

AMERICAN LEGION
STANLEY HARDMAN, POST 11, TRINIDAD, COLORADO
CONSTITUTION AND BY LAWS

CONSTITUTION

The Constitution of the The American Legion, Stanley Hartman, Post 11, Trinidad, Colorado was ratified at the November 13th, 2025 Membership Meeting by a majority vote of the Members present and signed into effect on November 13th, 2025.

PREAMBLE

For God and Country we associate ourselves for the following purposes:

- To uphold and defend the constitution of the United States of America;
- To maintain law and order;
- To foster and perpetuate a one hundred percent Americanism;
- To preserve the memories and incidents of our associations in the great wars;
- To inoculate a sense of individual obligation to the Community, State, and Nation;
- To combat the autocracy of both classes and masses;
- To make right the master of might; to promote peace and goodwill on earth;
- To safeguard and transmit to prosperity the principals of Justice, Freedom, and Democracy;
- To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I - Name and Background

SECTION 1. The name of this organization shall be Stanley Hardman, Post 11. The American Legion, Department of Colorado, located in Trinidad, Colorado.

SECTION 2. Post 11 was originally started up in the year 1919 based on the Memorial Square handbook, page 16, available at Fort Wootton. After several transfers of records through the years, the previous Constitution and By Laws of Post 11 have been lost and remain lost until this day. This Constitution and By Laws replaces any/all previous Post 11 Constitution and By Laws.

SECTION 3. The purpose, objectives, and governing of Stanley Hardman Post 11 are set forth here in the Constitution and By Laws.

ARTICLE II - Objectives

SECTION 1. The objectives and purposes of this Post shall be to promote the principles and policies as set forth in the forgoing preamble, and the National Constitution of The American Legion.

ARTICLE III - Nature

SECTION 1. The American Legion is a non-profit civilian veterans organization, recognizing military service and is a Federally chartered Veterans Organization, chartered by Congress under United States Code, Title 36, Chapter 21701-21708 created September 16, 1919. The American Legion is a 501c(19) Veterans Organization.

SECTION 2. 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.

SECTION 3. Rank does not exist in The American Legion; no member shall be addressed by his/her military title in any meeting of this Post.

ARTICLE IV - Membership

SECTION 1. Eligibility to membership in this post shall be as prescribed in the National Constitution of The American Legion. Any person shall be eligible for Membership in the American Legion who is or was a Member of the United States Armed Forces between April 6, 1917 to November 11, 1918 or has served Federal Active or Reserve Duty in the United States Armed Forces since December 7, 1941 and has been Honorably Discharged or is still serving, or meets the Constitution requirements related to Allied Armies (United States Code, Title 221703 (1)(B) Included documentation may be a DD Form 214, a Form NGB22, or equivalent documentation. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the National Constitution of the American Legion.

SECTION 2. There shall be no form or class of Membership except active. Dues shall be paid annually or a Paid up for Life (PUFL) membership obtained. Dues are due annually to the Post no later than 1 January of each year. Forfeiture of membership in the American Legion will take place if dues are not paid by 30 June of the calendar year.

SECTION 3. All applications for membership shall be acted upon at the next post meeting following the making of such application, and shall at such meeting, be accepted, rejected, or referred for further investigation and consideration. If a majority of the members cast their vote against the acceptance of said application, then such application shall be recorded as rejected. No Person may simultaneously be a member of this Post and another Post at the same time.

SECTION 4. Members may be suspended or expelled from the American Legion only upon proper showing of cause by two-thirds (2/3) vote of the Post Executive Committee (PEC).

Charges shall be based upon disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of The American Legion. All charges must be made under oath, in writing by the accusers and no Member in good standing shall be suspended or expelled pursuant to this section upon proceedings as provided for in the Officers Guide, Practice and Procedure in the Expulsion or Suspension of a Member of the American Legion. Any appeal shall be taken to the Department Executive Committee, and the case shall be tried anew. The decision of the Department Executive Committee in such cases shall be final.

SECTION 5. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds (2/3) majority vote of the membership present at a Post meeting, and the payment of the current dues for the year in which the reinstatement occurs.

SECTION 6. No person who has been expelled by a Post shall be admitted to membership in this post, without the consent of the expelling post, except that where such consent has been asked for and denied by such Post, he/she may then appeal to the Department Executive Committee of the Department of the expelling post, and shall be ineligible for membership until such permission is granted.

