

**CONSTITUTION
AND
BY-LAWS
of
Tri-Lakes
Post No. 9-11
The American Legion**

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| Adopted: | September 5, 2006 |
| By-Laws Amended: | May 5, 2009 |
| By-Laws Amended: | September 10, 2010 |
| By-Laws Amended: | January 6. 2015 |

CONSTITUTION

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; To maintain law and order; To foster and perpetuate a one hundred percent Americanism; To preserve the memories and incidents of our associations in the Great Wars; To inculcate a sense of individual obligation to the community, state and nation; To combat the autocracy of both the classes and the masses; To make right the master of might; To promote peace and good will on earth; To safeguard and transmit to posterity the principles of justice, freedom and democracy; To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I - NAME AND PURPOSE

SECTION 1: The name of this organization shall be Tri-Lakes Post 9-11, The American Legion, Department of Colorado.

SECTION 2: The purposes of this Post shall be to promote the principles and policies as set forth in the foregoing Preamble, and the National and Departmental Constitutions of The American Legion.

ARTICLE II - NATURE

SECTION 1: This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

SECTION 2: This Post is non-political, and shall neither be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preference.

SECTION 3: Rank does not exist in this Post, and no member thereof shall be addressed by his or her military title in any Post meeting.

ARTICLE III - MEMBERSHIP

SECTION 1: Any person may become a member of this Post who is eligible for membership in The American Legion as prescribed by the National Constitution of The American Legion.

SECTION 2: There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life.

SECTION 3: Application for membership in this Post shall be made on an official American Legion Membership Application form.

SECTION 4: Applications for membership shall be reviewed to verify the eligibility of the candidates. Applications of eligible candidates shall be presented to the membership, which shall vote for acceptance, rejection, or referral for further consideration. A majority vote of the membership present shall be required for acceptance of candidates for membership. Candidates accepted for membership must provide proof of eligibility, DD Form 214, etc. A candidate not receiving such majority vote shall be recorded as rejected, and his or her application for membership shall not again be considered until after the expiration of six months from the date of such rejection.

SECTION 5: A member, whose dues for the current year have not been paid by January 1st, shall be classed as delinquent. If their dues are paid on or before February 1st, they shall be automatically reinstated. If still delinquent after February 1st, they shall be suspended from all privileges of membership. If still under suspension on June 30th of each year, membership in The American Legion shall be forfeited.

SECTION 6: Any member of this Post may be expelled or suspended from this Post for cause by two-thirds vote of the members present, in the presence of a quorum, after charges are preferred in writing and under oath, and after a fair trial upon the charges. Grounds for expulsion of members and procedures to be followed shall be as prescribed in Article XII, Section 1 of the Constitution of The American Legion, Department of Colorado.

SECTION 7:

- (a) A member who has been expelled or suspended from this Post under provisions of Sections 5 or 6 above, may be reinstated to membership by a two-thirds vote of the membership present in a Post meeting, and by payment of current dues for the year in which the reinstatement occurs.
- (b) No person who has been expelled by a Post shall be admitted to membership in this Post without the consent of the expelling Post, except that where such consent has been requested and denied, the expelled member may then appeal to the State Executive Committee of the Department of the expelling Post for permission to apply for membership in this Post, and shall be ineligible for membership until such permission is granted.

ARTICLE IV - GOVERNMENT

SECTION 1: The officers of this Post shall be a Commander, a Senior Vice Commander, a Junior Vice Commander, an Adjutant, a Finance Officer, a Chaplain, an Historian, a Sergeant-at-Arms, a Judge Advocate, and such other Officers as deemed necessary by the organization.

SECTION 2: The administrative affairs of this Post shall, except as may be otherwise provided by the By-Laws, be under the supervision of the Executive Committee. This Post, by its By-Laws,

may provide for such other standing committees as the business of the organization may require.

SECTION 3: Every member of this Post in good standing shall be eligible to hold office in this Post.

SECTION 4: Officers of this post shall be elected annually for a term of one year, and shall hold office until their successors have been elected and installed.

