



AMERICAN LEGION
Joseph P. Kennedy, Jr. POST 11-11

9959 Wadsworth Blvd. • Broomfield, CO 80020 • 303.466.1278

CONSTITUTION AND BY LAWS OF AMERICAN LEGION

JOSEPH P. KENNEDY, JR., AMERICAN LEGION POST 11-11

DEPARTMENT OF COLORADO

Approved by a vote of the membership on February 13, 2007

Revised and Approved by a vote of the membership on September 8, 2009

Revised and Approved by a vote of the membership on May 12, 2013



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May 12, 2013

Membership
Joseph P. Kennedy Jr., American Legion Post 11-11
9959 Wadsworth Boulevard
Broomfield, Colorado 80021

RE: Constitution and and By-Laws

Dear Member:

As part of an ongoing process, the Constitution and Bylaws are reviewed periodically. In their current form, they were adopted on May 12, 2013.

The Constitution and By-Laws are available at the Post and available to be downloaded on our web site at <http://www.legionpost11-11.org>

Sincerely,

Stephen Lee, Post Adjutant

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ADDENDA

Key elements of the Constitution and By-Laws

SECTION I - PREAMBLE

I: 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 per cent 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.

SECTION II - CONSTITUTION

ARTICLE I - NAME

II-I-1: Name:

The name of this organization shall be Joseph P. Kennedy Jr.; American Legion-Post 11-11 (the "Post") The location of the Post is 9959 Wadsworth Boulevard, Broomfield, Colorado 80021.

ARTICLE II – OBJECTIVES

II-II-1: Objectives & Purpose:

The objectives and purpose 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 III – NATURE

II-III-1: Civilian Organization:

This post is a civilian organization and membership therein does not affect or increase liability for military or police service.

II-III-2 Non-Political:

This organization shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

II-III-3: Rank:

Rank does not exist in the American Legion; no member shall be addressed by his military title in any meeting of this post.

ARTICLE IV – MEMBERSHIP

II-IV-1: Eligibility:

Eligibility to membership in this post shall be as prescribed by the National Constitution of the American Legion.

II-IV-2: Application

Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

II-IV-3: Application Approval or Rejection:

All applications for membership, once presented, shall be acted upon by the Post Adjutant, when eligibility for membership has been determined, and post dues have been collected. The Executive Committee shall be convened at the applicant's request, if the applicant wishes to contest a ruling of ineligibility. An uncontested denial, or a ruling of the Executive Committee, shall not be reconsidered until a minimum of six (6) months have passed. However, the Post Adjutant may suspend an application if it is simply lacking proof of eligibility, and not be considered a denial of membership.

II-IV-4: Expulsion:

Any person known to been expelled from any post, shall not be granted membership of this post, without a hearing of the Executive Committee. If a member has become a member of this post, and it has been discovered that the member was expelled from another post, a hearing of the Executive Board *should* be convened to review the expulsion and determine it's effect **upon that individuals membership** at this post.

II-IV-5: Classification:

The Post shall have a single class of voting members, the active membership, which is consistent with the National Constitution ("Members")

II-IV-6: Qualification for Membership:

To qualify for membership of this post, the applicant must be on active duty or meet the eligibility requirements set forth by The National American Legion.

ARTICLE V - OFFICERS**II-V-1: Administrative Affairs:**

The administrative affairs of this post of the American Legion shall, except as may be otherwise provided by the By Laws, be under the supervision of an Executive Committee which shall consist of all elected officers of the post, the immediate Past Commander, the District Executive Committeeman and One **Member at Large**. If an elected officer or District Executive Committeeman position is vacant, the position may be filled for the remaining term by an approved Post 11-11 member or until the vacant position is filled. All of the members of the Executive Committee will have only one vote each. The term of office of members of the Executive Committee shall be for one year. This post, by it's By Laws, may provide for such other standing committees as the business of the organization may require. The Post Executive Committee will oversee the administration of the financial policy, preparation of budget recommendations, and the supervision of, receiving, disbursing and accounting of all post funds.

II-V-2: Officers of the Post:

The officers of this post shall be: (1) Commander, (2) Senior Vice Commander, (3) Junior Vice Commander, (4) Adjutant, (5) Finance Officer, (6) Post Historian, (7) Post Chaplain, (8) Post Service Officer (9) Sergeant at Arms, (10) Legion at Large, and such other officers as may be deemed necessary by this organization, who will be nominated from the floor at the meeting preceding the annual election and at the meeting of the election. An Election Committee shall have ballots printed with names of all nominated for each post office when more than one person has been nominated for a position. Any additional names that are nominated at the meeting of elections shall be printed on each ballot prior to the voting by the membership, if there are more than one person nominated per position.

II-V-3: Officer Election:

All officers and executive committeemen shall be elected annually and they shall hold office until their successors are installed or as otherwise provided. Any officer or executive committeeman may be removed for inefficiency by the Executive Committee, a two-thirds vote of said committee being necessary to effect such removal.

II-V-4: Good Standing:

Every member of this post in good standing shall be eligible to hold office in this post.

II-V-5: Officer Duties:

The duties of officers and the executive committeemen shall be those usually appertaining to such officers or committeemen and as further provided by the By Laws.

II-V-6: Chairman of Executive Committee:

The Chairman of the Executive Committee will be elected by the members of the Executive Committee at their first meeting after assuming office.

ARTICLE VI - FINANCE

II-VI-1: Post Revenue:

The revenue of this post shall be derived from annual membership dues and from such other sources as may be approved by the Post Executive Committee.

II-VI-2: Annual Dues:

The amount of such annual dues shall be fixed and determined by the *Executive Committee*.

II-VI-3: Per Capita Dues:

This post shall pay to Departmental Headquarters the District, the National and Department annual per-capita dues for every member of the post.

II-VI-4: Post Finances:

The Finances of Post 11-11 shall be entrusted to the Executive Committee as elected by the Post 11-11 members, and accounted for by the Finance Officer as stated in the Post 11-11 By-Laws. No standing committee, committee member, Post 11-11 member or person shall be authorized to manage Post 11-11 funds or finances except as noted in the Post 11-11 By-Laws.

II-VI-5: Fiscal Year:

The fiscal year of the Post shall be determined from time to time by the Executive Committee.

ARTICLE VII - CHARTER MEMBERS

II-VII-1: Charter Members:

Charter members for the permanent charter are 56, the number of signers of the Declaration of Independence.

