

AMVETS DEPARTMENT OF WISCONSIN BYLAWS

TABLE OF CONTENTS

Article I State Executive Committee..... 2 - 4

Article II Committees..... 4 - 6

Article III Annual Convention.....6 - 8

Article IV Duties of Officers..... 8- 14

Article V Charters..... 14-15

Article VI Discipline of Posts and Post Members..... 15

Article VII Membership..... 16

Article VIII Monies and Collections.....16-18

Article IX Restricted Use of Organization.....18

Article X Meetings..... 19

Article XI Accounting for Monies.....19

Article XII Amendments.....19

DEPARTMENT BYLAWS

ARTICLE I: STATE EXECUTIVE COMMITTEE

Section 1

Each post in the Department of Wisconsin shall elect or appoint a State Executive Committeeman to represent the post at all meetings of the State Executive Committee. Each post shall also elect or appoint an Alternate State Executive Committeeman. In case of death, removal from office or resignation of a State Executive Committeeman, the duly elected alternate will serve the unexpired term of said committee. In the event of the absence or disability of the State Executive Committeeman to participate in the proceedings of the State Executive Committee (SEC) meeting, the duly elected alternate shall cast the vote of said State Executive Committeeman.

Section 2

(a) Stated meetings of the State Executive Committee shall be held as follows: in conjunction with the Department convention and in the months of March or April and the months September or October, and of December or January. On reasonable notice, special meetings may be held at the call of the Department Commander. The Department Commander shall call a meeting of the State Executive Committee on the written request of State Executive Committeemen from at least 25 percent of the organized posts. All SEC meetings will be held within the state of Wisconsin.

(b) Expenses for attending a meeting of the State Executive Committee shall be based on round trip mileage between the committeeman's city of permanent residence, or their departure from a place of official AMVETS Department business for the immediate preceding day, and the city where the meeting is being held. State Executive Committee members shall be reimbursed for their expenses as follows:

(1) The Department Commander, all elected and appointed Department Officers, shall receive round trip travel expenses at a rate determined by the State Executive Committee. When overnight travel is required the aforementioned officers shall be reimbursed for lodging expenses at a rate also determined by the State Executive Committee.

(2) In the event of an additional duly called special meeting, expenses will be made as prescribed by action of the State Executive Committee at the time the meeting is called but in no case shall the said expenses exceed the above-prescribed formula.

(3) The aforesaid allowances shall be paid only to the Department officers aforementioned, and only when each of the foregoing is present and answers the roll call conducted during the course of said meetings.

Section 3

Quorum shall be a standing rule of the State Executive Committee and shall be determined at the first SEC meeting following the Department Convention.

Section 4

The State Executive Committee shall function as the State Finance Committee and be charged with the preparation of the annual budget and the handling of funds, subject to the limitations set forth in the Department constitution.

Section 5

- A. The Department Commander may pre-authorize any department officer, committee chairman, Committee member or other authorized representative to receive reimbursement for authorized activity on behalf of the organization. At each meeting of the State Executive Committee, the Finance Officer shall report all such disbursements since the last meeting of said committee for its approval.
- B. Those persons referred to above and those listed in 2(b)(1) must submit completed expense vouchers postmarked not later than 30 days after the date in which the expenses occurred. Vouchers received after that date will not be considered for payment.

Section 6

No member may hold more than one elected Department office at one time. All questions affecting the eligibility for office and conduct of Department officers shall be referred to and determined by the State Executive Committee. All questions affecting the eligibility for office and conduct of State Executive Committeemen, Department officers or members of the State Executive Committee shall be referred to and determined by the State Executive Committee. Any State Executive Committeeman elected to a Department office by a Department Convention shall, if the individual accepts the Department elective office, be deemed to have resigned the office as State Executive Committeeman.

Section 7

From among the membership of the State Executive Committee, the Department Commander shall appoint a Board of Appeals, consisting of at least three members, to hear grievances and appeals as are provided for in this constitution and bylaws and to report its findings and recommendations to the proper authorities. The Department Judge Advocate shall serve as the chairman. This committee shall function during the Department convention and meetings of the State Executive Committee. Such appointees shall serve at the pleasure of the Department Commander. The Department Commander and Department Judge Advocate shall serve as ex-officio members of this committee without vote.