SECTION 5: Any officer may be removed from office for inefficiency or dereliction of duty by a two-thirds vote of the Executive Committee.

SECTION 6: The duties of officers and the Executive Committee persons shall be those usually pertaining to such offices or committee persons and as further provided in the By-Laws.

SECTION 7: When any elective or appointive office of this post becomes vacant, a replacement will be appointed by the Commander with the consent of the Executive Committee. Officers so appointed to fill vacancies shall serve until a successor has been elected in accordance with Section 4 of this article.

ARTICLE V – BOARD OF TRUSTEES

SECTION 1: The Board of Trustees shall be incorporated as the official body representing The American Legion Tri-Lakes Post 9-11, Department of Colorado in all legal and binding agreements. The Board is empowered to enter into contracts, mortgages, and other fiscal instrumentalities as the official authority of the Post. The Board derives its power to act on behalf of the Post by approval of resolutions authorizing the pertinent activity. The authority may be limited only to the action to be taken, the best method of action to be determined by the Board.

SECTION 2: All members of the Board of Trustees shall be bonded and governed by State and Federal regulations pertaining to the administration of sound business practices. It shall further be the responsibility of all members of the Board of Trustees to act judiciously in the execution of all duties to enhance the image of The American Legion.

SECTION 3: Selection for membership to the Board of Trustees and conduct of meetings of the Board of Trustees shall be governed by the By-Laws of The American Legion Tri-Lakes Post 9-11.

ARTICLE VI – FINANCE

SECTION 1: The revenue of this Post shall be derived from annual membership dues and from such other fund raising activities as may be approved by the Executive Committee.

SECTION 2: The amount of such annual membership dues shall be established by the Executive Committee subject to approval by a majority vote of the members present at a regular Post meeting. Any proposed change in the amount of such annual membership dues will be announced in writing to the members by email or correspondence not less than thirty days prior to the date of the meeting at which a vote will be taken.

SECTION 3: The Post shall pay to Department Headquarters the National and Department annual per-capita membership dues for every member of the Post.

SECTION 4: Financial records of the Post shall be audited annually following receipt of the financials for the period ending 30 June. The audit shall be conducted by a committee consisting of the incumbent Judge Advocate (Chairman) and the newly-elected Senior Vice Commander and the old and new Finance Officers. Results of the audit shall be reported to the membership at the regular Post meeting immediately following the completion of the audit.

ARTICLE VII – CHARTER MEMBERS

SECTION 1: Members who joined this Post prior to December 29, 2005 as signatories of the temporary charter or members who joined this Post prior to August 1, 2006 shall be known as Charter Members.

ARTICLE VIII – AUTHORITY AND AMENDMENTS

SECTION 1: This constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Department Constitution of the Department of Colorado, The American Legion. Any amendment to said National or Department Constitution which is in conflict with any provision of the Constitution shall be regarded as automatically repealing or modifying such provision of this Constitution to the extent of such conflict.

SECTION 2: Any proposed amendment to the Constitution must be scrutinized by the Constitution and By-Laws Committee prior to being submitted for reading at a regular Post meeting. Upon passing this scrutiny, this Constitution may be amended at any regular Post meeting by a vote of two-thirds of the members present and voting, providing that the proposed amendment shall have been submitted in writing and read at the preceding regular Post meeting, and providing further that written notice by email or correspondence shall have been given to all post members at least thirty days in advance of the date when such amendment is to be voted upon, notifying members that at such a meeting a proposal to amend the Constitution is to be voted upon.

BY-LAWS

TRI-LAKES POST 9-11

THE AMERICAN LEGION

DEPARTMENT OF COLORADO

ARTICLE I – NAME AND PURPOSE

SECTION 1: The Post existing under these By-Laws is to be known as Tri-Lakes Post 9-11, The American Legion, Department of Colorado.

SECTION 2: The purpose of this Post is set forth in the Post Constitution.

ARTICLE II – THE EXECUTIVE COMMITTEE

SECTION 1: The government and management of this Post shall be entrusted to an Executive Committee consisting of seven members, to be known as the “Executive Committee.”