ARTICLE VIII - AMERICAN LEGION AUXILIARY

II-VIII-1: Auxiliary:

This post recognizes an auxiliary organization to be known as the Auxiliary Unit of Joseph P. Kennedy Jr, Post 11-11, The American Legion.

II-VIII-2: Auxiliary Membership:

Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

ARTICLE IX - SONS OF THE AMERICAN LEGION

II-IX-1: Sons of the American Legion (SAL):

This post recognizes a squadron of The Sons of the American Legion (SAL) known as The Sons of The American Legion Squadron of Joseph P. Kennedy Jr, Post 11-11.

II-IX-2: SAL Membership:

Membership in the squadron shall be as prescribed by the National Constitution of Sons of The American Legion.

ARTICLE X - AMENDMENTS

II-X-1: Conflict With The American Legion:

This constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Colorado, The American Legion. Should the National American Legion, or the Department revise their Constitution and/or Bylaws, as such that this document is in conflict, a review of this

document is required to bring it into alignment, and voted on by the membership at the next scheduled meeting.

II-X-2: Constitution Amendments:

This Constitution may be amended at any regular meeting by a vote of two-thirds of the members attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post, and providing further, that written notice shall have been given to all members at least 15 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

SECTION III - POST 11-11 BYLAWS

ARTICLE I - NAME

III-I-1 Name:

The Post existing under these Bylaws is to be known as Joseph P. Kennedy Jr.; American Legion- Post 11-11 (the "Post").

III-I-2 Objectives:

The objectives of this post are as set forth in the Constitution.

ARTICLE II - MANAGEMENT

III-II-1 Entrustment:

The government and management of the Post are entrusted to an Executive Committee of a minimum of 9 and a maximum of 12 members to be known as the "Executive Committee."

III-II-2 Executive Committee Members:

The Executive Committee shall consist of up to 12 members including the Officers of the Post as stated in Section II, Article V of the Constitution. Officers of this post shall be elected annually with nominations at the regular **April** post meeting and elections held at the regular **May** post meeting. All elections of post officers and Executive Committeemen shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates. Installation will follow elections prior to assuming office. Assumption of office will take place at the **June** regular meeting following election. The Post Adjutant shall cause notice of the annual election to be given at least two weeks prior to the election on the Website, in the newsletter, and posted on the Bulletin board at the post.

III-II-3 Executive Committee Vacancies:

All vacancies existing in the Executive Committee, or in any office of the post from any cause other than the expiration of the term, shall be nominated by the Commander and approved by a 2/3rd majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the Committee or Officer whom he succeeds. A vacancy shall exist when a member or officer is absent without legitimate cause from his post for three (3) months, **or** a period considered detrimental to the interest of the post by the Executive Committee by 2/3rd vote. If a member is absent for three (3) months without legitimate cause they are considered resigned from their position(s).

ARTICLE III - POST EXECUTIVE COMMITTEE

III-III-1 Meetings of the Executive Committee:

The Post 11-11 Executive Committee shall meet for organization and such other business as may come before it at the call of the Executive Committee Chairman within 10 days after the installation of the new officers. Thereafter, the post Executive Committee shall meet at the call of the Executive Committee Chairman, or upon the joint written request of three (3) or more members of said Post Executive Committee. **Five (5)** members of the Committee shall constitute a quorum thereof. Any member of Post 11-11 may attend the Executive Committee meeting, but will not participate in the meeting except at the specific request of the Executive Committee Chairman. However, an Executive Committee meeting shall not be open to the membership in cases where personnel or disciplinary actions are being addressed.

III-III-2: Club Management:

The management of the Joseph P. Kennedy, Jr., American Legion Post 11-11 affairs and facility at 9959 Wadsworth Boulevard, Broomfield, Colorado 80021, shall be solely under the Executive Committee. The Executive Committee may delegate such authority as it deems necessary for the operation of the Post affairs and facilities to various Committees.

III-III-3: Waiver:

Attendance of the Post Officer at a meeting shall constitute a waiver of notice of such meeting and a written waiver of notice or manner of calling any meeting of the Executive Committee signed by the Post Officers entitled to such notice, whether before, at or after the time stated therein, shall be the equivalent of giving of such notice. The signatures of the Post Officers subscribed to the minutes of any meeting shall constitute such a written waiver of notice.

III-III-4: Action Without Meeting:

Any action which is required to or which may be taken at any meeting of the Executive Committee may be taken without a meeting if the consent in writing, setting forth the

action so taken, shall be signed by all Post Officers entitled to vote with respect to the subject matter thereof.

ARTICLE IV - DUTIES OF OFFICERS

III-IV-1: Duties of Post Commander:

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. The Commander 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 recommendations for the ensuing year, which shall be read at the annual meeting and a copy immediately forwarded to the department adjutant. He shall perform such other duties as directed by the Post.

III-IV-2: Duties of the Senior Vice Commander:

The Senior Vice Commander shall assume and discharge the duties of the office of Commander in the absence of, or when called upon by the Post Commander. The Senior Vice Commander is in charge of the promotion of membership. He will, as is deemed necessary, appoint a membership committee to assist in a membership drive.

III-IV-3: Duties of the Junior Vice Commander:

The Junior Vice Commander shall assume the duties of the office of Commander in the absence or disability of both the Commander and the Senior Vice Commander. Particularly, they should be interested in patriotic observances of all kinds, in developing post activities, and in the entertainment features which mark all meetings. He will be concerned with the pageantry so closely associated with the Legion. He will assist the Post in providing social functions.

III-IV-4: Duties of 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 the direction of the Commander, handle all correspondence of the Post except as delegated. The Adjutant will keep minutes of Post meetings and records of membership in a permanent book which is located at the Post 1-11 office at 9959 Wadsworth Boulevard.

III-IV-5: Duties of the Finance Officer:

The Finance Officer of the Post shall monitor of all finances of Post 11-11 and recommend that they be safely deposited in a local bank(s) and shall report once a month to the Executive Committee the condition of the finances of the Post, with such recommendations as they may deem expedient or necessary for raising funds with which to carry on the activities of the Post. They shall furnish such surety bonds in such sums as shall be fixed by the Post Executive Committee. The Finance Officer shall present to the membership at each monthly meeting, a monthly and year-to-date revenue and expenses statement. The Finance Officer shall monitor Post funds of each of the operating

committees (Business, Building, and Bingo Committees), and any other sub-committees that may have an operational budget such as the Commander's Fund, etc. The Finance Officer *may* request an audit of Post 11-11 finances one time each year.