Article II: Committees

Section 1

Department Committees. The following committees are hereby identified as Department committees. The Department Commander shall appoint (except where otherwise indicated) a chairman, vice chairman and such members of AMVETS to each committee as are necessary to accomplish its objectives. The Department Commander shall prescribe the duties and responsibilities of said committees unless otherwise indicated. All committees will receive and develop and consider resolutions pertinent to their committee. Appointments are effective August 1 and are for a period of one year (except where otherwise indicated). The member composition, duties and responsibilities of the State Executive Committee/Department Finance Committee and Department Board of Appeals Committee are described elsewhere in the Department Constitution and Bylaws.

- A. Administrative Board. The Administrative Board will be chaired by the immediate Past Commander and consist of the following members: Department Commander, Immediate Past Commander, Executive Director, Vice Commanders, Trustees, Provost Marshall, Finance Officer, NEC & Alternate NEC, Judge Advocate, Hospital & Service Foundation Chairman, Convention Board Chairman, Bingo Chairman, and the District Commanders. The Administrative Board shall meet prior to each SEC meeting and consider any action to be brought to the SEC meetings. At the Administrative Board Meeting held in conjunction with the Department Convention, the Administrative Board will consider the proposed budget for the ensuing year, as submitted by the Finance Officer. The final budget, as approved and/or amended by the Administrative Board is presented to the SEC at their meeting held in conjunction with the Department Convention. A majority vote of the SEC delegates at that meeting is required for passage of the budget as presented or amended. The budget may be amended at any SEC meeting held during that budget year by at least a 2/3-majority vote of the SEC delegates present at that meeting to approve the amended budget.
- B. Constitution and Bylaws Committee. Chaired by the Judge Advocate, the Constitution, Bylaws and Resolutions Committee shall accept written resolutions and amendments to these bylaws not later than one hundred and twenty (120) days prior to the date set for the annual convention and not later than fourteen (14) days prior to the date set for any special convention. The Committee shall submit all such proposed amendments and resolutions to the convention floor with their recommendation for action. All proposed amendments to these bylaws shall be voted on by a majority vote of those present and entitled to vote at the Annual Department Convention. Bylaws changes not submitted to the Constitution, Bylaws and Resolutions committee in advance, as described above, may be adopted by a two thirds (2/3) majority vote of those present and entitled to vote at

- the annual convention. The Judge Advocate shall be responsible for updating the bylaws as amended prior to the first SEC meeting following the Department Convention. The revision date shall appear on the last page of the Department bylaws.
- C. **Credentials Committee.** To supervise the registration of delegates, alternates, members and guests at the Department convention and to set forth the voting strength of the convention in accordance with the provisions of the AMVETS Department Constitution and Bylaws. The Department Trustees shall serve in this capacity.
- D. **Awards Committee.** The Awards Committee will be chaired by the Administrative Board Chairman. The following awards will be chosen by non-AMVETS, and presented at the annual Convention: AMVET of the Year, SONS of AMVETS, JUNIOR AMVETS, AMVETS Auxiliary Member of the Year, Edward and James Janczak Service and Dedication Award and Community Service Award. Post of the Year and Post Community Service Award are chosen from the monthly Programs Reports submitted to the Vice-Commander of Programs. These awards are presented by the Vice-Commander of Programs at the Department Convention. The District Commander of the Year is chosen and presented by the outgoing Department Commander at the Department Convention.
- E. **Membership Committee.** Chaired by the 1st Vice Commander. To consider all matters relating to the development of AMVETS through membership activities.
- F. **New Post Committee.** Chairman, Department 1st Vice-Commander and District Commanders. This committee is established to foster and perpetuate new AMVETS Posts throughout Wisconsin.
- G. **Fundraising/Grants Committee.** The grants Committee is established to seek grants and develop fundraising activities for the Department from all available sources. The committee shall consist of four AMVETS appointed by the Finance Officer with the approval of the Department Commander. It will be the responsibility of the Department Finance Officer to supervise any and all grant requests and include that information in all required reports.
- H. **Personnel.**
- (1) The Department Commander will serve as Chairman with the Administrative Board Chairman and the three Trustees as members. Their purpose is to evaluate employees of the Department and recommend appropriate salaries to the Administrative Board and the SEC for approval commensurate with inflationary indicators, additional duties performed and other factors as the committee

deems appropriate. All meetings of the personnel committee shall be held in closed session.