SECTION 2: The Post shall have five principal (elected) officers, a Commander, Senior Vice Commander, Junior Vice Commander, Finance Officer, and an Adjutant, who shall be members of the Executive Committee. The Post shall have four other elected officers, a Sergeant-at-Arms, Chaplin, Historian, and Judge Advocate who shall not be members of the Executive Committee. In addition, the Executive Committee shall have two elected members. Officers of the Post, shall be elected annually at the first regular meeting in April, and shall take office at the first regular meeting following the Department Convention.

SECTION 3: The immediate Past Commander of the Post shall also be a member of the Executive Committee, except that they shall not take office unless they have successfully completed the term to which they were elected or appointed.

SECTION 4: All vacancies existing in the Executive Committee, or in any office of this Post from any cause other than the expiration of the normal term of office, shall be filled by appointment by the Commander with the concurrence of a majority of the remaining members of the Executive Committee. A member so appointed shall hold office for the remainder of the unexpired term of the member of the Committee or office whom he/she succeeds. A vacancy shall exist when a member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

SECTION 5: The Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within ten days after the installation of new officers. Thereafter, the Executive Committee shall meet at the call of the Commander at

least once each month and as often as the Post Commander deems necessary. The Post Commander shall call a special meeting of the Executive Committee upon the joint written request of three or more members of the Executive Committee.

SECTION 6: Three members of the Executive Committee shall constitute a quorum for the conduct of business.

SECTION 7: The Executive Committee shall hire such employees as may be necessary; shall authorize and approve all Post expenditures; shall require adequate bonds from all persons having the custody of Post funds; shall hear reports of the Post Committee Chairpersons; shall approve or disapprove appointments made by the Commander as prescribed in Section 4, Article III, of the Constitution of Tri-Lakes Post 9-11; shall recommend the expulsion of Post members as prescribed in Section 6, Article III; shall approve applications for membership; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

ARTICLE III – ELECTIONS

SECTION 1: The Post Commander shall appoint a nominating committee in January. This committee shall present a slate of recommended candidates for officers at the February and March regular meetings. At the regular meeting in April additional nominations shall be accepted from the general membership. The five principal officers of this Post, the Executive Committee members, the Sergeant-at-Arms, the Chaplain, the Historian, and the Judge Advocate will be elected annually, at the meeting in April.

SECTION 2: At such election meeting, a majority vote of those present shall be required to elect any officer or member of the Executive Committee. To be elected to office, a candidate must be present at the regular meeting at which elections are conducted, or must notify the Post Adjutant in writing prior to that meeting. This letter must state the reason for their absence and their commitment to faithfully serve their term of office.

SECTION 3: Each officer shall be balloted upon separately in the following order: Members to the Executive Committee, Historian, Chaplain, Sergeant-at-Arms, Judge Advocate, Finance Officer, Adjutant, Junior Vice Commander, Senior Vice Commander, and then the Post Commander. If, upon the first ballot, no candidate shall have a majority vote of the membership present, the low candidate shall be dropped upon succeeding ballots until from among those duly nominated; one of the candidates shall have received a majority vote of the membership present.

SECTION 4: The newly elected officers and Executive Committee members shall take office at the Executive Committee meeting following the Department Convention.

SECTION 5: Upon notification by the Adjutant that a vacancy exists in any elected office of this Post, the Commander will appoint a replacement. Appointments of this nature must be approved by the Executive Committee at their next meeting. Announcements of appointment will be made at the general membership meeting following the approval of the Executive Committee.

SECTION 6: The newly elected Post Commander shall appoint all prescribed committee chairpersons and announce the appointments at the next general membership meeting. No approval of the Executive Committee is needed to appoint committee chairpersons.

SECTION 7: The Post Commander shall appoint any officer deemed necessary by the Executive Committee not mentioned in these By-Laws.

SECTION 8: When a vacancy exists in the office of the Commander, the Senior Vice Commander shall assume the duties of that office until the next annual elections.

SECTION 9: No person shall hold two elective offices in this Post.