III-IV-6: Duties of the Post Service Officer:

The Post Service Officer is responsible for the benefit of members of this Post and for those war veterans particularly in need of their service. Assist veterans with various claims, make all veterans of the Post aware of the rights and benefits granted them by law. Assist veterans in need of employment. Make veterans needs known to the professionals who can help them. The Post Service Officer shall appoint ad hoc committees as needed for: (1) Veteran Affairs and Rehabilitation, (2) Graves and Registration and Memorial Services, (3) Economic Committee to assist veterans and visit veterans in hospitals.

III-IV-7: Duties of Post Historian:

The Post Historian shall be responsible for the individual records and incidents of the Post and Post members shall perform such other activities and or duties as may properly pertain to the office as may be determined by the Post or the Executive Committee.

III-IV-8: Duties of the Post Chaplain:

The Post Chaplain shall be responsible for the spiritual welfare of the Post comrades and will offer divine but non sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

III-IV-9: Duties of the Sergeant at Arms:

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. He is the custodian of the Colors.

ARTICLE V - DELEGATES

III-V-1 Delegates:

Delegates and alternates to a Department Convention shall be elected by ballot by the Post at a regular meeting of the Post to be held at least 20 days prior to the date of such conventions.

ARTICLE VI - APPOINTMENTS

III-VI-1 Standing Committees:

The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: (1) Americanism and Youth Committee, (2) Business Committee, (3) Building Committee, (4) Bingo Committee. Such standing committees shall consist of such members and the Chairman thereof as shall be nominated by the Post Commander. The Executive Committee shall approve or disapprove all of the Post

Commander's nominations.

III-VI-2: Americanism and Youth Committee:

Shall be charged with the inspiration or 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. Shall be charged with aid and service to children of veterans, cooperating with other established agencies in the community; laboring for the betterment of child conditions and in coordinating services and agencies in the community for the above purposes. to act as intermediary for the needy child of a veteran in obtaining the fulfillment of the Legion's pledge that "NO CHILD OF A WAR VETERAN SHALL BE IN NEED OF THE NECESSITIES OF LIFE" and "a square deal for every child."

III-VI-3: Business Committee:

The Business Committee shall arrange and organize for the carrying on of the affairs, management, and business of the Post Club as provided for in the Post By-Laws. The Business Committee shall have charge of all matters pertaining to the operation of the club (includes the bar, kitchen and hall), promotion of club advantages and arrangement for Post 11-11 social activities. The Areas of responsibility shall include, and subject to oversight by the Executive Committee, but shall not be limited to the following: Hiring of a Lounge Manager, salaries of all employees, vacation and sick leave policies, hours of operation, pricing of all merchandise sold, work with the Finance Officer regarding accounting and/or bookkeeping services, and recommend disciplinary action to the Executive Board of members and guests. The Business Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the business operations of Post 11-11. The Business Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee.

III-VI-4: Building Committee:

The Building Committee, under the supervision of the Executive Committee, shall have charge of all matters pertaining to the care of the Post quarters. The Building Committee shall arrange and organize for the stewardship of the property owned by Post 11-11. This shall include the building improvements, site improvements and personal property. The Building Committee shall perform an inventory of all Post 11-11 property when the Chairman changes or as directed by the Executive Committee, and shall keep accurate records regarding the addition of inventory items and the decommissioning of inventory items. The committee shall suggest repairs, renovations, and improvement to the property on a monthly basis at the monthly meeting of the regular membership. The committee

can authorize emergency repairs without having a regular meeting, but all best effort must be made to contact other Building Committee members, Post Officers, Building Committee Chairperson and/or Lounge Manager. The Building Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the Post 11-11 facilities. The Building Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee. .

III-VI-5: Bingo Committee:

The Bingo Committee shall have charge of all matters pertaining to the operation of the bingo operations. The Bingo Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the bingo operations of Post 11-11. The Bingo Committee's responsibility shall include the efficient operation of the gaming machines. The Bingo Committee shall prepare and present to the regular membership by November 1 of each year, an annual budget, and shall present to the Executive Committee at each monthly meeting, a monthly and year-to-date revenue and expenses statement. The Bingo Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee.

A minimum of three members of the Bingo Committee must be licensed by the State of Colorado as Bingo/Raffle Managers, and Post 11-11 shall assure that the members are trained and certified at the Post expense. The disbursement of bingo pay-outs shall be held STRICTLY CONFIDENTIAL by Bingo Committee, Lounge Manager, and/or Bar employee/volunteer, and no Bingo Committee member, Lounge Manager, and/or Bar employee/volunteers shall purchase pull tabs while on duty.

ARTICLE VII - RESOLUTIONS

III-VII- 1 Resolutions:

All resolutions of state and/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 Department Headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

ARTICLE VIII - MEETINGS

III-VIII-1 Regular Meetings:

The regular meetings of the Post shall be held at the Post 11-11 meeting room monthly unless otherwise specified, at which time 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 the Post.

III-VIII-2 Special Meetings:

The Post Commander, Executive Committee Chairman, or a majority of the Executive Committee shall have power to call a special meeting of the Post at any time.

III-VIII-3 Special Meeting Call:

Upon written request of 5 members, the Commander shall call a special meeting of the Post.

III-VIII-4 Quorum:

Eight (8) members shall constitute a quorum. Such a group must contain four (4) officers.

III-VIII-5 Voting:

All Members in Good Standing shall have voting privileges. All acts and resolutions of the Members shall be deemed adopted upon a favorable vote of a majority of the votes cast by Members qualified to vote.

ARTICLE IX- NOTICES

III-IX-1 Membership Mailing:

Every member shall furnish the Post Adjutant with his or her address for mailing purposes.

III-IX-2 Notice of Annual Election:

The Post Adjutant shall cause notice of the annual election to be given at least two weeks prior to the election. **The postings shall be in the April newsletter, on the Website, and on the bulletin boards located in the Post facility.**

III-IX-3 Post Newsletter:

Post newsletters are mandatory. The Post Newsletter is the Post's official communication.

ARTICLE X – PAID UP FOR LIFE MEMBERSHIP

III-X-1 -Paid up for Life Membership:

At the discretion of the Executive Committee, a Post Commander who has fulfilled his term of office and duties of said office in accordance with the Constitution and Bylaws of this Post *may* be given a Paid up for Life membership in the American Legion as an expression of appreciation of their service. This vote is taken by the incoming Executive Committee and subject to funds availability as determined by the incoming Finance Officer.