- (2) Applications for employment will be accepted by the Executive Director and Department Commander. The Department Commander will schedule a meeting of the personnel committee to discuss any and all applications for employment. The committee recommendations will be forwarded to the Administrative Board and the SEC for appropriate action.
- I. Programs. The Department Vice-Commander of Programs shall appoint a committee to assist with the annual dance, raffle sales, Department Convention activities, and other programs for the Department.
 - J. Protocol. The protocol committee shall consist of the Department Commander, NEC, Executive Director, and the National Commander's liaison.
 - K. Other Committees. The Department Commander will appoint a Chairman who will supervise a committee for the purpose of organizing each of the following: the annual golf outing, Americanism Program, Board of Appeals, State Bowling Tournament, American Flag Drawing, A.A.D.A.A., Dartball, Camp Outs and other events as approved by the SEC.
 - L. Special Committees
 - (1) The Department Commander may appoint such special committees as deemed necessary to the proper conduct of organizational affairs, subject to the approval of the State Executive Committee.
 - (2) Such appointees shall serve during the term of the administration appointing them and terminate on expiration of the term of the appointing administration.

Section 2

Each committee authorized by these bylaws must report its activities and recommendations at each SEC meeting and at the annual Department convention.

Article III – ANNUAL CONVENTION

Section I

Convention Board. The Convention Board Chairman will be elected to a three-year term at the Annual Department Convention and shall develop written job descriptions for the convention board. The following shall serve on the Convention Board: The Department Commander, Department Executive Director, Department Auxiliary President and their appointees. The following shall be the duties of the Convention Board:

- 1) Accept bids from various hotels and convention bureaus and present recommendations to the annual Department Convention body for appropriate action.
- 2) Any bids must include adequate accommodations for all convention delegates and guests.
- 3) The convention bids voted upon will be for five (5) years in advance
- 4) The convention will be held annually the first weekend after Father's Day
- 5) Raffles and other fundraising solicitation at the State Convention must be approved in advance by the convention board.

Section II

Convention Rules Committee. To review annually the Rules of the Annual Convention, and present said rules, with any recommended changes, to the Spring State Executive Committee meeting for approval by the SEC.

- 1) Besides the members appointed to the committee by the Department Commander, the committee shall include the Chairman of the Constitution & Bylaws Committee.

Section III:

- A. All legislative power of AMVETS Department of Wisconsin shall be vested in, and exercised by the delegates present at the Annual Convention of AMVETS Department of Wisconsin.
- B. POST AND OTHER DELEGATES: Each Post shall be entitled to one delegate and one alternate for the Post Charter and one delegate and one alternate for each ten members or major fraction thereof. Each Post will also be entitled to one vote for their SEC Representative provided the SEC Representative has attended at least two (2) SEC meetings in the previous year excluding the SEC meeting held immediately prior to and in conjunction with the annual Department Convention. This same formula for attendance at SEC meetings will be administered to verify the voting certification for Past Department Commanders, Elected Officers, and District Commanders.
- C. NEW POSTS: A new Post must be chartered for 30 days prior to the Department Convention to be eligible to vote at that year's convention
- D. ABSENCE FROM SEC MEETINGS: Delegates not in attendance at a SEC meeting WILL NOT be recorded as excused.
- E. DELEGATE QUALIFICATIONS AND VOTING: At least thirty (30) days prior to the Department Convention, The Executive Director shall certify to each Post, the membership of that Post as reflected in the Department records. Each Post shall have ten (10) days to protest and correct their certification if it does not reflect the true membership of their Post. The membership roster of the AMVETS Department of Wisconsin shall be the official membership record for purposes of the Annual Department Convention.

Prior to the Annual Department Convention each Post shall submit proof acceptable to the Executive Director that I.R.S. Form 990 or it's equivalent has been properly filed, all debts owed AMVETS Department of Wisconsin and it's Districts have been paid or terms been met; bonding of Post officers accomplished, and either a copy of the new Post Constitution & Bylaws or a letter to the Executive Director stating no changes have been made. Within fifteen (15) days of their election, one listing of all elected and appointed Post officers complete with names, position held, mailing address and telephone number shall be filed with the Executive Director. These requirements for revalidation shall be met by June 1st of each year. The Executive Director will then certify that all Post requirements have been met and their Post delegates shall be allowed to register at the Annual Convention.

