By-Laws Of
Leyden-Chiles-Wickersham
Post No. 1

The American Legion
Department Of Colorado

Adopted: 18 March 1977
Amended: 10 May 2011

ARTICLE I
Name

Section 1. The Post existing under these By-laws is to be known as Leyden-Chiles-Wickersham Post No. 1, The American Legion, Department of Colorado; presently located at 5400 East Yale Ave., Denver, Colorado 80222-6905.

Section 2. The objects and purposes of this Post are as set forth in the Constitution.

ARTICLE II
Management

Section 1. The governance and management of the Post shall be exercised as set forth in Article IV of the Constitution.

Section 2. The Post Executive Board shall consist of nine (9) elected members in addition to the officers of the Post as described in Article V, Section 1 of the Constitution and together with the other officers of this Post shall be elected as set forth in Article V, Section 1 of the Constitution.

ARTICLE III
Elections

Section 1. At the first regular meeting in February of each year, the Commander shall appoint and announce the names of the Election Committee, which shall be publically posted following such meeting. It shall be the duty of said Committee to hold at least one public meeting at which suggestions as to nominees shall be received and considered, and notice of such meeting or meetings shall be given by an appropriate public announcement

Section 2. At the meeting which the Election Committee makes its report, nominations shall be received from the floor for the office of Commander and for all other elected officers whether or not the Election Committee has designated candidates therefore.

Section 3. All candidates for Post offices must show eligibility as a member of The American Legion and this Post.

Section 4. Each candidate for an office, other than Commander, shall be entitled an article an official publication of the Post, a statement of not more than 300 words with respect to his qualifications, together with a one column picture. Candidates for Commander shall be entitled to 500 words with a one column picture.

Section 5. Annual election of officers and members of the Executive Committee shall be held on the day of the first regular meeting in May of each year. The election shall be conducted by an Election Committee, to consist of not less than three members of the Post who are not themselves candidates. The Executive Committee shall determine the type of ballot to be used. The position of each candidate's name on the ballot shall be determined by a drawing at the regular Post meeting in April and all ballots will be identical. The Election Committee shall take appropriate steps to safeguard the purity of the election and the Sergeant-at-Arms and assistants may assist in this regard. The polls shall open at noon of the day fixed for election and shall remain open until 7:00 pm. The Election Committee shall then count the ballots or, if machines are used, open the same, and as soon as possible advise the Commander of the results of the election. The candidate or candidates receiving the highest number of votes (simple majority) shall be elected to the respective office or offices for which they are candidates. The Commander shall then make an announcement of the names of the successful candidates. The report of the Election Committee showing the number of votes cast for each candidate shall be filed in the office Adjutant and be open to the inspection of any of the candidates.

(a) Should a tie vote be recorded for any candidates for a Post office, the members registered as having voted between the hours set forth in Section 5 of this Article will be mailed a ballot listing the names of Candidates involved in the tie. A stamped envelope addressed to the Election Committee will be mailed with the ballot. The marked ballot must be forwarded to the Post within ten days of receipt. Should a tie vote still exist after tabulation of the mail-in ballots by the Election Committee, a special meeting of the Post Executive Board shall be called by the Commander, where a determination as to the winning candidate(s) will be made by such means as established by a majority of the Post Executive Board members present, in the presence of a quorum.

(b) Failure to adhere to these election rules may invalidate the election results. The Post Executive Board shall call a special meeting to resolve any issues and finalize the election results. The decision of the Board is final.

Section 6. Officers shall be installed and take office at the next, regularly scheduled monthly Post meeting following the election. No other business may be brought before this meeting, only acceptance speeches and entertainment shall be permitted.

ARTICLE IV
Post Executive Board

Section 1. The Post Executive Board shall meet for organization, to formulate Post policies for the ensuing fiscal year, to act on the prepared Post operating budget as proposed by the Finance Committee for the ensuing year, and such other business as may come before it. The Commander shall preside at all meetings of the Post Executive Board.

Section 2. The Post Executive Board shall approve the Commander's appointment of an Adjutant and Service Officer, and establish a reasonable monetary compensation. It shall also approve recommended salaries and benefits for all Post employees.

Section 3. The Post Executive Board quorum shall consist of seven (7) members.

Section 4. The Post Executive Board shall require adequate bonds from all persons having the custody of Post funds; shall hear the reports of all committee chairmen; and shall generally have charge of and be responsible for the management of the affairs of the Post.

Section 5. Annual Budget: The Finance Committee shall meet and formulate and present an annual budget to the members of the Post Executive Board for approval at their meeting in July, or at a special meeting.

