



**BY-LAWS OF GEORGE BEACH POST 4  
THE AMERICAN LEGION  
DEPARTMENT OF COLORADO**

**Article I**

**Section 1:** The Post existing under these By-Laws is to be known as GEORGE BEACH POST No. 4, The American Legion, Department of Colorado.

**Section 2:** The objects of this Post are as set forth in the Constitution.

**Article II—Management**

**Section 1:** The government and management of the Post is entrusted to the Executive Committee.

**Section 2:** The Executive Committee shall be elected annually on the 1<sup>st</sup> Wednesday of April and take office at the next meeting following that of the election.

- A. Whereas any officer shall ask permission of the Executive Committee with advanced written notice, that he or she wishes to be nominated for a position on the Executive Committee or officer of George Beach Post No. 4, if they are unable to attend said meeting.
- B. The exception to attendance at the annual meeting is that the nominee(s) for Post Commander must be present at the meeting.

**Section 3:** A member accepting a nomination for an Executive Committee position must, upon accepting said nomination, provide written proof of eligibility for membership in the American Legion

**Section 4:** All vacancies existing in the Executive Committee from any cause other than expiration of the term shall be appointed by the Executive Committee. A person so appointed shall be approved at the next general membership meeting and he/she shall hold office for the un-expired term of the member of the committee whom he succeeds. A vacancy shall exist when a committee member is absent for a period of time that is considered detrimental to the post by the Executive Committee.

**Section 5:** Whereas all officers shall not be under the influence of any drug or alcohol during any meeting, including general membership or Executive Committee meeting of Post No. 4.

- A. Whereas all officers shall attend at least 80% of all meetings, with priority being the Executive Committee and general membership meetings. Failure to attend 80% of the Executive Committee and general membership meetings without excuse, defined as a medical illness or excused absence, is cause for dismissal from the Executive Committee by two thirds vote of the Executive Committee. Any Officer removed under the provisions of this paragraph or the Constitution, (Article V, Section 3) is not eligible to be nominated for the position of Post Commander.
- B. Whereas, all officers shall fulfill their duties as an officer working for the betterment of The American Legion as set in such By-Laws.

**Article III—Executive Committee**

**Section 1:** The Executive Committee shall meet at the call of the Post Commander as often as said commander may deem necessary. The Post Commander shall call a meeting of the post Executive

Committee upon request of three or more members of said committee. A majority of committee members in attendance shall constitute a quorum thereof.

**Section 2:** The Executive Committee shall authorize and approve all expenditures, shall hear the reports of the Post Commander, and generally have charge of and be responsible for the management of the affairs of the post. The Post Commander, with the approval of one other officer, may expend or authorize expenditure(s) up to \$600 without prior approval of the Executive Committee when the expenditure is not budgeted, is an unplanned expense, or has not been discussed and is in the good interest of the post. Such expenditures shall be reported to the Executive Committee.

**Section 3:** The Post Commander and Executive Committee will obtain approval from the general membership for any expenditures over \$5,000. An exemption can be made when the disbursement has to be made in between general meetings and is necessary to preclude shutdown of post facilities.

**Section 4:** The Executive Committee shall annually establish procedures for the Post Commander or Service Officer to authorize timely expenditures for Veterans in need of assistance wherein time is critical to alleviate their condition. Disbursements of direct cash to veterans is prohibited.

#### **Article IV—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 to have general supervision over the business and affairs of the post, and such officer shall be the chief executive officer of the post. He shall approve all orders directing the disbursement of funds and make an annual report covering the business of the post for the year, recommendations for the ensuing year, a copy thereof forwarded to the Department Adjutant. He shall perform such other duties as directed by the post.

**Section 2: *Duties of First Vice-Commander.*** Duties of the First Vice Commander: The First Vice Commander shall assume and discharge the duties of the office of the Post Commander in the absence or disability of, or when called upon by the Post Commander. Membership and retention is a primary concern of the First Vice Commander.

**Section 3: *Duties of the Second Vice-Commander.*** The Second Vice Commander shall in the absence of the Post Commander or First Vice Commander, serve in their capacity. He will also perform other duties as determined by the post. The Second Vice Commander is responsible for building an atmosphere in which Legionnaires have fun while accomplishing the mission of the American Legion Post.

**Section 4: *Duties of Post Adjutant.*** The Post Adjutant is the primary administrative officer for the post. The Post 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 and when called upon at a meeting, and under direction of the Post Commander handle all correspondence of the Post.

- A. The Post Adjutant shall be empowered to select an assistant adjutant, should he so desire. Said assistant shall then be approved by the Executive Committee.
- B. The Assistant Adjutant shall be accorded all the rights and privileges of an Executive Committee Officer
- C. If said Assistant Adjutant is not appointed, said position shall not be considered a vacant chair of the Executive Committee.

**Section 5: *Duties of the Finance Officer.*** The Finance Officer of the post shall have charge of all finances and see that they are safely deposited in a local bank or banks and shall report once a month to the Executive Committee the condition of the finances of the post.

**Section 6: *Duties of Post Historian.*** The Post Historian shall be charged with the individual records and accomplishments of the post and post members and shall perform other duties as may properly pertain to the office and as may be determined by the post Executive Committee. At minimum, post newsletters, and minutes of general membership meetings should be bundled together and filed at year end.

**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 ceremonial rituals as are recommended by the department of national 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 assigned to him by the post Executive Committee. The Sergeant-At-Arms will normally prepare the meeting room for general membership meetings.

**Section 9: *Duties of Post Service Officer.*** Duties of the Post Service Officer: The Post Service Officer shall act as the chairman of the service committee and will provide liaison between other veteran organizations and veterans served by the post in order to promote the welfare of veterans and their dependents in the community. The service officer will work closely with the Larimer County Service Officer.