- F. QUORUM: Thirty-Five (35) percent of the delegates registered shall constitute a quorum.
- G. An absent delegate may have their vote cast, and have all their rights and privileges assumed by their alternate delegate. All delegates and alternates must be designated as such by their Post and be present on the floor to have their vote cast. The delegate chairman for each Post shall not be allowed to cast more votes than they have delegates on the floor at the time of the vote.
- H. Any delegate may challenge the roll call vote of their Post and request a poll of the Post delegation; whereupon the delegation chairman shall immediately poll said delegation. If any Post delegation is challenged, the challenge must be made immediately after the delegation chairman announces such vote. If the Post delegation vote is challenged, that Post will immediately caucus as a Post in order to clarify their vote as announced. When that Post resubmits it's vote, and it is again challenged, that delegation will be individually polled on the floor.
- I. Any delegate may challenge the total number of votes cast by any Post provided such challenge is made immediately after that vote is announced by the chairman of the delegation.

ARTICLE IV: DUTIES OF OFFICERS

Section 1

All elected and appointed officers shall be administered the Oath of Office at the end of the Department Convention and shall take office on August 1, serving until July 30 of the following year. Unless otherwise noted, the following officers are elected for a one-year term at the annual Department Convention.

Section 2

Department Commander. The Department Commander shall be the executive head of Department of Wisconsin AMVETS, with full power to enforce the provisions of the Department Constitution, the Department Bylaws and the will of the Department convention and State Executive Committee. The Department Commander shall serve as an ex-officio member without right to vote on all committees. The Department commander shall perform such other duties as are usually incident to the office.

Section 3

Department Vice-Commanders. The Department Vice-Commanders shall act as representatives of the Department Commander in all matters referred to them by the Department Commander and, on the Department Commander's request, preside over sessions of the Department Convention or the State Executive Committee.

a) Department First Vice-Commander. The Department First Vice-Commander shall be primarily responsible for the membership of the organization and shall coordinate with all post membership directors or Vice Commanders in charge of membership. The Department First Vice Commander shall also:

- 1) carry out the convention mandates on membership between the state department and posts;
- 2) review and reevaluate current membership programs and report recommendations to the Department Commander, the State Executive Committee and the Department Convention;
- 3) create and present new membership incentives to the Department Commander and the State Executive Committee;
- 4) be informed as to the membership strength of the department and all posts within the Department of Wisconsin. The Department First Vice-Commander shall be responsible for seeing that this information is circulated to all posts and to all Department officers.
- 5) perform such other duties in connection with membership as the Department Commander directs.
- 6) The Department 1st Vice-Commander shall serve as the New Post Committee Chairman. All District Commanders will serve as committee members of the the New post Committee and continue to foster the growth of AMVETS in the Department of Wisconsin by the promotion of AMVETS and the starting of new posts throughout the state. The New Post Committee shall also be responsible for maintaining membership in all current posts.

b) Department Second Vice-Commander. The Department Second Vice-Commander shall be primarily responsible for the programs of the Department of Wisconsin and shall coordinate all department program chairmen. The Department Second Vice-Commander shall also:

- 1) review and reevaluate the existing programs and convey recommendations to the Department Commander, the State Executive Committee and the Department Convention;
- 2) coordinate all programs between Department and post levels;
- 3) be responsible for studying and recommending new programs to the Department Commander and the State Executive Committee for consideration;
- 4) be indoctrinated on all programs instituted by the Department of Wisconsin, especially those involving contact with the general public.
- 5) perform such other duties in connection with AMVETS programs, as the Department Commander shall direct.

Section 4

Department Executive Director. The Department Executive Director, shall be hired by the Personnel Committee and approved by the Administrative Board and the SEC, shall be charged with the administration of the policies and mandates of the Department convention, the State Executive Committee and the Department Commander. The Department Executive Director shall issue such directives as may be necessary to posts, stay in contact with the Department Commander during the Department Commander's absence from Department Headquarters and perform such other duties as are usually incident to the office. The Department Executive Director shall serve as the secretary of the Department. The Department Executive Director shall serve at the pleasure of the Department Commander and the State Executive Committee. First consideration for this position shall be an AMVET in good standing. If none are available, a non-AMVET may be hired on a temporary basis. The Personnel Committee, with the approval of the Administrative Board and the SEC shall fix the salary of the Executive Director and have the authority to discharge the employee for due cause.