ARTICLE V
Committees

The following committees shall be composed of and assist the Post Executive Board as follows.

Section 1. Finance Committee

(a) Composition and term: This committee shall consist of a chairman and three (3) members. The chairman shall be the Finance Officer of this Post. The members shall be appointed by the Commander with approval from the Post Executive Board. No regularly paid employees of the Post, except the Adjutant, shall be members of this committee. The three members of the Finance Committee shall serve a one (1) year term beginning with the Post fiscal year, July 1.

(b) Duties of Finance Committee: The Finance Committee shall be charged with the administration of the financial policy established by the Post Executive Board; supervision of receiving, disbursing, and accounting of all Post funds; and preparation of the annual budget for approval of the Post Executive Board.

Section 2. House Committee

(a) Composition and term: The House Committee shall be nine (9) members of the Post consisting of the Commander, Senior Vice Commander, two Junior Vice Commanders, Finance Officer, Memorial Board Representative, and three (3) members at large appointed by the Commander. The Commander shall appoint the Chairman and a Vice Chairman of the House Committee, and shall appoint three (3) members to the House Committee, with the consent of the Post Executive Board. The Post Adjutant, Building Manager, and Bar Manager shall be members without vote. The Adjutant shall act as Secretary. Any vacancy occurring by death, resignation, disqualification or inability to serve shall be filled by the Commander with the consent of the Post Executive Board.

(b) Duties of the House Committee: The House Committee shall be accountable to the Post Executive Board for the proper and efficient operation of the business and maintenance functions for the Post functions.

(c) Incurring Contractual Obligations: All contracts, agreements, or obligations of whatever nature, except for ordinary and necessary routine business and maintenance operations, shall be approved by the Post Executive Board before signing of said agreements or contracts.

(d) Paid Employees: No regularly paid employees of this Post shall be eligible to be a voting member of the House Committee.

(e) Forfeiture of Appointment: Appointed members can be removed for absenteeism or any other cause with a majority vote of the members, at a regular or special meeting of the Post Executive Board, in the presence of a quorum.

(f) House Rules: The House Committee shall have the power to adopt such rules deemed necessary to carry out the functions delegated by the Post executive Board.

(g) Quorum: The House Committee quorum shall consist of five (5) members.

Section 3. Personnel Committee: The Personnel Committee will consist of three (3) members to include the Commander, the Adjutant, and the House Committee Chairman. The Personnel Committee will rule on all matters concerning hiring, firing, and/or serious disciplinary actions (members and employees) referred to said committee, by a majority vote.

Section 4. Planning Committee: This committee will meet monthly to plan for such social and/or fund raising activities as can reasonably initiated within the framework of the Post Constitution and Bylaws. Such activities requiring the use of Post equipment or facilities shall be submitted to the House Committee for approval and such activities requiring funding shall be submitted to the Post Executive Board for approval.

ARTICLE VI
Duties of Officers

Section 1. Duties of Post Commander: It shall be the duty of the Post Commander to preside at all meetings of the Post and have general supervision over the business and financial affairs of the Post, and such officer shall be the Chief Executive Officer of the Post. He/she shall make a monthly report covering the business of the Post, and recommendations for the ensuing year. He/she shall be one of several authorized by the Post Executive Board to sign all checks disbursing monies of the Post. He/she shall perform such other duties as directed by the Post Executive Board or the General Membership of this Post.

Section 2. Duties of Senior Vice Commander: It shall be the duty of the Sr. Vice Commander to act as Commander if the Commander shall be unable to perform his/her duties, and shall have other duties as may be enjoined upon him/her by the Commander or the Post Executive Board.

Section 3. Duties of Junior Vice Commanders: The First Junior Vice Commander shall assume the duties of the Senior Vice Commander in the absence or disability of, or when called upon by the Post Commander, or shall have such duties as are enjoined upon him/her by the Commander or the Post Executive Board.

Section 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 Organization may require; render reports of membership annually or when called upon at a meeting, check and assist the work of the other officers and committees, publish official orders and announcements; and under the direction of the Commander, handle all correspondence of the Post. The Adjutant shall have other duties as may be enjoined upon him/her by the Commander or Post Executive Board as set forth in a job description approved by the Post Executive Board or by the General Membership of the Post.

Section 5. Duties of Finance Officer: The Finance Officer of the Post shall have charge of all finances and see that they are safely deposited in some local bank or banks and shall report once a month to the Post Executive Board, the condition of the finances of the Post, with such recommendations as he may deem expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall serve as chairman of the Finance Committee. He/she shall furnish such surety bonds in such sum as fixed by the Post Executive Board. The Finance Officer shall be one of several authorized by the Post Executive Board to disburse all monies of the Post.