ARTICLE XI - RULES OF ORDER

III-XI-1 – Rules of Order:

All proceedings of this Post shall be conducted under the Constitution and Bylaws pursuant to Robert’s Rules of Order, except as herein otherwise provided.

ARTICLE XII - LIMITATION OF LIABILITIES

III-XII-1 Prohibition of Liabilities:

This Post shall not incur, or cause to be incurred, any liability or obligation which shall subject it to liability, subdivision, group of men, members of the American Legion, or other individuals, corporations or organizations.

ARTICLE XIII - AMENDMENTS

III-XIII-1 Amendment of By-Laws:

These Bylaws may be amended at any regular Post meeting by a vote of two-thirds (2/3rd) of the members attending such regular meeting; provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post; and provided, further, that written notice shall have been given to all members at least 15 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Bylaws is to be voted upon.

SECTION IV – HOUSE POLICIES

ARTICLE I – Suspension and Expulsion of Members:

The Executive Committee shall have the authority to suspend or expel any members of the American Legion, Sons of the American Legion, or Auxiliary who have been reported for conduct in the club that was in violation of the post Constitution and By-laws, house rules or conduct that disturbed the peace and well being of the members in the club. Suspension or expulsion shall be from club privileges only. The Business Committee will give written notice to any member who has been reported to them for any infraction and they will listen to all evidence concerning the incident and will determine an appropriate action based on the following guide lines, but may be modified by the Executive Committee at their sole discretion, by 2/3^{rds} vote of the Board:

A. MINOR INFRACTIONS

1. **FIRST OFFENSE:** verbal or written reprimand with no suspension.
2. **SECOND OFFENSE:** written reprimand with suspension up to 30 days.
3. **THIRD OFFENSE:** minimum 30 day suspension
4. Minor infractions shall include, but are not limited to:
 - a. Bad Language
 - b. Intoxication
 - c. Verbal abuse of other members or employees
 - d. NSF checks that have been unredeemed for a period of 10 days and whose value does not exceed \$100.00.

B. MAJOR INFRACTIONS

1. **FIRST OFFENSE:** minimum 30-day suspension.
2. **SECOND OFFENSE:** minimum 90 day suspension.
3. **THIRD OFFENSE:** within a two year period, automatic expulsion or other punishment determined at the discretion of the Executive Committee.
4. **Major infractions shall include, but not limited to**
 - a. NSF checks over \$100.00
 - b. Physical abuse of other members or employees
 - c. Destruction, theft or abuse of Post property, or
 - d. Flagrant violation of the house rules.
 - e. Lewd or indecent acts

Members who have been accused of any infractions shall have the right to appear before the Executive Committee and present their case. Any vote taken for suspension or expulsion by the Executive Committee shall be by two-thirds vote of the members present in the quorum. Any expulsion may be reported for possible action against that member in accordance with the rules and regulations for expelling a member from the American Legion.

Article 2 – Marijuana and other illicit substances

The Executive Committee has made some determinations in this area for the purposes of maintaining a family atmosphere. We do not wish to expose any drug or drug use to minors at any time and further we do not wish to subject our membership to persons using these drugs.

- A. The Executive Committee has determined that even though the State of Colorado has deemed Marijuana use and possession as legal, we do not permit it's use on any part of the property of the Post. Furthermore, any person who has it on their person will be asked to leave the premises and may be banned from the property at the discretion of the Lounge Manager, or any bar personnel. Any such incident must be reported to the Executive and Business Committees.
- B. The Executive committee has determined that any street or illicit drug is not permitted on the premises or to be used on the premises at any time. Furthermore, any person who has it on their person will be asked to leave the premises and may be banned from the property at the discretion of the Lounge Manager, or any bar personnel. Any such incident must be reported to the Executive and Business Committees.

Article 3 – Smoking of tobacco and tobacco products

The Executive Committee has determined that the use of tobacco and tobacco products, exclusive of substances outlined in Article 2, are permitted outside or on our covered patio.

- A. We ask that all members respect that other members do not smoke, and that there are minors on the premises from time to time, and that they respect their desire to avoid the smoke.
- B. We ask all who smoke to properly dispose of their butts when finished exercising your right to smoke.

Section V: Committee Rules

Purpose: To establish general rules for the Post in regards to Committees; How they are formed, and how they conduct business within the guidelines of general conduct of the Post.

SECTION I: Formation of Committees

All Committees must have a Chairman that is appointed by the Executive Committee. The Chairman should be a Legion Member (whenever possible). The following Committees listed here have specific membership requirements.

- ***Americanism and Youth Committee (Not specified) BYLAWS REF: III-VI-2***
- ***Business Committee(5 Members) BYLAWS REF: III-VI-3***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
- ***Building Committee(5 Members) BYLAWS REF: III-VI-4***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
- ***Bingo Committee(5 Members) BYLAWS REF: III-VI-5***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
 - ***A minimum of 3 Members of the Bingo Committee must be licensed Bingo/Raffle Managers certified by the State of Colorado***

Ad Hoc Committees shall be formed by the Executive Board as needed. These may consist of primarily:

- ***Membership Committees***
- ***Voting Committees***
- ***Other Committees not specified as needed***

The Chairman may appoint members to their committee once the Chairman is confirmed by the Executive Committee. All appointments are subject to approval by the Executive Board.

Section II: Financial Rules of Committees

- *At no time may any Member incur any liability or obligation which will subject the Post to any liability, subdivision, group of men, members of the American Legion, or other individuals, corporations, or organizations. BYLAWS REF: III-XII-1*
 - *No member may borrow or loan the Post money without specific resolution by the Executive Board*
 - *No cash monies shall leave the Post unless it is going to the bank*
 - *No monies shall be paid to a member or other person without the specific authorization of the Executive Board*
 - *The Chairman may direct funds to be disbursed to vendors or other liabilities to approved Vendors and such that facilitate the normal operation of the Post*
 - *The Chairman may not direct monies to him/herself without the approval of the Executive Board*
 - *All expenses and invoices must be reviewed by the Finance Officer*
 - *The Finance Officer may not be on any Committee*
 - *If there is no Finance Officer, or the Finance Officer is unavailable, a Post Officer not on the Committee may approve or review as directed by the Executive Board*
 - *No Post funds may be used to purchase for itself or for any raffle or game of chance that is in the following categories without a specific order from the Executive Board*
 - *Negotiable instruments*
 - *Stocks or Bonds*
 - *Precious Metals*
 - *Commodities or Futures*
 - *Minerals*
 - *Currencies*
 - *Real Estate or Derivatives*
 - *Firearms or ammunition*
 - *In general the Post should only raffle off items donated to the Post at no cost to the Post*
 - *All Raffles must be approved by the Executive Board before it is scheduled*
 - *All original documents (not a copy) must be presented to the Executive Board if any expense or payment may be incurred for the Executive Board's approval*
 - *If a raffle is approved AND an expense is to be incurred, the raffle tickets sold MUST exceed the cost of the purchased item before a drawing can be held*