Section 5

Department Assistant Executive Director. The Assistant Executive Director shall be appointed by the Executive Director with the approval of the personnel committee, Administrative Board, and the SEC. The Assistant Executive Director shall be the representative of the Executive Director in the absence of the Executive Director and shall have the authority to vote. They shall perform such duties as directed by the Executive Director. The Assistant shall possess adequate technical and personal skills necessary to perform their duties. First consideration for this position shall be an AMVET in good standing. If none are available, then a temporary non-AMVET may be hired. The Personnel Committee with the approval of the Administrative Board and the SEC shall fix the salary of the Assistant and have the authority to discharge the employee for due cause.

Section 6

Recording Secretary. The recording secretary shall be appointed by the Executive Director, with the approval of the Personnel Committee, Administrative Board, and the SEC. The recording secretary is responsible for recording and

transcribing minutes of all SEC, Hospital & Service Foundation, Administrative Board, and Department Convention meetings. The recording secretary shall be responsible for and have in their custody all necessary equipment to perform their duties and shall provide the minutes of said meetings to the Executive Director in a timely fashion. Any compensation for these duties shall be fixed with the approval of the Executive Director, Personnel Committee, Administrative Board and the SEC.

Section 7

Department Finance Officer. The Department Finance Officer shall be hired by the Personnel Committee and approved by the Administrative Board and SEC. He shall be custodian of the funds of the Department. All checks disbursing the funds of the Department organization shall be signed by two or more persons as designated by the State Executive Committee, and the Department Finance Officer shall make reports on the condition of the Department treasury when called for by the Department Commander or State Executive Committee. The Department shall provide a surety bond for said position. The Department Finance Officer shall perform such other duties as are usually incident to the office.

Section 8

Department Judge Advocate. The Department Judge Advocate shall advise the Department Officers and the State Executive Committee on all legal matters, including the construction and interpretation of the National and Department Constitution and Bylaws, and shall perform such other duties as are usually incident to the office. The Department Judge Advocate shall review all contracts prior to execution by the organization and serve as an ex-officio member without right to vote on all committees.

Section 9

Department Chaplain. The Department Chaplain is appointed by the Department Commander and serves a one year term and shall perform such religious and nonsectarian services as may be necessary, adhering to the appropriate ceremonial rituals, and discharge of other duties incident to the office.

Section 10

Department Provost Marshal. The Department Provost Marshal shall maintain order at the Department Convention, SEC meetings and such other ceremonies/functions as directed by the Department Commander.

Section 11

Department Inspector General. The Department Inspector General, appointed to a one year term by the Department Commander shall be the investigating officer of the Department. By direction of the Department Commander or the State Executive Committee, the Department Inspector General shall make any necessary

investigations pertaining to grievances, disciplinary cases, fraud or dishonesty within the Department and charges of conduct unbecoming an AMVET, and shall be empowered to have access to all records, financial and otherwise, of all posts, post officers or members when necessary for the discharge of the Department Inspector General duties. In making such investigations, the Department Inspector General shall report to the Department Commander who shall, in turn, review the findings with the Department Judge Advocate and, if warranted, report to the State Executive Committee. The Department Inspector General shall serve at the pleasure of the Department Commander and the State Executive Committee.

Section 12

Hospital And Service Foundation Chairman. The Foundation Chairman and Vice-Chairman are elected to a one-year term by the members of the Hospital and Service Foundation at the Annual Department Convention. The Vice-Chairman presides in all matters in the absence of the Chairman. The Hospital and Service Foundation maintains it's own Constitution & Bylaws, which are subject to the approval of the Department Judge Advocate, Administrative Board, and the SEC.

Section 13

Public Relations Officer/Historian. The PRO/Historian, appointed by the Department Commander, shall continuously keep the public informed through multi-media sources on all activities of the Department in order to build and maintain good will toward the organization. The PRO shall coordinate and foster a working relationship with all Post and District level personnel to achieve as much positive public relations exposure as possible. They shall be empowered to seek professional assistance, with expenses approved by the SEC, which will keep the AMVETS Department of Wisconsin in the forefront of all veterans' organizations. They shall perform such duties that are incident to their office including coordination of photography and compiling all records and photographs necessary so that a complete historical record of the AMVETS Department of Wisconsin is readily available to all members of AMVETS. The PRO/Historian shall possess the necessary technical expertise to perform these duties.

Section 14

TRUSTEES.

