



BY-LAWS

GEORGE C. EVANS, POST 103 LITTLETON, COLORADO THE AMERICAN LEGION, DEPARTMENT OF COLORADO

ARTICLE 1 - Organization

Section 1. The Post existing under these By-Laws is to be known as George C. Evans, Post 103, Littleton, Colorado, The American Legion, Department of Colorado.

ARTICLE 2 - Officers/Executive Committee

Section 1. The government of the Post is entrusted to a committee consisting of the Commander, 1st and 2nd Vice Commanders, Adjutant, Finance Officer, Service Officer, Chaplain, Sergeant-at Arms, Judge Advocate and Historian and up to three program managers will constitute and be known as the Executive Committee. The Post Policies and Standard Guidelines shall identify which program manager positions will sit on the Executive Committee. Program Managers are appointed in accordance with Article 6.

Section 2. The Post Officers shall be elected annually at the last regular meeting prior to the state convention and take office at the meeting next following that of the election. All elections of Officers shall be by ballot and the candidates receiving the highest number of votes shall be elected to the respective office for which they are candidates. All newly elected Officers shall be in good standing (paid up membership) and shall receive appropriate training from the Department and/or local Post officers.

Section 3. Members of the Executive Committee only cast one vote at the meeting even if they hold multiple officer and/or program manager positions.

Section 4. All vacancies existing on the Executive Committee or in any office of the Post from any cause other than the expiration of the term shall be filled by appointment by the Commander subject to two-thirds vote of approval by the Executive Committee. The member so appointed shall hold office for the unexpired term of the member of the Committee or officer whom he/she succeeds. A vacancy shall exist when an officer or program manager is absent from his/her post for a continuous period that is considered

detrimental to the interest of the Post by the Executive Committee, resigns or can no longer perform his/her duties.

ARTICLE 3 - Post Executive Committee Meeting

Section 1. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within thirty (30) days after the installation of the new officers and prior to the next general meeting. Thereafter, the Executive Committee shall meet at the call of the Commander as often as deemed necessary but at least once each month prior to a scheduled general meeting. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) members of the Executive Committee. Five (5) members of the Executive Committee shall constitute a quorum.

Section 2. Matters requiring Executive Committee approval and needing immediate attention prior to the next scheduled Executive Committee meeting may be handled via telephonic and electronic communications with the committee members. The results of such decisions must be documented and communicated back to all committee members.

ARTICLE 4 - Duties and Responsibilities of Officers

Section 1. It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business and affairs of the Post, and such officer shall be the chief executive officer of the Post. He/she shall represent the Post at public ceremonies and events and whenever possible at all District and Department Meetings. He/she shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year, and a copy thereof immediately forwarded to the Department Adjutant. He/she shall approve all applications for grant funds and the applications for renewal of the Post Bingo License. He/she shall perform such other duties as directed by the Post. The Post Commander is authorized to engage in contracts in the name of the Post for an amount not to exceed \$1,500 and upon approval of an Executive Committee quorum any amount over \$1,500.

Section 1a. The Commander's term of office shall be for one (1) year, and no incumbent of that office shall succeed his/herself unless there are no qualified candidates available.

Section 2. The 1st Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of the Post Commander, or when called upon by the Post Commander. He/she shall develop initiatives and programs to attract new members into the Post and to assist the Adjutant in efforts to retain existing members. He/she shall whenever possible participate in public ceremonies and events and shall attend all District and Department Meetings.

Section 2a. The 1st Vice Commander's term of office shall be for one (1) year.

Section 3. The 2nd Vice Commander shall be responsible for providing members of the post with opportunities to have fun while at the same time working to improve the American

Legion. To that end, the 2nd Vice Commander schedules and plans activities such as Post breakfasts, picnic, annual banquet, etc. The 2nd Vice Commander shall also assist in establishing, coordinating and participating in patriotic ceremonies, parades and special events for the Post and shall whenever possible participate at District and Department Meetings. Further, the 2nd Vice Commander shall assume and discharge the duties of the office of Commander in the absence or disability of the Commander and the 1st Vice Commander, or when called upon by the Post Commander.

Section 3a. The 2nd Vice-Commander's term of office shall be for one (1) year.

Section 4. The Adjutant shall be responsible for processing and coordinating with the Department all documents for new members, transferred members and membership renewals and for keeping and maintaining such records as the Department and National organizations may require. He/she shall validate membership eligibility of new and transferred members and shall render reports of membership annually and/or when called upon at a meeting. He/she shall validate the eligibility of new members of the American Legion Auxiliary Unit 103 and Sons of The American Legion Squadron 103. He/she shall assemble and disseminate the Post monthly newsletter, keep and maintain a full and correct record of all proceedings of all meetings, forward and generate electronic communications to Post members, oversee the maintenance of the Post webpage, coordinate the completion of the Consolidated Post Report and other annual reports that document the activities of the post and under direction of the Commander, handle all correspondence.