SECTION 10: The immediate Past Commander shall be an ex-officer member of the Executive Committee and will serve in an advisory capacity only and without vote.

ARTICLE IV - DUTIES OF OFFICERS

SECTION 1: *Duties of the Post Commander.* The Post Commander is the chief executive officer of the Post and shall preside at all meetings of the Post and to have general supervision over the business and affairs of the Post. The Commander shall monitor all orders directing the disbursement of funds, and shall make an annual report covering the business of the Post for the year and recommendations for the ensuing year. This report shall be presented at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. In addition, the Commander will be one of several authorized by the Executive Committee to sign all checks disbursing monies of this Post. The Commander shall perform such other duties as directed by the Post.

SECTION 2: *Duties of the Senior Vice Commander.* The Senior Vice Commander shall assume and discharge the duties of the office of the Commander in the absence or disability of, or when called upon by the Post commander or the Executive Committee. In addition, the Senior Vice Commander shall be the chairperson of the Membership Committee.

SECTION 3: *Duties of the Junior Vice Commander.* The Junior Vice Commander shall assume and discharge the duties of the office of the Commander in the absence or disability of the Commander and Senior Vice Commander, or when called upon by the Post Commander or the

Executive Committee. In addition, the Junior Vice Commander shall be the chairperson of the Entertainment Committee.

SECTION 4: Duties of the Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National Organizations may require, render reports of membership annually or when called upon at a meeting, and under direction of the Post Commander, handle all correspondence of this Post.

SECTION 5: Duties of the Post Finance Officer. The Finance Officer shall have charge of all finances and see that they are safely deposited in a local bank or banks and shall report once each month to the Executive Committee and to the general membership on the financial status of this Post. The Finance Officer shall sign all checks disbursing the monies of this Post, and shall furnish such surety bonds in such sum as shall be fixed by the Executive Committee for all officers and the Board of Trustees conducting financial matters for the Post.

SECTION 6: Duties of the Post Sergeant-at-Arms. The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may from time to time be assigned by the Executive Committee.

SECTION 7: Duties of the Post Chaplain. The Chaplain shall be charged with the spiritual welfare of the Post members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc. The Post Chaplain shall adhere to such ceremonial rituals as are recommended by the National or Department Headquarters.

SECTION 8: Duties of the Post Historian. The Post Historian shall be charged with the individual records and incidents of this Post and Post members, and shall perform such other duties as may properly pertain to the office as may be determined by this Post or the Executive Committee.

SECTION 9: Duties of the Judge Advocate. The Judge Advocate shall be the interpreter of the Constitution and By-Laws of this Post, may at any time be called upon by the Commander and other officers or members of this Post to rule on the legality of their actions and decisions in so far as they affect the good of The American Legion.

ARTICLE V – THE BOARD OF TRUSTEES

SECTION 1: The Board of Trustees shall consist of five members. This membership will include the current Post Commander, the current Post Finance Officer (who shall serve as the Board Finance Officer) and three elected members.

SECTION 2: No person shall be eligible for election to the Board of Trustees who has not been a continuous member of the Post for five years [This provision will go into effect in 2011]. At least one of the members other than the current Post Commander and Finance Officer must have successfully completed at least one term as Post Commander of The American Legion Post 9-11.

SECTION 3: The terms of office of elected members of the Board of Trustees shall be three years, except as noted in Section 4. The membership on the Board of Trustees of the current Post Commander and Finance Officer shall end with the completion of their elected terms of office. The terms shall commence on the first day of July and will end of the last day of June for elected members of the board.

SECTION 4: Election of members of the Board of Trustees will be at the Post General Election. Nominations will be presented by the nominating committee and from the floor. The Post Adjutant will be responsible for verifying the eligibility of the nominees. At the first election of members of the Board of Trustees, there shall be elected one person for a term of three years. One member will be elected for a term of two years. One member will be elected for a term of one year. In succeeding years, elections will be held to replace those members whose term is expiring. Those elected in succeeding years will be elected to three year terms. Nominations for any vacant position must be of Past Post Commanders in accordance with Section 2 until at least one member of the Board of Trustees, excluding the current Post Commander and Finance Officer, have been elected.