Bank Accounts

- *At least 2 Members of the Post should be signers on each bank account*
- *No one may be on the bank account that is not an American Legion Member*
 - *The only exception is the Chairman if they are not a Legion member as voted in by a variance by the Executive Board*

Section III: Committee Meetings

- *The Chairman shall call a Committee meeting at a minimum of quarterly to discuss ALL manners within the authority of the committee*
- *3 members of any committee may direct the Chairman to have a meeting if there is a matter of urgency*
- *The committee is run on a 2/3 majority vote at all times*
- *The Chairman is a non-voting member except to break a tie*

Section IV: Reporting Requirements

- *All committees are expected to yield a report at the monthly meeting to the Executive Board*
- *At least 1 representative of every Committee should be present at the monthly meeting*
- *All Committees dealing with any fiduciary responsibilities will yield a written account of their activities*
- *All Committees assigned a bank account shall yield a copy of the bank statement to the Finance Officer monthly and have it ready for any member's inspection at the meeting*

Section V: Discipline

- *The Chairman may change the membership of their committee for the following reasons*
 - *A Member does not attend 3 or more meetings with proper notice*
 - *This member is entitled to an appeal to the Executive Board*
 - *A Member is disruptive in a meeting*
 - *This member is entitled to a full hearing of the Executive Board*
 - *A Member shirks their responsibilities*
 - *This member is entitled to a full hearing of the Executive Board*
 - *A Member is no longer in good standing to the Post*
 - *This Member must be brought before the Executive Board*
 - *If a Chairman is not performing their duty*
 - *3 Members of the Committee may request a hearing before the Executive Board*

ADDENDA

Key Elements of the Constitution and By-Laws

Name: Joseph P. Kennedy Jr., American Legion Post No. 11-11 (Sec. II-I-1, p-2)

Address: 9959 Wadsworth Blvd. Broomfield, CO 80021 (Sec. II-II-1, p2)

Objectives & Purpose (II-I-1, p2): The objectives and purpose 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.

Officers, Administrative Affairs (II-V-1, p3): Post 11-11 is under the supervision of the Executive Committee which consists of all elected officers of the Post, the immediate Past Commander, The District Executive Committeeman and one member at large.

Executive Committee Members (Sec. II-V-1, p3): The Executive Committee shall consist of up to 12 members as stated in Section II-V-1 on page 3, and shall include all elected officers of the Post, the immediate Past Commander, The District Executive Committeeman and one member at large. If an elected officer's (s') or District Executive Committeeman positions are vacant, the position may be filled for the remaining term by an approved Post 11-11 member or until the vacant position is filled. Vacancies existing in the Executive Committee, or in any office of the Post from any cause other than expiration of the terms, shall be filled by majority vote of the remaining members of the committee. A vacancy shall exist when an *Executive Committee* member or *Post* officer is absent from his post for a continuous period considered detrimental to the interest of the post by the Executive Committee.

Chairman of the Executive Committee (II-V-6, p4): The Chairman of the Executive Committee will be elected by the members of the Executive Committee at their first meeting after assuming office.

Meetings of the Executive Committee (Sec. III-III-1, p7): The Executive Committee shall meet within 10 days after the installation of new officers. Thereafter, it shall meet at the call of the Executive Committee Chairman at least every month and as often as the Chairman may deem necessary. **Five** members shall constitute a **Quorum**. Any Post member may attend a meeting with restrictions. The meeting shall not be open to the membership in cases where personnel or disciplinary actions are being addressed.

Officers of the Post (II-V-2, p40): Post officers include: 1) Commander, 2) Senior Vice Commander, 3) Junior Vice Commander, 4) Adjutant, 5) Finance Officer, 6) Post Historian, 7) Post Chaplain, 8) Post Service Officer, 9) Sergeant at Arms, and such other officers as may be deemed necessary by this organization.

Duties of Officers: See Article IV on pages 8 and 9.

Election of Officers (III-II-2, p6): Nominations in **May**, Election in **June** Installation in **July**, Assumption of Duties in **July**. The Post Adjutant shall cause notice of the

annual election to be given at least two weeks prior to the election. The postings shall be in the **May** newsletter and on the bulletin boards located in the Post facility.

Membership Meetings & Quorum (III-VII-1, 2, 3 & 4, p13): Regular meetings shall be held at the Post 11-11 meeting room on the second Tuesday of each month less otherwise specified. A **Quorum** shall consist of eight (**8**) members which shall contain four (**4**) officers. The Post Commander or majority of the Executive Committee shall have the power to call a **Special Meeting**. Upon written request of 15 members, the Post Commander shall call a **Special Meeting**.

Post Newsletter (III-IX-3, p14): The post newsletters are mandatory. **Note:** Although not specified in the Constitution and By-Laws, the Executive Board and Post Legal Council have indicated the Post Newsletter is the Post's official communication.

Post Finances (II-VI-4, p5): Shall be entrusted to the Executive Committee, and accounted for by the Finance Officer.

Club Management (III-III-2, p7): Club management shall be under the Executive Committee.

Appointments and Standing Committees (III-VI-1, p10): Standing Committees include: 1) Americanism and Youth, 2) Ceremonials, 3) Business, 4) Building, 5) Legislative, 6) Sons of the American Legion and 7) Bingo. Such Standing Committees shall consist of such members and the chairman thereof as shall be designated by the Post Commander, or other committees as deemed necessary. The Post Commander shall appoint members of the standing committees and the Executive Committee shall approve or disapprove the Commander's appointments. Duties of the Standing Committees are detailed on pages 10 through 12.

Members of the Business, Building and Bingo committees shall include 3 members of the legion, and 1 member each from the SAL and Auxiliary. Only a Legion member of a committee shall be chairman or authorized to expend Legion funds as approved by the Executive Board. The Chairman is elected by the members of the committee. A committee member's term is 3 years, and the member may serve multiple continuous terms as approved by the Executive Board. **Note:** According to Sec. III-VI-1, the Post Commander or other committees may expand the Legion element of any Standing Committee. Also, the Post Commander can designate the Chairman of any Committee.