**Section 10: *Duties of the Post Judge Advocate.*** The Post Judge Advocate is to supply professional advice in the conduct of the post business or to procure proper counsel. The Post Judge Advocate is the guardian of constitutional form of post government. The Post Judge Advocate and legal committee shall complete an annual audit just before the election of officers or more frequently at their discretion of post financial accounts.

**Section 11:** All officers should be familiar with their respective duties as outlined in the American Legion Officer Guide. They should assist the Adjutant in preparation of the consolidated Post report (CPR), or other Department reports, applicable to their position.

### **Article V—Delegates**

**Section 1:** Delegates and alternates to a Department convention shall be determined by the Post at a regular meeting of the Post, to be held at least 20 days prior to the date of such convention. convention.

### **Article VI—Appointments**

**Section 1:** The Post Commander, upon taking office each year, shall appoint one or more of the following committees: Americanism, Boys State, Children and Youth, Economic, Finance, Graves registration and Memorial, House Committee, Legislative, Membership, Public Relations, Veterans Affairs and Rehabilitation, National Security, Sons of The American Legion, and Visiting of Veterans Administration Voluntary Services. If a Scout Troop is sponsored, appoint a Charter Organization Representative (COR)

**Section 2:** All members appointed to said committees must provide written proof of eligibility for American Legion membership before assuming such positions.

**Section 3:** Duties of said committees shall be as described in Section 1 of The American Legion Officer's Guide.

#### **Article VII—Resolutions**

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

#### **Article VIII—Meetings**

**Section 1:** The regular meeting of the Post shall be held at the club on the first Wednesday of each month, at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings as may be deemed advisable by the officers of the post.

**Section 2:** The Post Commander or a majority of the Executive Committee shall have power to call a special meeting of the post at any time.

**Section 3.:** General membership meetings, except for the annual meeting, may be held electronically when conditions preclude in-person meetings. Members will be notified 48 hours in advance of date, time, and procedures to join the meeting. The Post Commander may elect to simulcast any membership meeting electronically. Meetings will be conducted in accordance with the established format of in-person meetings.

**Section 4.** The quorum for a general membership meeting is eight (8) members attending including the Commander and electronic meeting participants.

#### **Article IX—Notices**

**Section 1:** Every member shall furnish the Post adjutant with his/her address for mailing purposes.

**Section 2:** The Post adjutant shall cause notice of the annual election to be given at least thirty (30) days thereto.

## **Article X – Membership Eligibility**

**Section 1:** Eligibility requirements for membership in George Beach Post No. 4, shall be the same as those defined in The American Legion National Constitution under Article IV: Eligibility: Persons applying for new membership in The American Legion Post No. 4 will not be issued an American Legion membership card until he or she show proof of honorable service in the form of a DD-214 or other official discharge documents.

**Section 2:** Members in good standing of another American Legion post, including National and Department Holding Posts, will be transferred to Post No. 4 and issued a Post No. 4 membership card after completion of that pertinent portion of a “Member Data Form” and receipt of proof of eligibility in the form of a DD-214 or other official discharge documents.

**Section 3:** If the eligibility of a person wishing to become a member of Post No. 4 is questionable in the judgment of the Post Adjutant, that person’s application for membership, along with any other applicable information, will be presented to the general membership at a general membership meeting. At that meeting the general membership will determine, by vote, the eligibility of the applicant. The post adjutant will present all new applications at any general membership meeting.

**Section 4:** Post No. 4 will follow the procedure in the official National Officers Guide and Manual of Ceremonies titled “Practice and Procedures in the Expulsion or Suspension of a Member of The American Legion.”

**Section 5:** Any member may, with due cause, be denied access to post facilities, except general membership meetings. Notification of that action must be provided to the affected member in writing.

**Section 6:** Membership cards are valid through December 31<sup>st</sup> of the year printed on the card. As of January 1<sup>st</sup>, members without current cards will lose all club privileges.

## **Article XI—Rules of Order**

**Section 1:** All proceedings of this Post shall be conducted under and pursuant to Robert’s Rules of Order, Newly Revised; except, as herein otherwise provided.

## **Article XII—Limitations of Liabilities**

**Section 1:** The Post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Post, subdivision, members of The American Legion, or other individuals, corporations or organizations.

## **Article XIII—Amendments**

**Section 1:** The By-Laws may be amended at any regular post meeting by a vote of two-thirds of the members of said post attending such regular meeting: Provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said post: and, provided, further, that written notice shall have been given to all members at least 30 days in advance of the date when such amendment is to be voted upon, notifying said members at such meeting a proposal to amend the By-Laws is to be voted upon.

This Revision, dated March 4, 2023, rescinds the previous amendment, dated June 1, 2015, to Article 9, Proxy Voting.

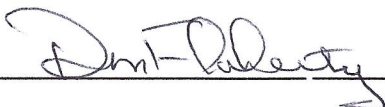
This Revision, dated March 4, 2023, incorporates the provisions of the June 1, 2015 Amendment to Article IV, Duties & Obligations of Officers into Article II of this revision.

This revision clarifies financial responsibilities of the Post Commander and the Executive Committee.

This revision clarifies the duties of officers.

This revision of the George Beach Post No. 4 Bylaws passed by the general membership on March 4, 2023

CERTIFIED BY:

PRINT Don FLAHERTY SIGNATURE  DATE 3/4/2023  
Post No.4 Adjutant

PRINT MANUEL MADRID SIGNATURE  DATE 03/04/2023  
Post No.4 Commander