

CONSTITUTION AND BYLAWS
AMERICAN LEGION LINCOLN POST 50, Department of Colorado
PALISADE, COLORADO
Charter established: August 10, 1920



PREAMBLE TO THE CONSTITUTION OF THE AMERICAN LEGION

For God and Country we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States; To maintain law and order; To foster and perpetuate a one hundred percent Americanism; To preserve the memories and incidents of our associations in All Wars; To inculcate a sense of individual obligation to the community, state and nation; To combat the autocracy of both the classes and masses; To make right the master of might; To promote peace and 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.

CONSTITUTION

ARTICLE I - NAME

Section 1. The name of the organization shall be American Legion Lincoln Post No. 50, Department of Colorado.

ARTICLE II - PURPOSES

Section 1. The objects and purposes of this American Legion Post shall be to promote the principles and policies as set forth in the foregoing preamble, as well as the national and departmental Constitutions of The American Legion.

ARTICLE III - NATURE

Section 1. This Post shall be a civilian organization with no member being addressed by his/her Service, or Civilian title in any Post meeting with membership herein not affecting liability for Military Service.

Section 2. This organization shall be non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking political office or preferment as prescribed by Congress, which chartered the American Legion in 1919, and the regulations of the IRS to determination as a 501(c) (3)

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

ARTICLE IV - ELIGIBILITY

Section 1. Membership eligibility shall be as set forth in the National Constitution of the American Legion.

ARTICLE V - OFFICERS

Section 1. All Officers, except for the Adjutant, Judge Advocate, and Service Officer, shall be elected annually. All Officers shall be certified to the Department Adjutant not more than thirty (30) days nor less than ten (10) days prior to the Annual Department Convention. Such Officers shall be responsible for upholding the principles of the American Legion and effecting the Post alignment to decisions and regulations set down by duly constituted bodies of the American Legion.

ARTICLE VI - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall consist of all officers of Post 50, Executive Committee Members-at-Large, and the immediate Past Commander (Ex officio)

ARTICLE VII- Board of TRUSTEES

Section 1. The Board of Trustees shall be incorporated as the official body representing The American Legion, Department of Colorado, American Legion Lincoln Post No. 50, Department of Colorado, in all legal and binding agreements. The Board is empowered to enter into contracts, mortgages, and other fiscal instrumentalities as the official authority of the Post. The Board derives its power to act on behalf of the Post by approval of resolutions authorizing the pertinent activity. The authority may be limited only to the action to be taken, and the best method of action to be as determined by the Board.

Section 2.- All members of the Board of Trustees shall be bonded and governed by American Legion, and any State and/or Federal regulations pertaining to the administration of sound business practices. It shall further be the responsibility of all members of the Board of Trustees to act judiciously in the execution of all duties to enhance the image of The American Legion.

Section 3. Selection for membership to the Board of Trustees and conduct of meetings of the Board of Trustees shall be governed by the By-laws of The American Legion, American Legion Lincoln Post No. 50, Department of Colorado

ARTICLE VIII - FINANCE

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

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Section 2. The amount of such membership or initiation fees and the amount of such annual Post dues shall be determined by the Post Executive Committee.

Section 3. National and Department membership dues shall be transmitted to the Department as prescribed by the National and Department regulations.

ARTICLE IX - AUXILIARY UNITS

Section 1. The Post recognizes the auxiliary organization known as the American Legion Auxiliary Unit 50.

Section 2. The Post recognizes the auxiliary organization known as the Sons of the American Legion Squadron. Currently, we do not have a Squadron.

ARTICLE X - AMERICAN LEGION RIDERS

Section 1. The Post recognizes the auxiliary organization known as the American Legion Riders Chapter. Currently, we do not have a Chapter.

ARTICLE XI - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and the Department of Colorado. Any amendment to said National or Department Constitution which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying this Post Constitution to the extent of such conflict. If it becomes necessary to dissolve the Post by surrendering the Charter, the funds for the Post shall be disbursed within 30 days. The membership will call for suggestions, and a vote will be taken on where and how much in accordance with our objects and purposes. After which, all monies will be drawn on a bank check from the bank, and then all accounts will be closed. All permanent records shall be provided to The American Legion, Department of Colorado, or National. If our Charter is revoked, all assets and permanent records shall be provided to The American Legion, Department of Colorado, or the National American Legion for disposition, or in accordance to their orders.

Section 2. This Constitution may be amended at any regular Post meeting in accordance with the rules set forth in the Post By-Laws.

ARTICLE XII – Dissolvement of the Post

Section 1. If it becomes necessary to dissolve the Post by surrendering the Charter, the funds for the Post shall be disbursed within 30 days. The membership will call for suggestions, and a vote will

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ARTICLE XIII - OMISSIONS

Section 1. Any questions of procedure not otherwise provided for in this Constitution or By-Laws will be governed by the National or Department of Colorado Constitution of the American Legion or by Robert's Rules of Order.

The Constitution is hereby voted on and approved on this date on July 14, 2025.

This Constitution will now supersede the previous Constitution.

Post Commander signature: _____

Post Adjutant signature: _____

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BYLAWS OF THE POST

(As amended July 14, 2025)

Article I – Executive Committee

Section 1. Between meetings, the government and management of this Post shall be entrusted to the Executive Committee, and all proceedings of said committee shall be presented to the Post at the next meeting for approval.

Section 2. One-third of the members of the Executive Committee shall constitute a quorum for the Executive Committee.

Article II- Duties and Powers of Officers

Section 1. Will be in accordance with the Constitution and Bylaws of the National American Legion and the American Legion Department of Colorado.