Note: At present expenditures exceeding \$500 for any one item or project must be first approved by the Executive Board.

House Policies: See Section IV on page 15.

February 1, 2013

Name: (II-I-1, p2):

The name of this organization shall be Joseph P. Kennedy Jr., American Legion-Post 11-11 (the "Post"): The location of the Post is 9959 Wadsworth Boulevard, Broomfield, Colorado 80021.

Application Approval or Rejection: (II-IV-3, p3):

All applications for membership, once presented, shall be acted upon by the Post Adjutant, when eligibility for membership has been determined, and post dues have been collected. The Executive Committee shall be convened at the applicant's request, if the applicant wishes to contest a ruling of ineligibility. An uncontested denial, or a ruling of the Executive Committee, shall not be reconsidered until a minimum of six (6) months have passed. However, the Post Adjutant may suspend an application if it is simply lacking proof of eligibility, and not be considered a denial of membership.

Expulsion: (II-IV-4, p3):

Any person known to been expelled from any post, shall not be granted membership of this post, without a hearing of the Executive Committee. If a member has become a member of this post, and it has been discovered that the member was expelled from another post, a hearing of the Executive Board *should* be convened to review the expulsion and determine it's effect **upon that individuals membership** at this post.

Qualification for Membership: (II-IV-6, p3):

To qualify for membership of this post, the applicant must be on active duty or meet the eligibility requirements set forth by The National American Legion.

Administrative Affairs: (II-V-1, p3):

The administrative affairs of this post of the American Legion shall, except as may be otherwise provided by the By Laws, be under the supervision of an Executive Committee which shall consist of all elected officers of the post, the immediate Past Commander, the District Executive Committeeman and **One Member at Large**. If an elected officer or District Executive Committeeman position is vacant, the position may be filled for the remaining term by an approved Post 11-11 member or until the vacant position is filled. All of the members of the Executive Committee will have only one vote each. The term of office of members of the Executive Committee shall be for one year. This post, by it's By Laws, may provide for such other standing committees as the business of the organization may require. The Post Executive Committee will oversee the administration of the financial policy, preparation of budget recommendations, and the supervision of, receiving, disbursing and accounting of all post funds.

Officers of the Post: (II-V-2, p4):

The officers of this post shall be: (1) Commander, (2) Senior Vice Commander, (3) Junior Vice Commander, (4) Adjutant, (5) Finance Officer, (6) Post Historian, (7) Post Chaplain, (8) Post Service Officer (9) Sergeant at Arms, (10) Legion at Large, and such other officers as may be deemed necessary by this organization, who will be nominated from the floor at the meeting preceding the annual election and at the meeting of the election. An Election Committee shall have ballots printed with names of all nominated for each post office. Any additional names that are nominated at the meeting of elections shall be printed on each ballot prior to the voting by the membership.

Conflict With The American Legion (II-X-1, p5):

This constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Colorado, The American Legion. Should the National American Legion, or the Department revise their Constitution and/or Bylaws, as such that this document is in conflict, a review of this document is required to bring it into alignment, and voted on by the membership at the next scheduled meeting.

Name (III-I-1, p6):

The Post existing under these Bylaws is to be known as Joseph P. Kennedy Jr.; American Legion- Post 11-11 (the "Post").

Entrustment: (III-II-1, p6):

The government and management of the Post are entrusted to an Executive Committee of a minimum of 9 and a maximum of 12 members to be known as the "Executive Committee."

Executive Committee Members: (III-II-2, p6):

The Executive Committee shall consist of up to 12 members including the Officers of the Post as stated in Section II, Article V of the Constitution. Officers of this post shall be elected annually with nominations at the regular **April** post meeting and elections held at the regular **May** post meeting. All elections of post officers and Executive Committeemen shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates. Installation will follow elections prior to assuming office. Assumption of office will take place at the **June** regular meeting following election. The Post Adjutant shall cause notice of the annual election to be given at least two weeks prior to the election on the Website, in the newsletter, and posted on the Bulletin board at the post.

Executive Committee Vacancies: (III-II-3, p7):

All vacancies existing in the Executive Committee, or in any office of the post from any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the Committee or Officer whom he succeeds. A

vacancy shall exist when a member or officer is absent without legitimate cause from his post for three (3) months, **or** a period considered detrimental to the interest of the post by the Executive Committee by 2/3rd vote. If a member is absent for three (3) months without legitimate cause they are considered resigned from their position(s).

Meetings of the Executive Committee: (III-III-1, p7)

The Post 11-11 Executive Committee shall meet for organization and such other business as may come before it at the call of the Executive Committee Chairman within 10 days after the installation of the new officers. Thereafter, the post Executive Committee shall meet at the call of the Executive Committee Chairman, or upon the joint written request of three (3) or more members of said Post Executive Committee. **Five (5)** members of the Committee shall constitute a quorum thereof. Any member of Post 11-11 may attend the Executive Committee meeting, but will not participate in the meeting except at the specific request of the Executive Committee Chairman. However, an Executive Committee meeting shall not be open to the membership in cases where personnel or disciplinary actions are being addressed.

Duties of Post Commander: (III-IV-1, p8):

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. The Commander 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 recommendations for the ensuing year, which shall be read at the annual meeting and a copy immediately forwarded to the department adjutant. He shall perform such other duties as directed by the Post.

Duties of the Senior Vice Commander: (III-IV-2, p8):

The Senior Vice Commander shall assume and discharge the duties of the office of Commander in the absence of, or when called upon by the Post Commander. The Senior Vice Commander is in charge of the promotion of membership. He will, as is deemed necessary, appoint a membership committee to assist in a membership drive.

Duties of the Junior Vice Commander: (III-IV-3 , p8):

The Junior Vice Commander shall assume the duties of the office of Commander in the absence or disability of both the Commander and the Senior Vice Commander. Particularly, they should be interested in patriotic observances of all kinds, in developing post activities, and in the entertainment features which mark all meetings. He will be concerned with the pageantry so closely associated with the Legion. He will assist the Post in providing social functions.

Duties of the Finance Officer: (III-IV-5: p8,9)

The Finance Officer of the Post shall monitor of all finances of Post 11-11 and recommend that they be safely deposited in a local bank(s) and shall report once a month to the Executive Committee the condition of the finances of the Post, with such recommendations as they may deem expedient or necessary for raising funds with which to carry on the activities of the Post. They shall furnish such surety bonds in such sums as

shall be fixed by the Post Executive Committee. The Finance Officer shall present to the membership at each monthly meeting, a monthly and year-to-date revenue and expenses statement. The Finance Officer shall monitor Post funds of each of the operating committees (Business, Building, and Bingo Committees), and any other sub-committees that may have an operational budget such as the Commander's Fund, etc. The Finance Officer may request an audit of Post 11-11 finances every 3 months, but shall implement an audit a minimum of one time each year.