Section 6. Duties of Post Historian: The Post Historian shall be charged with the individual records and incidents of the Post and Post members, and shall perform such other duties as may properly pertain to the office as may be determined by the Commander or the Post Executive Board.

Section 7. Duties of Post Chaplain: The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will offer divine, but non-sectarian, service in the event of

Dedications, Funerals, Public Functions, etc., and adhere to such rituals as are recommended by the National or Department Headquarters from time to time.

Section 8. Duties of 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 by the Post Executive Board or the Post Commander.

Section 9. Duties of Post Service Officer: The Post Service Officer is responsible for bringing to the attention of all veterans and their dependents the rights and benefits granted them by law. He/she must know how to utilize the expert services available through Legion channels, as well as those of other agencies in his/her community. He/she shall give advice and assistance to veterans, widows and children of veterans on how to comply with Veteran Administration requirements for obtaining benefits provided by the Veterans Administration. He/she shall visit the sick at the Veterans Administration Hospital to determine whether they have need for assistance in obtaining benefits from the Veterans Administration. Dependents of a veteran should be visited as soon as feasible after a veteran's death. He/she shall maintain records and files on all veterans, widows and dependents of veterans who seek and to whom assistance from him/her.

ARTICLE VII
Delegates

Section 1. Delegates and alternates to a Department Convention shall be elected at a regular meeting of the Post, to be held at least twenty (20) days prior to the date of such Convention. Reimbursement for delegate expenses shall be determined by the Post Executive Board.

Section 2. The immediate Past Commander shall be the Chairman of the delegation from this Post to the Department Convention. In the event of his failure, refusal, or inability to head such delegation the current Commander shall be the Chairman of the delegation.

ARTICLE VIII
Appointments and Other Committees

Section 1. The Post Commander, immediately upon taking office each year, should appoint at least five (5) members (one of whom shall be the Chairman) to the following committees: Americanism (including Baseball, Boys State, Oratorical, and Boy Scout committees), Ceremonials, Children & Youth, Economic, Foreign Relations, Grave Registration and Memorial, Legislative, Membership, Public Relations, Veteran Affairs and Rehabilitation, National Security, Sons of The American Legion, Visiting or V.A.V.S. and the Planning Committee.

Section 2. Americanism Committee: The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observances of patriotic occasions; encouragement of patriotic and civic American propaganda by education of the general public in American ideals through public forums, etc., and activities for community

and civic betterment, such as the Baseball program, Boys State program, Boy Scouts, the Oratorical program, etc.

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

Section 4. Children & Youth Committee: This committee 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 an 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".

Section 5. Economic Committee: The Post Economic Committee is primarily concerned with local employment programs, Veterans preference, government employment and re-employment rights.

Section 6. Foreign Relations: This committee has become active as America has recognized its responsibility as a world leader. Maintaining and securing world peace and friendship abroad through community endeavors have become as essential as any aspect of treaty law.

Section 7. Graves Registration and Memorial Committee: The duties of this committee involve recording grave sites and complete information on veterans burial in cemeteries assigned to the Post. Special assistance can be given the Service Officer in providing flags, headstones or proper interment in National Cemeteries.

Section 8. Legislative Committee: The Legislative Committee needs to have knowledge of what is going on in the National Congress, State Legislature and City Council…what we favor or oppose, and should be ready to initiate action in support of our position when requested by the National or Department Organization.

Section 9. Membership Committee: The Membership Committee shall have charge of all matters pertaining to the membership of the Post, including the procuring of new members, reinstatements and eligibility of members.

Section 10. Public Relations Committee: The Public Relations Committee shall be charged with the promotion of public support of the Legion's program by establishments of proper contact with The American Legion Magazine, Department and National Legion News Service, by local publicity of Post programs and activities, and by providing speakers for local or state community functions and activities.

Section 11. Veterans Affairs and Rehabilitation Committee: The Veterans Affairs and Rehabilitation Committee shall supervise all matters pertaining to service to comrades in the

prosecution of all just claims against the United States or state governments, employment, relief, etc.

Section 12. Security Committee: The Security Committee shall work with and coordinate Legion efforts with the local Civil Defense Council on matters pertaining to national, civilian and home defense. It shall assist the armed forces of the United States in recruiting efforts and in every way be active in community activities of the defense of the nation and security of the American home.

Section 13. Sons of The American Legion Committee: This committee shall have supervision over the operations of the Post's squadron of the Sons of The American Legion.