SECTION 7. No person whose membership has been suspended, canceled, or revoked by any other Post shall be admitted Membership in this Post without written consent of the previous Post Commander.

SECTION 8. No Member shall be allowed to seek election or appointment to any office in the Post until they have provided adequate proof of eligibility to the Post Adjutant as appropriate. Examples are a DD-214 or NGB22 or proof of Allied Military Service as specified in Article IV of this Constitution.

SECTION 9. Eligibility for Membership shall not be restricted in any manner with regard to race, color, religion, sex, creed, national or ethnic origin, or mental or physical disability.

SECTION 10. To withdraw Membership, the Member need only to stop paying their annual dues and/or express their wish not to renew their membership through verbal or written communication with the Post Commander or Adjutant. No official withdrawal application is required.

SECTION 11. Guests may attend regular meetings of the Post. Their appearance will be noted in the minutes of the meeting. Guests may not vote or participate in official meeting functions or ceremonies.

ARTICLE V - Post Officers Duties

SECTION 1. The officers of this post shall be a Commander, a Senior Vice Commander, Junior Vice Commander, Post Adjutant, Post Finance Officer, a Post Historian, a Post Chaplain, a Post Service Officer, and Post Sergeant-at Arms, and such officers as may be deemed necessary by this organization, who shall be nominated from the floor at the meeting preceding the annual election.

1a - 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/she 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 ensuring year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the department adjutant. He/she shall perform such other duties as directed by the Post.

2a - Duties of Vice Commander(s): The Vice Commanders, in the rank of Senior Vice Commander, then Junior Vice Commander, shall assume and discharge the duties of the office of Commander in the absence or disability or when called upon by the Post Commander.

Senior Vice Commander

1. Shall develop a dynamic, enthusiastic membership campaign; this is his/her primary concern.
2. Shall coordinate all programs and activities, with the Junior Vice Commander.

Junior Vice Commander

1. Shall develop appealing programs and activities which will attract maximum participation.
2. Shall plan these events well in advance and reflect these on the monthly calendar to encourage maximum participation.

3a - Duties of Post Adjutant: 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 or when called upon at a meeting, and under direction of the commander handle all correspondence of the Post.

4a - 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, with such recommendations as he/she may deem expedient or necessary for raising funds with which to carry on the activities of the Post. He/she shall sign all checks disbursing the moneys of the Post. He/she shall furnish such surety bonds in such sum as shall be fixed by the Post Executive Committee.

5a - 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 Post or the Executive Committee.

6a - 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., adhere to such ceremonial ritual as are recommended by the national or department Headquarters from time to time.

7a - Post Service Officer: They shall be the Post's Liaison to local veteran's offices, organizations, hospitals, visit veterans in nursing homes etc., as directed by the Executive Committee. They shall assist needy veterans utilizing funds under his/her supervision, in accordance with these Constitution and By laws and set the budget. He/she will become familiar with the various funds available from the post and department headquarters for veterans assistance.

8a - Duties of Post 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/her by the Post Executive Committee.

SECTION 2. The administrative affairs of Stanley Hardman, Post 11, The American Legion, Trinidad, Colorado shall, except as may be otherwise provided by the Constitution and By-laws, be under the supervision of an Executive Committee which shall consist of a minimum of three (3) members to include the current elected officers of the post. The post, by its Constitution and By-Laws, may provide for such other standing committees as the business of the organization may require.

ARTICLE VI. Nominations and Elections

SECTION 1. The following positions are elected positions; Post Commander, Senior Vice Commander, Junior Vice Commander, Post Adjutant, Post Chaplain, Post Finance Officer, Post Sergeant at Arms, Post Veterans Service Officer, Post Historian, and three (3) at large members. All officers will serve for a period of three years with the exception of the Post Commander, who will serve for a period of one year.

- a) Board members may serve consecutive terms if there are no members who seek to serve in that officer's capacity.
- b) One third of the officers will be subject to election each year. Year one (1) will be the Senior Vice CC, Finance Officer, and one (1) at large member. Year two (2) will be the Junior Vice CC, Adjutant, Chaplain, and one (1) at large member. Year three (3) will be the Sergeant at Arms, Post Service Officer, Post Historian, and one (1) at large members.