SECTION 5: Vacancies on the Board of Trustees as a result of resignations, death, incapacity, or removal for cause, or other circumstances shall be filled by appointment by the Post Commander with the approval of the Executive Committee. Appointees under this section will serve only until the next Post General Election, when the remaining term of the vacant office shall be filled by election. When filling vacancies, the requirements of Section 2 must be observed.

SECTION 6: Any elected member of the Board of Trustees may be removed from office by a majority vote at a Post General Membership meeting. Any member who wishes to remove from office a member of the Board of Trustees will appear at a General Membership meeting and make a motion to that effect. The motion must be seconded. The vote on the motion shall be postponed until the next regularly scheduled Post General Membership meeting. The Post Adjutant will notify the member of the Board of Trustees of the pending action in writing. That person will be allowed to speak before the Post General Membership at the next regularly scheduled meeting. The vote shall be at the next meeting whether or not the member of the Board of Trustees against whom the action is pending is present.

SECTION 7: A meeting of the Board of Trustees will be held during the first week of July of each year. The time and place of this meeting will be decided by the Post Commander. At this meeting, the Board of Trustees shall elect from among them, a President and a Secretary of the Board of Trustees. The Post Finance Officer will be the Treasurer of the Board of Trustees. The term of office will be one year for both elected positions. The Board will meet at least once each month to consider such business as may come before it. All meetings of the Board of Trustees will be open to members of The American Legion Post 9-11. The date, place and time of all scheduled meetings will be provided. Unscheduled meetings will only be conducted when a special meeting is required to consider business which cannot be postponed until the next regularly scheduled meeting. A minimum of three members must be present to constitute a quorum for all meetings of the Board of Trustees.

ARTICLE VI – APPOINTMENTS

SECTION 1: The Post Commander, within ten days upon taking office, may appoint the chairpersons of the following committees: Americanism, Ceremonials, Constitution and By-Laws, Entertainment, Finance, Membership, Public Relations, and Veterans Assistance Visiting Services. Such additional committee chairpersons as may be necessary shall be appointed by the Post Commander. Such committees shall consist of any member of this Post, designated by the committee chairperson.

SECTION 2: *Americanism Committee.* This committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti-American propaganda by education of the general public in American ideals through public forums, etc., and activities for community and civic betterment.

SECTION 3: *Ceremonials Committee.* The principal duty of this Committee is to ensure all new members are properly initiated. The committee must concern itself with proper presentation of other rituals outlined in the Manual of Ceremonies, burial detail, and the wearing of Legion regalia.

SECTION 4: *Constitution and By-Laws Committee.* The duties of this Committee shall be to continually review and update the Constitution and By-Laws of this Post.

SECTION 5: *Entertainment Committee.* This Committee shall have charge of all matters pertaining to the promotion of club advantages and arrangements of social activities.

SECTION 6: *Finance Committee.* This Committee shall be charged with the administration of the financial policy, preparation of budget recommendations, and supervision of receiving, disbursing, accounting and auditing of all Post funds.

SECTION 7: Membership Committee. This Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

SECTION 8: Public Relations Committee. This Committee shall be charged with the promotion of public support of the Legion's program by the establishment of proper contact with The American Legion Magazine, Department and National Legion News Service and by local publicity of Post programs and activities.

SECTION 9: Veterans Assistance Visiting Services Committee. This Committee is charged with the visiting and comforting of members and their families when sick or bereaved, and with visiting ex-service personnel in nearby hospitals.

SECTION 10: The Post Commander shall appoint such ad hoc committees as may be necessary from time to time to accomplish special purposes.

ARTICLE VII - DELEGATES

SECTION 1: Delegates and alternates to a Department Convention shall be elected by ballot by the Post at a regular meeting of this Post to be held at least 15 days and not more than 30 days prior to the date of such convention.

SECTION 2: The immediate Past Commander shall be the chairperson of the delegation from this Post to the Department Convention. In the event of their failure, refusal, or inability to head such delegation, the delegates shall elect from among themselves a chairperson.