- A. There shall be three (3) Trustees who serve a three- (3) year term, elected on a staggered basis.
- B. The trustees shall have the right to inspect all financial records of the Department, District, and Posts, and shall have the duty to make such inspections of the Department financial records, as a group, at least annually during a fiscal year and whenever else they are requested to do so by the Department Commander, Board of Appeals, Inspector General, or the SEC. They shall perform such other duties as requested by these bylaws, Department or National Constitution or at the Department Convention.

- C. The Trustees shall staff the registration desk at the Department Convention during the hours set by the convention committee. The Senior Trustee will be in charge of registration and shall give the convention credentials report; the 2 year trustee shall assist the Senior Trustee and accept banquet reservations for the convention and the 3 year Trustee shall assist as needed.

Section 15

National Executive Committeeman (NEC).

The NEC shall be the liaison officer between the Department and the National Headquarters, and shall perform such duties as prescribed by the National Constitution & Bylaws. The NEC and the Alternate NEC are elected for a two (2) year term of office at the Department Convention on odd numbered years. The NEC shall submit a full written report of AMVETS National issues to the SEC at each meeting. The NEC will chair all caucuses at the National Convention, take all votes from the delegates and inform the Department Commander of the tally so the Department Commander can cast the ballots from the Convention floor. In the absence of the Department Commander at the National Convention, the NEC shall assume all the Department Commander's duties. The NEC Alternate shall act in the absence of the NEC. In case of the death, or inability to continue in office for any reason, the NEC Alternate being duly elected shall serve the unexpired term of the NEC. In the case of the Alternate NEC being unable to complete their term in office, the Department Commander shall appoint an alternate to fill the unexpired term.

Section 16

District Commanders.

The District Commanders shall act as representatives of the Department in all matters referred to them by the Department Commander and are members of the New Post Committee. Each District Commander shall be charged primarily with membership expansion and the formation of new Posts within the District. From time to time, the District Commander shall call and preside at a meeting of the Post Commanders within the District or personally visit each Post to consider and decide matters of general interest or concern to the District.

- A. The District Commander shall call a minimum of four (4) meetings within a term of office: one within 30 days after the Annual Convention; two within 30 days after the Commander's scheduled SEC Meetings, and one prior to the Annual Department Convention for the purpose of electing District officers. The newly elected District officers will be sworn in immediately after their election provided a State officer or Past Department Commander is available for that meeting. If a State officer or Past Department Commander is not available, the new District Commander will be sworn in at the Department Convention. One copy of the minutes of each meeting should be immediately transmitted to the Department Executive Director.
- B. The District Commander shall be elected each year and may succeed themselves if they so desire and the members of the District vote for the Commander's reelection. No District Commander may serve more than two (2) consecutive terms in office. The Department Commander, along with the Senior Vice Commander shall hold a

District Commanders' Meeting in September of each year to discuss policy and programs for the ensuing year.

- C. Each District will maintain their own Constitution & Bylaws, which shall not conflict with AMVETS National or Department Constitutions & Bylaws. It is the Responsibility of the District Commander to see that the District Judge Advocate provides the Department Executive Director and the Judge Advocate with a current copy of the District's Constitution & Bylaws within 30 days of any amendments to the District's Constitution & Bylaws. The amended documents will take effect only after approval by the Department Judge Advocate has certified that there is no conflict with AMVETS National or Department Constitution & Bylaws.

ARTICLE V: CHARTERS

Section 1

- A. The State Executive Committee may suspend, cancel or revoke a post charter in accordance with the UNIFORM CODE OF PROCEDURE FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF POST CHARTERS (NATIONAL BYLAWS, Appendix A).
- B. A post charter that has been thus suspended may be reinstated by action of the State Executive Committee if that post purged itself of the offense within 60 days of its suspension. If the delinquency is not cleared to the satisfaction of the State Executive Committee within 60 days, appropriate action shall be taken by the committee to affect revocation or cancellation of the charter.

Section 2

Any post failing to meet the obligations imposed on it by the Constitution and Bylaws, or ceasing to function for six months as a post of AMVETS or voluntarily ceasing to function as a post, or merging with one or more other posts, or refusing or failing to pay the department and national per capita dues within 60 days after collection by the posts, shall, on order of the State Executive Committee, surrender its charter.

