

Nomination, Campaign and Election Guidelines

Owen Coffman Post 519

Palm Springs, CA

ARTICLE I - Purpose: The purpose of this document is to provide a clear set of guidelines for Post elections as described in ARTICLE V, Sections 2 through 5 of the By-Laws of Owen Coffman Post 519 Department of California, The American Legion.

ARTICLE II - Definitions:

Section 1. Election: the process by which the officers and Executive Committee member(s) are elected by the membership of the Post per ARTICLE V, Sections 2 and 3 of the Post By-Laws.

Section 2. Election Board: comprised of the Post Adjutant, Judge Advocate and Sergeant-at-Arms.

Section 3. Nominee: A Post member in good standing that has accepted the nomination for a Post office. Eligibility for an office is per ARTICLE V, Section 4 of the Post By-Laws.

Section 4. Campaign Period: the interval between the second nomination and the eve of the election.

Section 5. Electioneering: the process of soliciting votes.

Section 6. Eligible voter: a legionnaire in good standing within Owen Coffman Post 519 The American Legion

Section 7. Date of the election: the regularly scheduled membership meeting in May of each year. Polls will remain open from 1730 hours until 2030 hours for voting.

ARTICLE III - Nominations:

Section 1. Nomination of a post member in good standing for one of the elected positions is a two-step process.

- i) **Step 1:** during the regular membership meeting of the Post in March one or more members can be nominated for one or more of the elected positions. The presiding officer of the meeting shall call nominations for a given position three (3) times before moving to the next position. The nominee may at this time respond with “Accept” or “Decline.”
- ii) **Step 2:** during the next regular meeting of the membership, nominations will be called for the elected positions of the Post. The process in Step 1 shall be followed except the nominee shall respond with “Accept” or “Decline”.

34 **Section 2.** Each nominee shall provide to the Election Board their membership ID card and a copy
35 of their DD-214, or proof of qualified federal service. Failure to provide the information will
36 cause the nominees' name to be removed from the slate of nominees.

37 **Section 3.** The accepted nominees shall be the slate of candidates for the election.

38 **Section 4.** Late Nominations: should a member in good standing desire to place their name in
39 nominations for a specific position once the nominations are closed, they must submit to the
40 Election Board for approval: their name, a statement of candidacy, current membership ID
41 number, a copy of their DD-214, or proof of qualified federal service, and a declaration stating
42 they are a candidate for a specific position.

43 i) This section is only applicable under one of the following two (2) reasons and shall be
44 reviewed and approved by the Election Board.

45 (1) When the nominations were closed and there was no name(s) placed in nominations for
46 the office.

47 (2) The member was absent or otherwise unavailable to accept the nomination.

48 ii) The statement of candidacy and associated required documents must be received and
49 approved by the Election Board prior to the regular membership meeting in April.

50 iii) Candidate statements and associated required documents received after the deadline shall
51 be considered a write in candidate.

52 iv) All rules and regulations regarding campaigning and electioneering shall apply.

53 **Section 5.** Write-In Candidates: Any legionnaire in good standing who desires to be a write-in
54 candidate and have their name written on the ballot and have the vote counted for a particular
55 office shall:

56 i) Present a statement of candidacy that contains the following information: Name, current
57 membership ID number, a copy of their DD214, or proof of qualified federal service, and a
58 declaration stating they are a write-in candidate and the office they are standing for.

59 ii) The statement of candidacy must be filed with and accepted by the Election Board no later
60 than the regular membership meeting in April.

61 iii) A vote for a write-in candidate who does not have a candidacy statement filed with and
62 accepted by the Election Board will not be counted.

63 iv) The campaign period for a write-in candidate shall be from the time the candidacy
64 statement is accepted by the Election Board and shall end at midnight on the election eve.

65 v) A write-in candidate that violates either the campaign period defined in the above sub-
66 paragraph iv), or the electioneering guidelines defined in ARTICLE VI will be disqualified.

67

68 **ARTICLE IV - Election Board:** the principal responsibilities of the Election Board are:

69 **Section 1.** Manage the election process to ensure that the Post complies with the rules as defined in
70 the Post By-laws, American Legion code of conduct and ethics standards, and the policies and
71 procedures defined in this document.

72 **Section 2.** Thirty (30) days prior to the election, review and confirm the eligible voters within the
73 Post.

74 **Section 3.** Provide a listing of eligible voting Post members to the nominees which shall include
75 contact information.

- 76 i) A nominee found to be using membership listing from other sources for the purpose of
77 electioneering may be disqualified from the election. This does not include file reformatting
78 files, (example *.pdf or *.xls).

79 **Section 4.** Provide a sample ballot and nominee statements to eligible members at least two (2)
80 weeks prior to the election. Nominee statements must be available 1 week in advance to be
81 included.

- 82 i) Nominee statements shall be positive in nature and focus on nominee's experiences,
83 qualifications along with the nominee's proposed plans for achieving the goals of the Post
84 519 and the American Legion.