Section 4a. The Adjutant's term of office shall be for one (1) year. Because of the complex duties of this Office, it is preferable the member filling this position will continue in this Office for multiple terms.

Section 5. The Finance Officer shall be responsible for all finances excluding the grant fund and the Bingo account and sees that they are safely deposited in a local bank(s) or credit union(s), and shall report once a month to the Post and Executive Committee the condition of the finances of the Post, with such recommendations as may deem expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall develop the annual post budget, shall primarily be responsible for signing all checks disbursing the monies of the Post and for assuring all expenditures of Post funds have been approved in the annual budget and/or by a motion approved by the Executive Committee and/or membership. He/she shall furnish such surety bond in such sum as shall be required by the Post Executive Committee. See Article-11 Finances for further information.

Section 5a. The Finance Officer's term of office shall be for one (1) year. Because of the complex duties of this Office, it is preferable the member filling this position will continue in this Office for multiple terms.

Section 6. The Chaplain duties are to preside over the spiritual welfare of the Post members and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc. and adhere to such ceremonial rituals as are recommended by the National or Department headquarters from time to time. He/she shall attend Post

meetings and activities to offer an opening prayers and/or benediction as requested by the Commander. He/she shall whenever possible visit, telephone and/or send cards to help comfort members who are ill or distressed and work closely with other officers to identify these individuals.

Section 6a. The Chaplain's term of office shall be for one (1) year.

Section 7. The Service Officer shall provide advice, guidance and assistance to Post members and veterans in the local community regarding benefits for veterans and their family that are available through the Veterans Administration, American Legion programs, Post grant program and other sources. The Services Officer works closely with the Department Service Officer and the County Service Officers when determining if a veteran or his/her family is able to receive assistance, the type of assistance and the source of that assistance. He/she shall help develop applications for grants to assist veterans, coordinate candidates for benefits with the County Service Officer, obtain checks for approved veterans and manage, oversee and report on grant funds for the Post and the organization(s) providing the grant funds. The Service Officer works closely with the veteran's affairs and rehabilitation committees as well as the children and youth committee, and the hospital visitation committee. See Article-11 Finances for further information.

Section 7a. The Service Officer's term of office shall be for one (1) year. Because of the complex duties of this Office, it is preferable the member filling this position will continue in this Office for multiple terms.

Section 8. The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may be from time-to-time assigned to him by the Post Executive Committee.

Section 8a. The Sergeant-of-Arms' term of office shall be for one (1) year.

Section 9. The Judge Advocate shall coordinate with the Finance Officer and Bingo Program Manager to insure that the following year's insurance is paid before the end of the fiscal year. The Judge Advocate is responsible for Rules of Conduct of all meetings.

Section 9a. The Judge Advocate's term of office shall be for one (1) year.

Section 10. Historian shall maintain a record of Post activities and events, prepare a full and correct record of all meetings and provide them to the Adjutant for incorporation into the monthly Post newsletter, assist the Adjutant in the completion of the annual Post reports, prepare a Post Annual History Report, and perform such other duties as may properly pertain to the office as may be determined by the Executive Committee.

Section 10a. The Historian's term of office shall be for one (1) year.

ARTICLE 5 - Delegates

Section 1. The Post Commander, Adjutant, 1st Vice Commander, and 2nd Vice Commander, are obligated to represent the Post at all District meetings and Department Conventions whenever possible. All other Delegates and Alternates to Department Conventions, shall be elected by voice vote at the last regular meeting prior to the designated convention.

Section 1a. Expenses of delegates to Department Conventions shall be reimbursed in accordance with the Post Policies and Guidelines.

ARTICLE 6 - Program Managers

Section 1. Program managers shall manage their program and attend Department program briefing and training sessions. He/she shall gain a thorough knowledge of their program, represent the Post and the programs to the local community and brief their programs at appropriate Post meetings. Program managers are generally identified for the following programs; All Veterans Honor Guard, American Legion Baseball, Bingo, Boys State and Oratorical but others may be identified and approved by the Executive Committee. Program managers are intended to be long term positions that span multiple years. The Bingo Program Manager must comply with the requirements of Article-11 Finances. Program Manager shall be a member in good standing, appointed by the Commander and approved by a majority of the Post Officers.

Section 2. Each year the incoming Officers will reappoint the Program Managers who are willing and able to perform the duties of their program. Three Program Managers shall be identified in the Post Policies and Standard Guidelines to sit as voting members on the Executive Committee.

ARTICLE 7 - Standing Committees

Section 1. The Executive Committee shall establish the number of standing committees necessary for the proper operations of the Post. Such standing committees shall consist of such members, and the chair thereof, as shall be designated by the Post Commander.