ARTICLE VIII – FINANCE

SECTION 1: The revenue of this Post shall be derived from membership or initiation fees, from annual membership dues, and from such other sources as may be approved by the Executive Committee.

SECTION 2: The amount of such membership or initiation fees and the amount of such annual Post dues shall be determined and fixed by this Post, annually.

SECTION 3: The Post shall pay to Department Headquarters the National and Department annual membership dues for every member of this Post.

SECTION 4: A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If their dues are paid on or before February first, the member shall be automatically reinstated. If their dues are still under such suspension on June thirtieth of such year, their membership in The American Legion shall be forfeited.

SECTION 5: The financial records of this Post shall be audited annually, thirty days prior to the installation of new officers or immediately upon a vacancy of the Post Finance Officer position for any reason.

SECTION 6: The Post Finance Officer shall pay all bills when approved by the Executive Committee. Any check over \$500 will require the signature of two Post officers.

SECTION 7: The Post Finance Officer shall purchase surety bonds for the Post Commander, Finance Officer, and any other official as prescribed and approved by the Executive Committee.

ARTICLE IX - MEETINGS

SECTION 1: Regular meetings of this Post shall be held at the Post Home at 6:30 P.M. on the first Tuesday of every month, at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of this Post. Deviations from this schedule will be publicized.

SECTION 2: The Post commander or a majority of the Executive Committee shall have power to call a special meeting of the Post at any time.

SECTION 3: Upon the written request of a majority of the members to the Commander or Adjutant, the Executive Committee shall call a special meeting of the Post.

SECTION 4: The presence of at least ten of the members in good standing shall constitute a quorum for the conduct of business at a regular or special meeting. Three must be members of the Executive Committee.

SECTION 5: The Executive Committee shall meet at the Post Home at 6:30 P.M. on the last Tuesday of each month, or as determined by the Executive Committee to facilitate Committee member attendance. Special meetings of the Executive Committee may be called by order of the Post Commander or upon written request to the Commander or Adjutant by two members of the Executive Committee. The meeting schedule shall be publicized.

SECTION 6: Three members shall constitute a quorum of the Executive Committee.

SECTION 7: The order of business for regular meetings of this Post shall be as suggested by the Department of Colorado Ceremonial for regular meetings. An additional item in the order of business shall be a report to the membership on the activities of the Executive Committee.

SECTION 8: The order of business for the Executive Committee shall be:

- a. Reading of Minutes of previous meeting.
- b. Reports of Committees.

- c. Unfinished business and bills.
- d. New business and correspondence.

SECTION 9: All meetings of this Post to include committee meetings shall be open to all membership in good standing of this Post, subject to the limitations of Roberts Rules of Order, Revised.

ARTICLE X - NOTICES

SECTION 1: Every member shall furnish the Post Adjutant with a mailing address, phone number and, if available, an electronic mail (email) address.

SECTION 2: The Post Adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

SECTION 3: Notices of special meetings of this Post shall be given an email (with read receipt), or if necessary, by the mailing of a postal card or letter by the Adjutant to those members without email or no read receipt received at least ten days prior to such meeting. A brief statement of purpose of the special meeting shall appear in the mailed notice.

SECTION 4: The Adjutant shall notify each member of the Executive Committee of all special meetings of the Committee.

ARTICLE XI - RULES OF ORDER

SECTION 1: All meetings of this Post shall be conducted under and pursuant to Roberts' Rules of Order, Revised except as herein otherwise provided.

ARTICLE XII - LIMITATIONS OF LIABILITIES

SECTION 1: This Post shall not incur, nor cause to be incurred, any liability or obligation whatever which shall subject to liability any other Post, subdivision, group of men or women, members of The American Legion, or other individuals, corporations, or organizations.