85
86 **ARTICLE V - Campaign Period:**

87 **Section 1.** The campaign period shall begin no earlier than the establishment of the slate of
88 nominees as described in ARTICLE III of this document and shall end at midnight on election
89 eve.

90 **Section 2.** A nominee found to be in violation of the campaign period rule(s) stated above may be
91 disqualified.

92
93 **ARTICLE VI - Electioneering:**

94 **Section 1.** Candidates are encouraged to actively campaign for the offices for which they have been
95 nominated through, but not limited to, canvassing eligible voters via personal contact,
96 telephonic and electronic messaging elaborating on why they believe they are best suited for
97 the position.

98 **Section 2.** Each nominee shall provide to the Election Board in writing a listing of the individuals,
99 (paid or volunteer, member, or non-member of the Post) who, under the supervision of the
100 nominee, works for their election. This includes but is not limited to canvassing eligible voters
101 via personal contact, telephonic and electronic messaging.

102 **Section 3.** Members may, on their own initiative, campaign for one or more nominees without being
103 directly or indirectly connected to nominee(s). The nominee(s) are not responsible for the
104 actions or opinions of the member.

105 **Section 4.** A candidate who feels that they are being falsely represented by another nominee, their
106 campaign workers. or a member not associated with a nominee may:

107 i) File a written complaint with the Election Board.

108 (1) A complaint filed with the Election Board shall be addressed and arbitrated within 72
109 hours of the filing date.

110 (2) If the complaint cannot be arbitrated within the 72-hour period, it shall be referred to the
111 Executive Committee for immediate action.

112 ii) File a formal grievance with the Executive committee.

113 (1) A grievance regarding electioneering practices filed with the Executive Committee shall
114 be addressed and arbitrated within 1 week of the filing date.

115 iii) File a written complaint in accordance with ARTICLE XVI of the Post By-Laws.
116

117 **ARTICLE VII - Elections:**

118 **Section 1. Ballot Format**

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

Officer, vote for 1
 Candidate #1
 Candidate #2
 Write-in

119
120 **Section 2.** Prior to the issuance of the ballot, the Election Board shall validate the eligibility of all
121 voters.

122 **Section 3.** As it relates to an election, a vote by absentee ballot or Proxy is not allowed.

123 **Section 4.** The voting process on the day of the election shall be in accordance with ARTICLE V
124 of the Post By-Laws.

125 i) If a nominee wins the vote for 2 or more positions, they must declare the elected position
126 they will assume and the nominee with the second highest number of votes will assume the

127 position the nominee vacated. If there is no nominee for the vacated position the Post
128 Commander shall call a special election to fill the position.

129 **Section 5.** When voting occurs under special conditions the Election Board shall validate each
130 submitted ballot to ensure that it is presented by an eligible voting member before the vote is
131 tabulated.

132 **Section 6.** Preliminary Election results shall be made available within 24 hours of the close of the
133 election.

134 **Section 7.** Certified election results shall be made to the membership within one (1) week of the
135 election and an Officer Certification shall be forwarded to the Department no later than June
136 1st.

137 138 **ARTICLE VIII - Election Result Appeal**

139 **Section 1.** The results of the election may be appealed in writing by a nominee within 48 hours of
140 the posting of the preliminary election. The appeal shall be submitted to the Election Board for
141 review and ruling. The Election Board shall file a written ruling to the nominee and Executive
142 Committee no later than one (1) week after the election.

143 **Section 2.** Should the nominee disagree with the ruling of the Election Board, a written complaint
144 shall be filed with the Executive Committee. A decision of the Executive Committee is final
145 and shall be handed down prior to May 31st.

146 147 **ARTICLE IX - Approval and Amendments**

148 **Section 1.** The approval and amending of this document are a two-step process.

- 149 i) Step 1 – submission to the Executive Committee for review and approval. Requires a 2/3
150 majority of the committee members present for acceptance.
- 151 ii) Step 2 – presentation to the membership shall be at a regularly scheduled meeting of the
152 membership. Requires a 2/3 majority of the members present for acceptance.

CERTIFICATION

155

156

157 Above the signatures of the Commander and Adjutant, certify to the following:

158

159 “We hereby certify that the above Election and Campaign Guidelines were read to Executive
160 Committee and the Membership of the Post and were adopted on 13 June 2023 a quorum being
161 present, and by a two-thirds (2/3) vote of those present and voting.”

162

163 Ad Hoc Executive Committee review: 6 June 2023

164

165 Membership review and adoption: 13 June 2023

166

167 Signed by,

168 /s/ David Brambila Date: 13 June 2023

169 Ad Hoc Commander

170 /s/ Richard Chalupnik Date: 13 June 2023

171 Ad Hoc Adjutant

172

173 Notes:

174 1. Certification of all subsequent amendments is required.

175

176

#####