Article III- BOARD of TRUSTEES

Section 1. The Board of Trustees shall consist of seven (7) members. This membership will include the current Post Commander, the current post Finance Officer (who shall serve as the Board Finance Officer) and five (5) elected members.

Section 2. No person shall be eligible for election to the Board of Trustees who has not been a continuous member of the Post for at least five (5) years. At least three (3) of the members other than the current Post Commander and Finance Officer must have successfully completed at least one (1) term as a Post Commander of The American Legion, American Legion Lincoln Post No. 50, Department of Colorado.

Section 3. The terms of office of elected members of the Board of Trustees shall be three (3) years, except as noted in section 2.

Section 4. The membership of the Board of Trustees of the current Post Commander and Finance Officer shall end with the completion of their elected terms of office. The terms shall commence on the first day of July and will end on the last day of June for elected members of the board.

Section 5. The election of members of the Board of Trustees will be at the Post General Election. Nominations will be presented by the nominating committee and from the floor. The Post Adjutant will be responsible for verifying the eligibility of the nominees. At the first election of members of the

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Board of Trustees, there shall be one (1) person elected for a term of three (3) years. Two (2) other members will be elected for a term of two (2) years. Two (2) other members will be elected for a term of one (1) year. In succeeding years elections will be held to replace those members whose term is expiring. Those elected in succeeding years will be elected to three (3) year terms. Nominations for any vacant position must be of Past Post Commanders in accordance with Section 2 until at least three (3) members of the Board of Trustees, excluding the current Post Commander and Finance Officer, have been elected.

Section 6. Vacancies on the Board of Trustees as a result of resignations, death, incapacity, or removal for cause, or other circumstances may be filled by appointment by the Post Commander with the approval of the Post Executive Committee. Appointees under this section will serve only until the next post General Election, when the remaining term of the vacant office shall be filled by election. When filling vacancies, the requirements of Section 2 must be observed.

Section 7. Any elected member of the Board of Trustees may be removed from office by a majority vote at a Post General Membership meeting. Any member who wishes to remove from office a member of the Board of Trustees will appear at a General Membership meeting and make a motion to that effect. The motion must be seconded. The vote on the motion shall be postponed until the next regularly scheduled post General Membership meeting. The Post Adjutant will notify the member of the Board of Trustees of the pending action and reason for the action in writing. That person will be allowed to speak before the Post General Membership at the next regularly scheduled meeting. The vote shall be at the next meeting on whether the member of the Board of Trustees against whom the action is pending is present.

Section 8. A meeting of the Board of Trustees will be held during the first week of July of each year. The time and place of this meeting will be decided by the Post Commander. At this meeting, the Board of Trustees shall elect from among themselves, a President and a Secretary of the Board of Trustees. The Post Finance Officer will be the Treasurer of the Board of Trustees. The term of office will be one (1) year for both elected positions. The Board will meet at a frequency determined necessary by the President, to consider such business as may come before it. All meetings of the Board of Trustees will be open to members of The American Legion, American Legion Lincoln Post No. 50, Department of Colorado. The date, place and time of all scheduled meetings will be published in the Post newsletter and announced at the regular membership meetings. Unscheduled meetings will only be conducted when a special meeting is required to consider business which cannot be postponed until the next regularly scheduled meeting. A minimum of four (4) members must be present to constitute a quorum for all meetings of the Board of Trustees.

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Article IV-Dues

Section 1. There shall be no form or class of membership except active membership, and dues shall be paid annually or for life. The annual dues amount will be set and adjusted as needed by the Executive Committee with approval of the membership at a regular monthly meeting of the Post.

Section 2. Membership dues are unpaid by December 31st of the current year and shall be classified as expired in accordance with the National Constitution and Bylaws. If you pay prior to January 31st, you will be reinstated with time in Legion, i.e. 15 years. After that time, you will have to reapply for membership with time starting from that date.

Article V- Post Meetings

Section 1. The regular meeting of this Post shall be held at a time and location as directed by the Executive Committee. Wherever possible, meetings will be held at the same time, day, and location during the month to ease scheduling. The subject matter and format of the meeting will be determined by the Executive Committee. A quorum A vote of the majority of the membership present is required to pass most motions. However, amendments to the constitution and bylaws require a **two-thirds vote** of the membership present at the meeting.

Section 2. The Commander or a majority of the Executive Committee shall have the power to call a special meeting of the Post at any time. In such cases, maximum notice will be given to the membership.

Section 3. A majority of the Executive Committee shall constitute a quorum at Executive Committee meetings, and a majority of Executive Committee members present during Executive Committee meetings is required to pass motions.

Section 4. One-fifth of the current membership shall constitute a quorum to hold any meeting.

Article VI- Notices and Communications

Section 1. Every member shall furnish the Post Adjutant with an address for mailing, a valid telephone number and an email address if one exists along with their preferred form of communication.

Article VII- Parliamentary Authority

Section 1. The Post organization shall be governed by Robert's Rules of Order.

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Article VIII – Amendments to the Constitution and Bylaws

Section 1. Proposed amendments to these By-Laws will be provided in writing to all Post members at least three weeks in advance of the date when the proposed amendment will be voted upon by the general membership. In addition, the proposed amendment(s) will be read during the monthly Post membership meeting that immediately precedes the meeting at which the amendment(s) will be voted upon. This reading normally provides for the three-week notification period. The amendment is then approved if at least two-thirds of the members present during the meeting vote in favor of the amendment.

The Bylaws are hereby voted on and approved on July 14, 2025.

This Constitution will now supersede the previous Bylaws.

Post Commander signature : _____

Post Adjutant signature : _____