ARTICLE XIII - AMENDMENTS

SECTION 1: Any proposed amendment to the By-Laws must be scrutinized by the Constitution and By-Laws Committee prior to being submitted for reading at a regular Post meeting. Upon passing this scrutiny, these By-Laws may be amended at any regular Post meeting by a majority vote of the members of this Post attending such meeting, provided that the proposed amendment shall have been submitted in writing and read at the preceding general meeting of this Post; and further provided that e-mail (with read receipt) or written notice shall have been given to all members at least thirty days in advance of the date when such amendment is to be

voted upon, notifying the members that at such meeting a proposal to amend the By-Laws is to be voted upon.

ARTICLE XIV - RESOLUTIONS

SECTION 1: All resolutions of state or national scope presented to this Post shall merely embody the opinion of this Post on the subject, and a copy of the same shall be forwarded to District 7 of the Department of Colorado for its approval before any publicity is given or action taken other than the mere passage by the Post.

ARTICLE XV - MEMBERSHIP

SECTION 1: Membership is prescribed by Article III of the Constitution of this Post.

ARTICLE XVI – VIOLATIONS AND EXPULSIONS

SECTION 1: The Executive Committee may recommend the expulsion of any member of this Post by a two-thirds vote of the Committee present for any violation of the Constitution or By-Laws or for conduct improper or prejudicial to the welfare of the United States Government, The American Legion, or this Post. Such recommendations shall be in writing and shall specify the nature of the charge in clear and concise language.

ARTICLE XVII – EFFECTIVE DATE AND ENABLING PROVISIONS

SECTION 1: This Constitution and By-Laws shall be effective on the convening of the regular Post meeting following the date of adoption of this Constitution and By-Laws.

SECTION 2: All approved motions and/or authorizations duly recorded in the minutes of the meetings of this Post or Executive Committee, which are not in conflict with the provisions of this Constitution and By-Laws are hereby affirmed and ratified, and will remain in full force and effect until rescinded or modified pursuant to Article XIII.

ARTICLE XVIII – OPERATIONS COMMITTEE

SECTION 1: The government and management of any restaurant, club, or bar operated by the Post shall be entrusted to an Operations Committee consisting of up to 7 members, to be known as the “Operations Committee”.

SECTION 2: Membership on the Operations Committee will include all members of the Board of Trustees (Commander, Finance Officer, and three elected members), a member from the Unit 9-11 Auxiliary, and a member from the SAL Squadron chartered to the Post.

SECTION 3: The Unit 9-11 Auxiliary may, at their discretion, provide a voting member. The method of determining the member is solely left to the Unit.

SECTION 4: The SAL Squadron chartered at the Post may, at their discretion, provide a voting member. The method of determining the member is left solely to the Squadron.

SECTION 5: The length of appointment of members will follow the Board of Trustees terms of office for members from the Board of Trustees, one year for the Unit member, and one year for the Squadron member. Appointments to the committee will begin on the first day of July.

SECTION 6: The Chairman of this Committee will be the Chairman of the Board of Trustees and the Treasurer will be the Post Finance Officer.

SECTION 7: The Operations Committee will meet at least once a month to consider such business as may come before it. All meetings of the Operations Committee will be open to members of the Post, Auxiliary, and Squadron. The date, place, and time of all scheduled meetings will be provided. Unscheduled meetings will only be conducted when a special meeting is required to consider business which cannot be postponed until the next regularly scheduled meeting. A minimum of three committee members must be present to constitute a quorum.

This Constitution and By-Laws were first approved by the general membership meeting on September 5, 2006.

The By-Laws, Article III, Section 3, Line 2 was amended by adding "Judge Advocate" and approved by the general membership meeting on May 5, 2009.

The By-Laws were amended with the addition of Article XVIII and approved by the general membership meeting on September 10, 2010.

The By-Laws, ARTICLE IX – Meetings, SECTION 4 was amended to change the number of members for a quorum from ten Percent to ten members, and SECTION 5 was amended to revise the meeting of the Executive Committee to 6:30 PM on the last Tuesday of the month or as need to facilitate attendance by the members. The changes were approved by the general membership meeting on January 6, 2015

Attested to this 3rd Day of March, 2015

Dan Beatty
Commander

Karen Hartling -
Adjutant