ARTICLE 8 - Resolutions

Section 1. All resolutions of State or National scope presented to this Post by a member, or reported to this Post by a committee shall merely embody the opinion of this Post on the subject and copy of same shall be forwarded to District 5 and then to Department Headquarters for both of their approvals before publicity is given or action, other than mere passage by the Post is taken.

ARTICLE 9 - Meeting

Section 1. The regular meeting of the Post shall be held at the Post's meeting location designated in the Post Policies and Standard Guidelines on the first Wednesday of each month. The Post Commander may designate an additional meeting if necessary to transact Post business as may properly be brought up for action. Entertainment during the regular meeting will be prohibited till after the close of the regular meeting.

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. A special meeting of the Post may be called by the membership in accordance with the Post Policies and Standard Guidelines.

Section 4. The number of members that constitutes a quorum is specified in the Post Policies and Standard Guidelines.

ARTICLE 10 - Post Policies and Standard Guidelines

Section 1. The Executive Committee shall prepare and approve by a two-thirds vote the Post Policies and Standard Guidelines that provide guidance for the efficient operation of the Post and which implement and supplement these By-Laws. This document can be modified whenever necessary and copies shall be published on the Post webpage and hardcopies provided to new members.

ARTICLE 11 - Finances

Section 1. Post revenues, expenditures and records are managed based on the source of the funds. The Finance Officer shall be responsible for all funds received directly by the Post from member dues, donations from the public and income from investments. The Service Officer shall be responsible for all funds received from approved grant request to support veterans and their families. The Bingo Manager shall be responsible for all funds from Bingo Operations. Each of these funds are maintained in independent bank or credit union accounts to ensure compliance with grant requirements and State Bingo Regulations that prohibit the comingling of funds. Each Officer/Manager shall provide a monthly accounting to the Executive Committee of their funds to income, expenses, and net worth. The Finance Officer and Bingo Program Manager shall also provide reports of year to date income and expenditures against the approved budget.

Section 2. The Post funds shall be used to pay National and Department membership dues and other operating expenses of the Post identified in the annual Post budget or an approved motion of the Executive Committee and/or the membership. Post funds include a checking account, savings account, certificates of deposits and other investments approved by the Executive Committee.

Section 3. The grant funds shall be used to pay expenses for veterans and their families approved by the Service Officer in conjunction with the County Service Officer(s) and in accordance with the terms of the approved grant.

Section 4. The Bingo funds shall be used to pay Bingo operating expenses and Post expenses as approved in the Post budget or by an approved motion of the Executive Committee and/or the membership. All expenditures shall be in accordance with the terms of the Annual Post Bingo License Renewal Application. Bingo funds include a checking account and a savings account.

Section 5. The annual Post budget shall be developed and approved by the Executive Committee and membership by the January meeting each year and shall cover the fiscal year. After approval, expense items specifically identified in the Budget do not require further approval unless changes to the scope or additional funds as specified in the Post Policies and Standard Guidelines is exceeded.

Section 6. Annually the Post shall prepare required Internal Revenue Service documents reporting applicable income and expenses of the Post including the bingo operations and the Sons of The American Legion Squadron 103.

ARTICLE 12 - Rules of Order

Section 1. All proceedings of this Post shall be conducted under and pursuant to Robert’s Rule of Order except as herein otherwise provided.

ARTICLE 13 - Limitation of Liabilities

The Post shall not incur, or cause to be incurred, any liability or obligation which shall subject to liability any Post, subdivision, member of the American Legion, or other individual, corporation or organization.

ARTICLE 14 - Amendments

Section 1. These By-Laws may be amended at any regular Post meeting by a vote of two-thirds of the members of the Post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post. A written notice shall have been emailed to all members at least ten (10) days in advance of the date when such amendment is to be voted upon, notifying members that at such meeting a proposal to amend the By-Laws is to be voted upon.

Section 2. Upon approval by members, the proposed amendment(s) of the By-Laws must be printed in its entirety with the date of the last revision, and a copy must be emailed to all paid-up members, posted on Post webpage and copies available at the following meeting. It shall be at the pleasure of the Post Commander to authorize the signatures of the Post Executive Committee at the bottom of the approved By-Laws before publication.

I, HEREBY CERTIFY THAT THE FOREGOING BY-LAWS CONSISTING OF SEVEN (7) PAGES ARE THE BY-LAWS OF GEORGE C. EVANS, POST 103, LITTLETON, COLORADO OF THE AMERICAN LEGION, DEPARTMENT OF COLORADO WHICH WAS ADOPTED BY THE EXECUTIVE COMMITTEE AND GENERAL MEMBERSHIP AT THE GENERAL MEETING ON THE 5th DAY OF June 2013.

Edward A. Pietsch
First Vice Commander

Michael J. Romero
Post Commander

Harry P. Ciruli Jr.
Post Adjutant