The Post Commander will be elected annually. The intent is to spread elections so there is no loss on continuity of operations at the Post.

- c) Notice will be provided at the general membership meeting in February of the offices to be vacated because of term limit. Members who seek these offices may provide their intent to seek election to the office verbally or in writing. These will be reviewed by a nomination committee selected at the General Membership Meeting in February consisting of two or more current members in good standing.
- d) The nominating committee will present the candidates for nomination at the general membership meeting in May and each nominee will be afforded 5 minutes to present their reasons for seeking office. The General Membership will then make their nomination from the floor. Nominees must be present to accept their nomination. Elections will take place upon the conclusion of the nominations.
- e) Any member running unopposed may have an oral voice vote to confirm their election by the membership. Two (2) or more members running for the same position will have a vote conducted using paper as a private ballot and then counted once all votes are turned in. Members may only vote one time for the candidate of their choice. The candidate having the most votes will be assigned to their respective office for which they were a candidate.
- f) Those elected will immediately be sworn in by a District 8 officer or the officer of another Post acting as representative of the District Commander and assume their new office.
- g) Any vacancies that occur for any reason will be filled by a vote of the members present at any general membership meeting. An officer, co appointed will remain in office for the remainder of the term.

SECTION 2. Removal From Office. All officers and executive committee members shall hold office until their successor are installed or as otherwise provided. Any officer or executive committee person may be removed for inefficiency by the Executive Committee, a 2/3 vote of said committee present after reasonable notice, being necessary to effect such removal. Grounds for removal are disloyalty, neglect of duty, dishonesty or the conduct unbecoming a member of the American Legion.

SECTION 3. Every member of this post in good standing shall be eligible to hold office in this post.

SECTION 4. The personal liability of each member of the Executive Committee and each uncompensated officer of the Post or it's members, for monetary or other damages, for conduct as a executive committee person, or officer, or member shall be eliminated to the full extent permitted by law.

ARTICLE VII - Post Executive Committee

SECTION 1. The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the post commander within ten (10) days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander and as often as said Commander or Committee may deem necessary. The Commander shall call a meeting of the Post Executive Committee upon the joint written request of three or more members of said Post Executive Committee. Seven (7) members of the committee shall constitute a quorum thereof.

SECTION 2. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures; shall require adequate bonds from all persons having the custody of Post funds; shall hear the reports of Post committee chairpersons; and generally, shall have charge of and be responsible for the management of the affairs of this Post.

ARTICLE VIII - Delegates

SECTION 1. 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 forty five (45) days prior to the date of such convention.

ARTICLE IX- Management

SECTION 1. The government and management of the post is entrusted to an Executive Committee to be known as the Post 11 Executive Committee.

SECTION 2. The Post 11 Executive Committee shall consist of three (3) general members including the elected officers of the Post, the Post Commander, Senior Vice Commander, Junior Vice Commander, Post Adjutant, Post Finance Officer, Post Service Officer, Post Historian, Post Sergeant of Arms, and Post Chaplain.

SECTION 3. All vacancies existing in the Executive Committee, or 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 appointed shall hold office for the remaining unexpired term of the member of the committee or officers whom he succeeds. A vacancy shall exist when a member or officer is absent from his/her post for a continuous period considered detrimental to the interest of the Post by the Executive Committee.

ARTICLE X - Finance

SECTION 1. The revenue of this post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the Post Executive Committee. The amount of such membership or initiation fees and the amount of such annual post dues shall be fixed and determined by this Post and the National American

Legion. Any monies received from Post dues, organized fund raising events, and donations shall be used for the running of the Post 11 activities and expenditures as agreed to by the Membership.

SECTION 2. The post shall pay to Department Headquarters the National and Departmental annual membership dues for every member of the Post.

SECTION 3. The Executive board as a whole or any individual officer, and other committees shall not spend any funds of the post without approval as follows:

Up to \$500.00 - Approved by the executive committee

Over \$500.00 - Approved by the General Membership

The commander shall have the authority to spend up to \$500.00 per month at their discretion for the good of the post.

All emergency expenditures above \$500.00 must be approved by a majority of the executive committee after a vote to approve

SECTION 4. Under no circumstance will any member, temporary committee member, or Executive Committee member enter into or modify any contract agreement concerning the operation of the post without the approval of the general membership.

