



Newport Harbor Post 291 of The American Legion

2023 Election Rules – *Annual Post Election: Wednesday 10 May 2023*

Post 291 Bylaws, Article 5.7., Election and Appointment 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 8 February 2023.
- Election Committee nominees must be approved by majority vote of Post members at the February General Membership Meeting.

Specific Rules Applicable for The Voting 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 2022 Officer's Guide*, pages 103 to 104.
 - 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.
 - 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.

- 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 on the post website.
 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 12 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 8 March through the election on Wednesday 10 May.

Additional Rules for 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 10 May 2023.
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 10 May 2023. 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.