at each meeting and perform such other duties as the President directs.

Section 9. **Sergeant-at-Arms:** it shall be the duty of the Sergeant-at-Arms to provide order at all meetings and perform such other duties as the President may direct.

Section 10: **Judge Advocate:** It shall be the duty of the Judge Advocate to interpret and give rulings on the Constitution and By-Laws of the Association and give advice on all legal matters concerning the Association. He/she shall perform such other duties as the President may direct.

Section 11: **Historian:** It shall be the duty of the Historian to compile and keep up to date history of the New York American Legion Press Association and shall collect and preserve for the use and as the property of the Association such correspondence, photographs, documents, printed articles or memoranda, historical items, etc, as may be collected by or entrusted to the care of the Historian.

Section 12. **Public Relations Officer:** It shall be the duty of the Public Relations Officer to enhance and create a better image of the New York American Legion Press Association by disseminating information about the Association of the members of the American Legion and its subsidiary and/or auxiliary organizations.

Section 13. **Term of Office:** The officers of this association shall assume their duties at the close of the annual meeting at which they are elected and hold that office for one (1) year or until their successors are elected. Any officer may be elected or appointed to more than one term of office. The President shall be elected to a one-year term of office and shall not be elected for more than two consecutive terms.

Section 14. **Expenses:** No officer in the Association shall have any expense account or be reimbursed in any way for personal expenses that may occur from the performance of their duties as an officer in this Association.

Section 15. **Endorsements:** No Officer in the Association shall endorse or promote the candidacy of any person for public or American Legion office, excluding candidates for office in the Press Association.

Section 16. **Property:** All Officers of the New York American Legion Press Association shall be responsible for all the property and documents entrusted to them or accumulated by them during their term of office and shall return to their successor or the Association all such documents and/or property at the annual meeting that they leave office or within thirty (30) days if they leave office before their term has expired.

ARTICLE III ADMINISTRATION

Section 1. The Executive Board shall administer the business affairs of the Association between meetings and formulate policies subject to the Constitution and By-Laws and approval of the majority of the members in attendance at a regular meeting. They are also authorized to fill vacancies in any office except as otherwise provided for in this Constitution and By-Laws.

Section 2. The Executive Board shall meet at the call of the President. Five (5) voting members of the Board shall constitute a quorum. A record of each Executive Board meeting shall be kept and a written report shall be submitted at the next regular meeting of the Association.

Section 3. Failure by any officer to attend a meeting of this Association may constitute cause for removal from office, however the President in his/her discretion may accept a reasonable excuse for non-attendance if presented before the meeting.

ARTICLE IV MEETINGS

Section 1. There shall be at least two (2) regular meetings each year. One meeting shall be held during the mid-winter meeting of The American Legion Department of New York in Albany, NY and the second meeting known as the annual meeting shall be held at the location of the Department of New York's Legion Convention and at a time and place during the Convention that shall be convenient to a majority of Association members attending the Convention.

Section 2. Notice of any regular meeting shall be sent to all Association members at least thirty (30) days prior to the meeting at their last known address.

Section 3. The President of Executive Board shall have the right to call special meetings provided the membership is notified at least ten (10) days prior the date of such a meeting.

Section 4. A quorum for any regular or special meeting shall be ten (10) Association members in good standing representing at least five (5) different counties.

**ARTICLE V
NOMINATIONS**

Section 1. The President shall appoint a nominating committee consisting of three (3) members to select officers for the next membership year. The committee shall make its report at the annual meeting and at that time nominations from the floor will be in order. No person shall be nominator for any office in the Association that is not in good standing and that has not first been asked to serve in the position that he or she has been nominated.

Section 2. No person shall be nominated for the office of President unless they have been a member in good standing for at least two (2) full consecutive years prior to the annual meeting of election.

Section 3. No person in the New York American Legion Press Association shall seek office in the National American Legion Press Association without first holding a elected office in the New York American Legion Press Association and then endorsed by the N.Y.A.L.P.A. during a regular meeting.

**ARTICLE VI
ELECTION OF OFFICERS**

Section 1. The election of officers shall be held during the annual meeting of the New York American Legion Press Association after all other business has been conducted. The winning nominees shall be sworn in at that meeting and assume their duties at the close of the meeting.

Section 2. The Executive Board is empowered to suspend or cancel the membership of any member for cause, by a majority vote of the Board.

Section 3. All candidates for office must be in good standing in the Association at least thirty (30) days prior to their election and also be in good standing in the organization which they represent.