ARTICLE XI - Charter Members

SECTION 1. Members who joined this post when it was originally organized and started shall be known as “Charter Members” and be recognized as such at each Post meeting.

ARTICLE XII - American Legion Auxiliary

SECTION 1. This post recognizes an auxiliary organization to be known as the Auxiliary Unit of Stanley Hardman, Post 11, The American Legion. At this time there is no “active” Post 11 Auxiliary.

SECTION 2. Membership in the Auxiliary shall be prescribed by the National Constitution of the American Legion Auxiliary.

ARTICLE XIII - Appointments

The Post Commander, as needed to support the Post and it’s functions each year can appoint the following committees: Americanism, Ceremonials, Children and Youth, Finance, House and Entertainment, Legislative, Membership, Public Relations, .Such standing committees shall consist of such members, and the chairperson thereof, as shall be designated by the Post Commander.

SECTION 1. Americanism Committee: The Americanism Committee shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of the patriotic occasions; encouragement of patriotic and civic phases of instruction in schools; Americanism 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.

SECTION 2. Ceremonials Committee: The principal duty of the Ceremonials Committee is to insure 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. i.e. Burial detail and the wearing of Legion regalia.

SECTION 3. Children and Youth 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 intermediary for the needy child of a veteran in obtaining the fulfillment of the Legions pledge that any child of a war veteran shall be in need of the necessities of life and a square deal for every child.

SECTION 4. Finance Committee: The Finance Committee shall be charged with the administration of the financial policy, preparation of budget recommendations and supervision of receiving, disbursing, and accounting of all post funds.

SECTION 5. House and Entertainment Committee: This committee quarters, promotion of club advantages and arrangement for social activities.

SECTION 6. Legislative Committee: The Legislative Committee needs to have a knowledge of what is going on in congress; 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 7. 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 8. Public Relations Committee: The Public Relations Committee shall be charged with the promotion of public support of the Legions program by the establishment of proper contact with The American Legion Magazine, department and national Legion news service and by local publicity of post programs and activities.

Article XIV - Resolutions

SECTION 1. All resolutions of state or national scope presented to this post by a member or reported to this post a committee shall merely embody the opinion of this post on the subject

and copy of same shall be forwarded to the department headquarters for its approval before any publicity is given or action other than mere passage by the Post is taken.

Article XV - Meetings

SECTION 1. The regular meeting of the post shall be held at the American Legion Hall, Fort Wootton, on the second Tuesday of each month, at 1730 hours in which may be transacted such business as may properly be brought up for action; such meeting 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. Upon the written request of two or more general Members, the Executive Committee shall call a special meeting of the Post.

SECTION 4. Ten (10) members in attendance to include five (5) Post Officers shall constitute a quorum.

Article XVI - Notices

SECTION 1. Every Member shall furnish the Post Adjutant with a physical mailing address and a email address for mailing or electronic sharing of Post 11 information for official purposes. The Adjutant can maintain a list of names and contact info of the Members which can be distributed to other Members to be as a contact roster. Any member not desiring their contact/personal information to be shared shall not be included on the contact roster.

SECTION 2. The Post Adjutant shall cause notice of the annual election to be given at least two (2) weeks prior thereto.

Article XVII - Rules of Order

SECTION 1. All proceedings of this post shall be conducted under and pursuant to Roberts Rules of Order, except as herein otherwise provided.

Article XVIII - Amendments

SECTION 1. These Constitution and By-Laws may be amended at any regular meeting of the Post by a majority vote, provided that the proposed amendment has been read at the preceding meeting; and provided further, that written notice and/or an email shall have been given/sent to all Members at least 15 days in advance of the date when such amendment to be voted upon, notifying Members that at such meeting a proposal to amend the by-laws is to be voted upon.

SECTION 2. These By-Laws are adopted subject to the provisions of the National By-Laws of The American Legion and the Department of Colorado By-Laws. Any amendment to said National or Department By-Laws which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying of these Post By-Laws to the extent of such conflict.

Adopted November 13th, 2025, by a majority vote of the Post 11 Members in attendance at the Post 11, Trinidad, Colorado regular monthly meeting.

Attested By:

Patrick Sandoval - Post 11 Commander

Ken Beck - Post 11 Senior Vice Commander

Mary Hiney - Post 11 Adjutant