Duties of the Post Service Officer: (III-IV-6 , p9):

The Post Service Officer is responsible for the benefit of members of this Post and for those war veterans particularly in need of their service. Assist veterans with various claims, make all veterans of the Post aware of the rights and benefits granted them by law. Assist veterans in need of employment. Make veterans needs known to the professionals who can help them. The Post Service Officer shall appoint ad hoc committees as needed for: (1) Veteran Affairs and Rehabilitation, (2) Graves and Registration and Memorial Services, (3) Economic Committee to assist veterans and visit veterans in hospitals.

Standing Committees: (III-VI-1, p9)

The Post Commander, immediately upon taking office each year, shall appoint the following standing committees: (1) Americanism and Youth Committee, (2) Business Committee, (3) Building Committee, (4) Bingo Committee. Such standing committees shall consist of such members and the Chairman thereof as shall be nominated by the Post Commander. The Executive Committee shall approve or disapprove all of the Post Commander's nominations.

Business Committee: (III-VI-3, p10):

The Business Committee shall arrange and organize for the carrying on of the affairs, management, and business of the Post Club as provided for in the Post By-Laws. The Business Committee shall have charge of all matters pertaining to the operation of the club (includes the bar, kitchen and hall), promotion of club advantages and arrangement for Post 11-11 social activities. The Areas of responsibility shall include, and subject to oversight by the Executive Committee, but shall not be limited to the following: Hiring of a Lounge Manager, salaries of all employees, vacation and sick leave policies, hours of operation, pricing of all merchandise sold, work with the Finance Officer regarding accounting and/or bookkeeping services, and recommend disciplinary action to the Executive Board of members and guests. The Business Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the business operations of Post 11-11. The Business Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee.

Building Committee: (III-VI-4, p10-11):

The Building Committee, under the supervision of the Executive Committee, shall have charge of all matters pertaining to the care of the Post quarters. The Building Committee shall arrange and organize for the stewardship of the property owned by Post 11-11. This shall include the building improvements, site improvements and personal property. The Building Committee shall perform an inventory of all Post 11-11 property once every two (2) years and shall keep accurate records regarding the addition of inventory items and the decommissioning of inventory items. The committee shall suggest repairs, renovations, and improvement to the property on a monthly basis at the monthly meeting of the regular membership. The committee can authorize emergency repairs without having a regular meeting, but all best effort must be made to contact other Building Committee members, Post Officers, Building Committee Chairperson and/or Lounge Manager. The Building Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the Post 11-11 facilities. The Building Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee. .

Bingo Committee: (III-VI-5, p11):

The Bingo Committee shall have charge of all matters pertaining to the operation of the bingo operations. The Bingo Committee shall be comprised of five members: three (3) shall be members of Post 11-11, one (1) member appointed by the Post 11-11 American Legion Auxiliary and one (1) member appointed by the Post 11-11 Sons of the American Legion (SAL) and approved by the Executive Committee. It is recognized that the Auxiliary and SAL are an integral part of Post 11-11 and have a vested interest in the bingo operations of Post 11-11. The Bingo Committee's responsibility shall include the efficient operation of the gaming machines. The Bingo Committee shall prepare and present to the regular membership by November 1 of each year, an annual budget, and shall present to the Executive Committee at each monthly meeting, a monthly and year-to-date revenue and expenses statement. The Bingo Committee Post 11-11 member terms shall be one (1) year. The Chairman *should* be a Legion member as preferred, but may be filled by any other member approved by the Executive Committee, and Legion members of the Committee shall be authorized to expend Legion funds as approved by the Executive Committee.

A minimum of three members of the Bingo Committee must be licensed by the State of Colorado as Bingo/Raffle Managers, and Post 11-11 shall assure that the members are trained and certified at the Post expense. The disbursement of bingo pay-outs shall be held STRICTLY CONFIDENTIAL by Bingo Committee, Lounge Manager, and/or Bar employee/volunteer, and no Bingo Committee member, Lounge Manager, and/or Bar employee/volunteers shall not purchase pull tabs while on duty.

Regular Meetings: (III-VIII-1, p12):

The regular meetings of the Post shall be held at the Post 11-11 meeting room monthly unless otherwise specified, at which time 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 the Post.

Special Meetings: (III-VIII-2, p12):

The Post Commander, Executive Committee Chairman, or a majority of the Executive Committee shall have power to call a special meeting of the Post at any time.

Post Newsletter: (III-IX-3, p12):

Post newsletters are mandatory. The Post Newsletter is the Post's official communication.

Paid up for Life Membership: (III-X-1, p13)

At the discretion of the Executive Committee, a Post Commander who has fulfilled his term of office and duties of said office in accordance with the Constitution and Bylaws of this Post *may* be given a Paid up for Life membership in the American Legion as an expression of appreciation of their service. This vote is taken by the incoming Executive Committee and subject to funds availability as determined by the incoming Finance Officer.

Suspension and Expulsion of Members: (ARTICLE I, p14):

The Executive Committee shall have the authority to suspend or expel any members of the American Legion, Sons of the American Legion, Jr. or Auxiliary who have been reported for conduct in the club that was in violation of the post Constitution and By-laws, house rules or conduct that disturbed the peace and well being of the members in the club. Suspension or expulsion shall be from club privileges only. The Business Committee will give written notice to any member who has been reported to them for any infraction and they will listen to all evidence concerning the incident and will determine an appropriate action based on the following guide lines, but may be modified by the Executive Committee at their sole discretion, by 2/3rds vote of the Board:

A. MINOR INFRACTIONS

1. **FIRST OFFENSE:** verbal or written reprimand with no suspension.
2. **SECOND OFFENSE:** written reprimand with suspension up to 30 days.
3. **THIRD OFFENSE:** minimum 30 day suspension
4. Minor infractions shall include, but are not limited to:
 - a. Bad Language
 - b. Intoxication
 - c. Verbal abuse of other members or employees
 - d. NSF checks that have been unredeemed for a period of 10 days and whose value does not exceed \$100.00.

B. MAJOR INFRACTIONS

1. **FIRST OFFENSE:** minimum 30-day suspension.