**ARTICLE VI
OFFICERS AND EXECUTIVE BOARD**

Section 1. The annual meeting shall elect a President, five (5) Vice Presidents, a Secretary, a Treasurer and a Historian. The newly elected President shall appoint a Membership Chairman, Chaplain, Judge Advocate, Sergeant-At-Arms, Public Relations Officer and any other such officers, as he/she deems necessary. All of these elected and/or appointed officers shall serve for a period of one year or until such time as their successors are elected. Their term of office shall commence at the close of the annual meeting.

Section 2. In addition to the elected and appointed officers there shall be elected six (6) members of the Executive Board of Directors, two (2) of which will be elected each year and serve for a period of three (3) years, (2) years, (1 Year) and none shall be from the same American Legion District unless necessary.

Section 3. The Executive Board shall consist of all elected and appointed officers and all past Presidents of the New York American Legion Press Association. All must be in good standing and shall have one (1) year except for appointed officers, which shall have no vote. A quorum for any Executive Board meeting shall be five (5) voting members.

Section 4. Any member of the New York American Legion Press Association may be elected to any office in the Association provided he/she is a member in good standing at least thirty (30) days prior to the elections and has been a member of the Association for at least two (2) full consecutive years.

Section 5. All elected or appointed officers in the N.Y.A.L.P.A. may serve for more than one term of office, except for the President who may only serve two (2) terms.

Section 5. The term of office of each standing committee shall be for the period of one year. The term of office of each special committee shall be from date of formation until such time as its work shall have been completed and the committee discharged.

Section 6: The President may discharge any committee and form a new one if he/she deems it to be in the best interest of the Association.

ARTICLE VI FINANCE

Section 1. The fiscal year of this association shall be from annual meeting to annual meeting.

Section 2. The revenue of this Association shall be derived from membership dues, assessments, or from other sources as may be approved by the Executive Board and the body at the annual meeting.

Section 3. The amount of the membership dues or assessments shall be fixed by the body by majority vote at the annual meeting.

Section 4. All fees and dues are payable at or before the annual meeting in July of each year.

Section 5. There shall be an annual audit of the books of record by a special auditing committee appointed by the President.

Section 6. All funds of the Association shall be deposited as may be directed in a checking and savings account in a bank selected by the Executive Board.

Section 7. All checks in excess of fifty (\$50.00) dollars shall be signed by both the Secretary and the President unless authorized in the budget or at a regular meeting.

Section 8. All expenditures and receipts shall be entered in proper books of account. Treasurer shall also keep a record of all properly of the Association.

Section 9. The Treasurer together with the finance committee shall prepare the annual budget to be submitted at the annual meeting in July.

Section 10. Any new member that joins the Association after May 1 shall be considered in good standing for the current year and also the coming year.

ARTICLE IX PENALTIES

Section 1. When a member becomes in default of dues for a period of one (1) year, a written notice shall be sent to him/her at the last known address, requesting; the amount due. If after thirty (30) days he/she has not paid, his/she may be dropped or suspended from membership by a majority vote of the Executive Board or any regular meeting of the Association. A member so dropped or suspended from membership may later be reinstated by a majority vote of the Executive Board, provided the indebtedness has been paid. He/she thus may maintain continuity of membership; otherwise he/she must apply as a new member.

Section 2. After a fair and impartial hearing, before the Executive Board, by a majority vote of those present, any member of the Association may be suspended or expelled for misconduct in his/her relations to this Association. All interest in the property of the Association of the person suspended or otherwise ceasing to be a member shall vest in the Association.

**ARTICLE X
RULES**

Section 1. "Robert's Rules of Order, New Revised" on all matters not covered by these By-Laws shall govern This Association.

**ARTICLE XI
AMENDMENTS**

Section 1. These By-Laws may only be amended at the annual meeting of the New York American Legion Press Association by a three fourth (3/4) vote of the total authorizes thereat, provided that the proposed amendment shall have been submitted to the Secretary and President in writing not less than sixty (60) days prior to the annual meeting and then transmitted to the entire membership not less than thirty (30) days prior to the opening of the annual meeting.

Section 2. No amendment to these By-Laws shall be introduced which shall be contrary to the spirit and policy of the American Legion.

**ARTICLE XII
PAST PRESIDENTS AND LIFE MEMBERS**

Section 1. Past Presidents and persons awarded a life membership in the Association shall not pay annual dues so long as they maintain a continuous membership in the American Legion Post, Auxiliary Unit, or SAL squadron located in the Department of New York.

Section 2. Past Presidents and life members who transfer their membership outside the Department of New York, or who allow their membership to laps and thereafter are reinstated, shall pay annual dues.

ACKNOWLEDGMENTS

The New York American Legion Press Association extends its grateful appreciation to the following members for their assistance in providing this up-dated Constitution & By-Laws:

Susan J. Langley – President 1995-1996

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John E. Roseberry – Acting Secretary 1995-1996

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