



Post 291

Post 291 Election Rules for 2021

Newport Harbor Post 291 of The American Legion Annual Post Election: Wednesday 12 May 2021

Authorization and Governance

Post 291 Bylaws, Article 7.5., Election of Officers, governs the annual Post 291 election of Post 291 Officers.

- The Election Committee has the responsibility to ensure the integrity of the election of Post Officers.
- The Election Committee is composed of three past Post Officers in good standing who are not candidates in the current election.
- The Commander nominates the three members of the Election Committee at the February General Membership Meeting — which occurred on Wednesday 10 February 2021.
- Election Committee nominees must be approved by majority vote of Post members at the February General Membership Meeting.

Special Contingency Voting Rules for 2021

Because of government directed Post access and operating restrictions related to the COVID-19 pandemic, two alternative voting processes have been approved by the Executive Board at its regular meeting on Thursday 4 February 2021. Final choice of the specific process for 2021 will be made by the Executive Board no later than its regular meeting on Thursday 1 April 2021. The two options are:

- A. Normal in-person voting at the Post with paper secret ballots as traditionally conducted.
- B. Voting via the internet using a secure and reliable electronic balloting system and platform.

Specific Rules Applicable for All Voting Alternative Processes

Here are specific rules for the conduct of the campaign and election processes.

1. All candidates for elective office and appointed officers must be confirmed by the Election Committee that they hold valid Post 291 membership and are eligible to serve.
2. The Election Committee will obtain a consolidated Post membership roster to validate eligibility of Post members to vote.
3. The election will follow the guidelines in *The American Legion 2020 Officer's Guide*, pages 115 to 117.
 - a. Ballots will be given to identified voting members only. The names of candidates for each office will be printed on the ballot. The identity of the voter must not be written or indicated in any way on the ballot since it is a secret vote.
 - b. The vote cast for each office must be preserved in such a manner that if the election is questioned, the votes may be verified by a recount. If printed ballots are used, the Election Committee places the voted ballots in a sealed packet together with its report (signed by at least a majority of the Election Committee) and delivers the packet, sealed, to the Adjutant. This sealed packet shall not be opened except by order of the Executive Board for the purpose of verifying the vote or destroying the packet.
 - c. The form of the report of the Election Committee for each office to be filled is as follows (example): "For Commander – Number of votes cast – 30; necessary for election – 16; Brown received 19, Jones received 10, Green received 1." After the vote for all officers has been read (largest vote for each office stated first), the names of the Election Committee members

signing the report are read, the report is handed to the Commander, and the reporting member sits. The Commander announces who is elected.

4. Election results will be published, including vote count, in an all-Post 291 Constant Contact notice as well as published in the May – June 2021 *Sea Breeze*.
5. It shall be the sole responsibility of the three appointed members of the Election Committee to certify the results of the election.
6. The Election Committee is authorized to remove a candidate from the ballot if that person refuses to comply with the Election Rules, the Campaign Rules, or instructions of the Election Committee.
7. The Election Committee is the sole authority for reviewing election materials and campaign materials for suitability and acceptability. The Executive Board shall have no role in this review process.
8. The Election Committee is the sole authority for arranging the use of the Post Membership list by candidates in accordance with California Corporate Code and Post 291 membership list usage procedures. The Executive Board shall have no role in this process.
9. The Executive Board will prohibit any communications from Post 291 resources related to any campaigning by any candidates. A complete list will be published on the Post 291 website of confirmed candidates, along with their contact information (if they give permission), after final nominations on Wednesday 14 April. There shall be no email blasts from Post 291 nor other Post 291 website postings about any of the candidates or their candidacy activities during the campaign, which runs from initial nominations on Wednesday 10 March through the election on Wednesday 12 May.

Additional Rules for In-Person Voting at the Post

1. Polls will be open and Post members may vote any time during the five hour period 2:00 pm to 7:00 pm on the day of the election, Wednesday 12 May 2021.
2. Post members must be present to vote. Neither proxy voting nor absentee voting is permitted.
3. Ballots will be counted after the polls close at 7:00 pm Wednesday 12 May 2021. Preliminary counting of ballots may begin before 7:00 pm at the discretion of the Election Committee.
4. The vote tabulation form has been very effective and successfully used in previous elections and can be used in subsequent elections.
5. Special paper will be used for ballots to minimize risk of duplication.
6. The area inside and outside the Post will be monitored for any non-legal campaign activity by a third party group (security) on Election Day and while polls are open.
7. The Election Committee may appoint other Post 291 members in good standing who are not running for office to check membership cards, hand out ballots, and assist in counting and recording of ballots.
8. A Post member in good standing supporting a slate or candidate—but who is not a candidate—may request to observe the ballot counting in the closed ballot counting area(s). The Election Committee shall have the sole authority to accept or deny this request. Any observers admitted to the closed ballot counting area(s) shall not touch any ballots or equipment, shall remain well clear of the ballot counters and their equipment, and shall not in any way impede the ballot counting activity.

Additional Rules for Internet Voting with Electronic Balloting

1. If the General Membership Meeting (GMM) on Wednesday 12 May 2021 is held by videoconference, Post Members must register and attend the meeting to receive a ballot to vote by the approved electronic balloting system and platform. Attendance at the GMM is mandatory to enable the electronic balloting system to verify and confirm the identity of each Post member in good standing and their eligibility to receive a ballot and vote.
2. During the GMM, after a roll call to determine those members actually attending the meeting, the meeting will be recessed for two hours to enable ballots to be sent to each eligible Post member and for each eligible member to complete the voting process and return the ballot.

3. Following the balloting process and the tallying of the votes by the Election Committee, the GMM will be reconvened and the results announced by the Election Committee.