2. **SECOND OFFENSE:** minimum 90 day suspension.
3. **THIRD OFFENSE:** within a two year period, automatic expulsion or other punishment determined at the discretion of the Executive Committee.
4. **Major infractions shall include, but not limited to**
 - a. NSF checks over \$100.00
 - b. Physical abuse of other members or employees
 - c. Destruction, theft or abuse of Post property, or
 - d. Flagrant violation of the house rules.
 - e. Lewd or indecent acts (this was moved from minor infractions)

Article 2 – Marijuana and other illicit substances

The Executive Committee has made some determinations in this area for the purposes of maintaining a family atmosphere. We do not wish to expose any drug or drug use to minors at any time and further we do not wish to subject our membership to persons using these drugs.

- C. The Executive Committee has determined that even though the State of Colorado has deemed Marijuana use and possession as legal, we do not permit it's use on any part of the property of the Post. Furthermore, any person who has it on their person will be asked to leave the premises and may be banned from the property at the discretion of the Lounge Manager, or any bar personnel. Any such incident must be reported to the Executive and Business Committees.
- D. The Executive committee has determined that any street or illicit drug is not permitted on the premises or to be used on the premises at any time. Furthermore, any person who has it on their person will be asked to leave the premises and may be banned from the property at the discretion of the Lounge Manager, or any bar personnel. Any such incident must be reported to the Executive and Business Committees.

Article 3 – Smoking of tobacco and tobacco products

The Executive Committee has determined that the use of tobacco and tobacco products, exclusive of substances outlined in Article 2, are permitted outside or on our covered patio.

- C. We ask that all members respect that other members do not smoke, and that there are minors on the premises from time to time, and that they respect their desire to avoid the smoke.
- D. We ask all who smoke to properly dispose of their butts when finished exercising your right to smoke.

Section V: Committee Rules (Added 1/14/2013 as approved)

Purpose: To establish general rules for the Post in regards to Committees; How they are formed, and how they conduct business within the guidelines of general conduct of the Post.

SECTION I: Formation of Committees

All Committees must have a Chairman that is appointed by the Executive Committee. The Chairman should be a Legion Member (whenever possible). The following Committees listed here have specific membership requirements.

- ***Americanism and Youth Committee (Not specified) BYLAWS REF: III-VI-2***
- ***Business Committee(5 Members) BYLAWS REF: III-VI-3***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
- ***Building Committee(5 Members) BYLAWS REF: III-VI-4***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
- ***Bingo Committee(5 Members) BYLAWS REF: III-VI-5***
 - ***3 Members Must be American Legion***
 - ***1 Member Must be American Legion Auxiliary***
 - ***1 Member Must be Sons of the American Legion***
 - ***There can be only 1 Family member in the Committee (Including across Organizations)***
 - ***A minimum of 3 Members of the Bingo Committee must be licensed Bingo/Raffle Managers certified by the State of Colorado***

Ad Hoc Committees shall be formed by the Executive Board as needed. These may consist of primarily:

- ***Membership Committees***
- ***Voting Committees***
- ***Other Committees not specified as needed***

The Chairman may appoint members to their committee once the Chairman is confirmed by the Executive Committee. All appointments are subject to approval by the Executive Board.

Section II: Financial Rules of Committees

- *At no time may any Member incur any liability or obligation which will subject the Post to any liability, subdivision, group of men, members of the American Legion, or other individuals, corporations, or organizations. BYLAWS REF: III-XII-1*
 - *No member may borrow or loan the Post money without specific resolution by the Executive Board*
 - *No cash monies shall leave the Post unless it is going to the bank*
 - *No monies shall be paid to a member or other person without the specific authorization of the Executive Board*
 - *The Chairman may direct funds to be disbursed to vendors or other liabilities to approved Vendors and such that facilitate the normal operation of the Post*
 - *The Chairman may not direct monies to him/herself without the approval of the Executive Board*
 - *All expenses and invoices must be reviewed by the Finance Officer*
 - *The Finance Officer may not be on any Committee*
 - *If there is no Finance Officer, or the Finance Officer is unavailable, a Post Officer not on the Committee may approve or review as directed by the Executive Board*
 - *No Post funds may be used to purchase for itself or for any raffle or game of chance that is in the following categories without a specific order from the Executive Board*
 - *Negotiable instruments*
 - *Stocks or Bonds*
 - *Precious Metals*
 - *Commodities or Futures*
 - *Minerals*
 - *Currencies*
 - *Real Estate or Derivatives*
 - *Firearms or ammunition*
 - *In general the Post should only raffle off items donated to the Post at no cost to the Post*
 - *All Raffles must be approved by the Executive Board before it is scheduled*
 - *All original documents (not a copy) must be presented to the Executive Board if any expense or payment may be incurred for the Executive Board's approval*
 - *If a raffle is approved AND an expense is to be incurred, the raffle tickets sold MUST exceed the cost of the purchased item before a drawing can be held*

Bank Accounts

- *At least 2 Members of the Post should be signers on each bank account*
- *No one may be on the bank account that is not an American Legion Member*
 - *The only exception is the Chairman if they are not a Legion member as voted in by a variance by the Executive Board*

Section III: Committee Meetings

- *The Chairman shall call a Committee meeting at a minimum of quarterly to discuss ALL manners within the authority of the committee*
- *3 members of any committee may direct the Chairman to have a meeting if there is a matter of urgency*
- *The Committee is run on a 2/3 majority vote at all times*
- *The Chairman is a non-voting member except to break a tie*

Section IV: Reporting Requirements

- *All committees are expected to yield a report at the monthly meeting to the Executive Board*
- *At least 1 representative of every committee should be present at the monthly meeting*
- *All committees dealing with any fiduciary responsibilities will yield a written account of their activities*
- *All committees assigned a bank account shall yield a copy of the bank statement to the Finance Officer monthly and have it ready for any member's inspection at the meeting*

Section V: Discipline

- *The Chairman may change the membership of their committee for the following reasons*
 - *A Member does not attend 3 or more meetings with proper notice*
 - *This member is entitled to an appeal to the Executive Board*
 - *A Member is disruptive in a meeting*
 - *This member is entitled to a full hearing of the Executive Board*
 - *A Member shirks their responsibilities*
 - *This member is entitled to a full hearing of the Executive Board*
 - *A Member is no longer in good standing to the Post*
 - *This Member must be brought before the Executive Board*
 - *If a Chairman is not performing their duty*
 - *3 Members of the Committee may request a hearing before the Executive Board*