



## **CONSTITUTION**

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

### **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 masses; to make right the master of might; to promote peace and goodwill 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 1 - Name**

Section 1. The name of this organization shall be George C. Evans, Post 103, Littleton, Colorado, The American Legion, Department of Colorado.

### **ARTICLE 2 - Objectives**

Section 1. The objectives and purposes of this post shall be to promote the principles and policies set forth in the foregoing preamble, and the National and Department Constitutions of The American Legion.

### **ARTICLE 3 - 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 organization shall be absolutely non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. Rank does not exist in The American Legion; no member should be addressed by his military or naval title in any meeting of this Post.

#### ARTICLE 4 - Membership

Section 1. Eligibility for membership in this Post shall be prescribed by the National Constitution of The American Legion.

Section 2. Application for membership shall be made in writing using the current American Legion Membership Application form.

Section 3. All applications for membership shall immediately be accepted by the Post, except for expelled members. All transfers from other American Legion Posts shall be immediately accepted into the Post.

Section 4. Any member of this Post may be expelled for cause, if in the opinion and two-thirds vote of the Post Executive Committee, find said member through investigation and after charges are preferred under oath in writing and a fair trial, found the member, to be of such moral character as to violate the *standards*, set forth by The American Legion, its Departments and Posts.

Section 5. A member who has been expelled or suspended by this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in a Post meeting and after satisfying full payment of the current Post dues in the year that reinstatement occurs.

Section 6. No person who has been expelled by any Post of The National Organization shall be admitted to membership in this Post without the written consent of the Post from which such member was expelled, subject to any right of appeal that may be provided in the National Constitution or By-Laws of The American legion.

#### ARTICLE 5 - Officers/Executive Committee

Section 1. The Officers of this Post shall include: Commander, a 1<sup>st</sup> and 2<sup>nd</sup> Vice Commander, Adjutant, Finance Officer, Service Officer, Chaplain, Sergeant-at-Arms, Judge Advocate, and Historian. All Officers shall be nominated and voted on annually and shall hold office until their successors are duly installed.

Section 2. The government of the Post is entrusted to a committee consisting of these officers and up to three Program Managers and shall be known as the Executive Committee.

Section 3. Executive Committee members shall hold office until their successors are duly installed or as otherwise provided. In the event of a resignation due to ill health or other justifiable reasons, the Commander shall appoint a successor subject to two-thirds vote of approval by the Executive Committee. The term of a member filling a vacancy, shall expire when the term of the office or program of the person whom he/she has replaced, would have expired.

Section 4. Every paid up member shall be eligible to hold office in this Post.

Section 5. This Post, in accordance with the By-Laws, may provide for such standing committees as the business of the Post may require.

Section 6. Each Post Officer shall, before entering upon the duties of his office, take the oath of office as found in The American Legion Officers Guide, or the following:

"I \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States of America, and bear true faith and allegiance to the same; that I will support and maintain the National Constitution of the American Legion and the Department Constitution of the Department of Colorado; and that I will, to the best of my ability, faithfully discharge the duties of the office of \_\_\_\_\_, upon which I am about to enter.

#### ARTICLE 6 - Finance

Section 1. The revenues of this Post shall be derived from annual membership dues and other sources as may be approved by the Post Executive Committee.

Section 2. The amount of annual Post dues shall be fixed and determined by a vote of this Post.

Section 3. This Post shall pay to our Department Headquarters, the National and Department annual membership dues for every member of the Post except for those Post members who pay their dues directly to National or the Department.

Section 4. The fiscal year of the Post shall commence on the first day of January of each year and end upon the 31<sup>st</sup> day of December of that year.

Section 5. All assets of the Post shall be transferred to the Department of Colorado upon dissolution of the Post.

#### ARTICLE 7 - American Legion Auxiliary

Section 1. This Post recognizes an Auxiliary Organization to be known as American Legion Auxiliary, Unit 103, Littleton, Colorado.

Section 2. Membership in the Auxiliary Unit shall be prescribed by the National Constitution of The American Legion Auxiliary.

#### ARTICLE 8 - Sons of The American Legion

Section 1. The Post recognizes an auxiliary organization, known as, Sons of The American Legion, Squadron 103, Littleton, Colorado.

Section 2. Membership therein shall be limited to persons declared eligible therefore by the Constitution and By-Laws of the Sons of The American Legion.

Section 3. All assets of Sons of The American Legion Squadron 103 shall be transferred to Post 103 upon dissolution of the Squadron.

ARTICLE 9 - Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and Constitution of The Department of Colorado. Any amendment to this Constitution which is in conflict with any provisions of the National or Department Constitution shall be automatically repealed until it is modified to correspond to guidelines set forth in the National and Department Constitutions.

Section 2. This Constitution may be amended at any regular Post meeting by a vote of two-thirds of the attending members, providing that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of the Post, and providing further, that written notice shall have been given to all members at least ten (10) days in advance of the date when such amendment is to be voted upon.

Section 3. Upon approval by members, the proposed amendment(s) of the Constitution 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 Constitution before publication.

*I HEREBY CERTIFY THAT THE FOREGOING CONSTITUTION, CONSISTING OF Four (4) PAGES, IS THE CONSTITUTION 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 5<sup>th</sup> DAY OF June 2013.*

Edward A. Pietsch  
First Vice Commander

Michael J. Romero  
Post Commander

Harry P. Ciruli Jr.  
Post Adjutant