Section 14. Visiting or V.A.V.S. Committee: This committee is charged with the visiting and comforting members and their families when sick or bereaved and with visiting ex-servicemen in nearby hospitals.

ARTICLE IX
Meetings

Section 1. The Post Executive Board shall meet at the Post home on such day and time, as determined by the Board members. Special meetings of the Board or Committees may be called by the Post Commander, Board/Committee Chairman, or by any three (3) members of a committee, by verbal notification at least twenty-four (24) hours prior to the convening of such special meeting.

Section 2. Regular meeting of the Post shall be held at the Post home at 7:00 PM on the second Tuesday of each month. At the first meeting following the election of new officers, the meeting dates and time may be changed by the General Membership by majority vote in the presence of a quorum.

Section 3. Special meetings of the Post shall be held as set forth in Article VIII, Section 3 of the Constitution.

Section 4. Special meetings of any of the Committees may be called by Post Commander, Committee Chairman, or by any three (3) members of a Committee by verbal notification at least twenty-four (24) hours prior to the convening of such special meeting.

Section 5. Regular meetings of the Committees shall be set by the Post Executive Board.

ARTICLE X
Notices

Section 1. No notice of regular meetings of the Post shall be required.

Section 2. Notice of special meetings of the Post shall be publically posted by the Adjutant; such publication to be at least ten (10) days before the meeting. A brief statement of the purpose of the special meeting shall appear in the notice.

Section 3. The Commander shall notify each member of the Post Executive Board of all special meetings of the Board; the same to be publically posted not less than three (3) days, or twenty-four (24) hours oral notice, before the meeting. In cases of special meetings, the notice shall contain a brief statement of the purpose of the meeting.

ARTICLE XI
Limitations of Liabilities

Section 1. This Post shall incur, or cause to be incurred, no liability nor obligations whatever which shall subject to liability any other Post, subdivision, group of men, members of the American Legion, or other individuals, corporations or organizations.

ARTICLE XII
Amendments

Section 1. These Bylaws may be amended at any regular Post meeting by a majority vote of the General Membership of said Post attending such regular meeting in the presence of a quorum; provided that the proposed amendment shall have been submitted, in writing, and read at the next proceeding regular meeting of said Post; and provided further, that a public posting will be made available to all members following the regular meeting at which the proposed amendment(s) was first read. The public posting shall provide a synopsis of the proposed amendment and a statement that it will be voted on at the first regular meeting of the Post following the publication.

ARTICLE XIII
Miscellaneous

Section 1. Conflict of Bylaws and Constitution: When it shall be determined by a majority vote of members at a regular Post meeting in the presence of a quorum that a Section or Sections of the Bylaws in conflict with one or more Articles or Sections of the Constitution, that Section or Sections of these Bylaws in conflict shall immediately become null and void and shall be as if it or they had never existed.

Section 2. Fiscal Year of the Post: The business fiscal year of this Post shall commence at 12:01 am on July first and end at midnight on June thirtieth the following year. The Books of Account shall be maintained on a double entry system in accordance with generally accepted accounting principles.

ARTICLE XIV
BYLAWS DOCUMENTATION CONTROL

Section 1. In order to ensure the Post Executive Board, Committees; and all Post Members are accessing the most current version of the Post Bylaws, a documentation control page will be the last page of the official Post Bylaws document. It will contain a document version number. That number will begin as one (1), the approval of the General Membership, of the changes made to the Post Bylaws document in May of 2011. It will be incremented by one (1) each time a subsequent revision/modification is made to any portion of the Post Bylaws documentation.

Section 2. The version number will be entered at the bottom of each page of the Post Bylaws document and must be the same number on each page and in agreement with the version number on the document control page.

Section 3. The Post Adjutant will be responsible for the maintenance of the Post Bylaws document and the accuracy of version control. No modifications shall be made to the Post Bylaws document except as a result of a motion and approval of the General Membership, as documented in the minutes of the General Membership meeting.

Section 4. The Post Executive Board will review all updates of this document and certify all changes, deletions, or modification are consistent with the actions approved by, and documented in the minutes of, the General Membership.

Documentation Control Page

Version Number	Date	Summary of Change
1	10 May 2011	Baseline review and changes throughout the entire document. Changes presented to the General Membership on 12 April 2011 and accepted at the General Membership meeting on 10 May 2011. Changes include, but are not limited to, size and composition of boards and committees, quorums, organizational alignment, procedures, grammar and spelling, and the additional of addition of a documentation control page. Total pages: 11

This document was certified by review of the Post Executive Board, following approval of the General Membership.

Trudi Plimpton
Adjutant

Al Taylor
Post Commander