Section 3

- A. On revocation or cancellation [or suspension] of the charter of a post, said post shall immediately cease operation and, on revocation or cancellation, turn over its charter and assets to the Department Commander or State Executive Committee. The State Executive Committee is authorized, empowered and directed by and through its duly authorized agent to take possession, custody and control of all records, property and assets of said post. So much of the said assets as are required for the purpose shall be applied to any indebtedness of said post, provided, however, that nothing contained herein shall be construed as requiring the Department of Wisconsin to take over or to assume any financial responsibility of such post. Assets are to be held in trust for a period of 12 months and in the event the post charter is not reissued within the 12-month period, said property,

money and effects shall become the absolute property of the Department of Wisconsin.

- B. When the charter of a post is canceled or revoked for any reason, said charter shall be returned to the department within 30 days.

Section 4

On appeal of disciplinary actions, all pertinent documents, including transcripts and other supporting documentation of said hearings, shall be directed to National Headquarters for review by the National Judge Advocate.

ARTICLE VI:

DISCIPLINE OF POSTS AND POST MEMBERS

Section 1

Each post of AMVETS shall be the judge of its own membership, subject to the provisions of the constitution and bylaws of the National and Department organizations.

- a) When the conduct of any member of AMVETS is such that it in any way will reflect discredit on, or invite criticism of, the organization, or [any member] who belongs to or joins any group, organization or party that is not compatible with the aims and principles of AMVETS, the Department Commander shall immediately bring the matter to the attention of the post of which the individual is a member. If the post fails to act and protect the name of AMVETS, the State Executive Committee may suspend the charter of the post involved, pending a hearing by the Board of Appeals, and final action by the State Executive Committee.

Section 2

- a. Members may be suspended or expelled by a post or the state executive committee on a proper showing of cause. Written charges, which shall be furnished the member involved at least 30 days prior to the date set for the hearing, shall be based on disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of AMVETS.
- b. The State Executive Committee and Posts shall follow the UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER (NATIONAL BYLAWS, Appendix B). The provisions for appeal of suspension or expulsion within that procedure (NATIONAL BYLAWS, Appendix A) shall also be followed in case of appeal of post or department action.

Section 3

Any member who has been suspended or expelled in accordance with Section 2 hereof has the right of appeal. In the event the post imposes the suspension or expulsion, the appeal shall be to the State Executive Committee. In the event the suspension or expulsion is by the State Executive Committee, the appeal shall be to the National Executive Committee. In the event the suspension or expulsion is

by the National Executive Committee, the appeal shall be to the National Convention. The decision of the appellate body shall be final.

ARTICLE VII: MEMBERSHIP

a) Membership in AMVETS constitutes membership in the Department of Wisconsin AMVETS through post affiliation or membership-at-large. All AMVETS shall, prior to their acceptance as members, pledge allegiance to the United States of America and its Constitution and certify that they have read, or have had read to them, The Principles of AMVETS, and that they accept and subscribe to same, and that they shall not advocate or belong to any group or organization advocating the overthrow of the United States government by force. AMVETS Department of Wisconsin recognizes the following subordinate organizations: AMVETS Department of Wisconsin Hospital and Service Foundation, AMVETS Ladies Auxiliary, Sad Sacks, Sons of AMVETS, AMVETS Riders and Juniors AMVETS. Each subordinate organization maintains its own Constitution and Bylaws.

b) In lieu of Honorary memberships, which shall not be granted, certificates of merit or other awards may be given to those rendering distinct service to AMVETS, the Community, or veterans who have served during and since World War II.

c) Any member in good standing, (a member who is free from any financial or property responsibilities to their post), may transfer to any Post or Department or join a newly chartered Post upon presenting a completed application card and their current membership card to the Post they desire to join. Upon acceptance by the new Post, an annual member requesting transfer may only be charged that amount which exceeds the dues previously paid, if any. No member may accept any AMVETS office, at any level, until they achieve the status of member in good standing.

d) No AMVET may be a member of more than one Post at the same time.

e) Any member of AMVETS of Wisconsin may be a Member-at-Large, and will be allowed to vote at the Department Convention provided they are duly registered and are a member in good standing. Members at Large can not hold any elected or appointed office at any level.

f) A "member in good standing" is a member who has not knowingly misrepresented his/her military service, awards decorations, insignia or rank.

ARTICLE VIII: MONIES AND COLLECTIONS

Section 1

All Department and post officials handling AMVETS funds shall be properly bonded with a good and solvent bonding and surety company, acceptable to the U.S. Treasury, as surety to cover the average amount of AMVETS funds handled by such individual in a single year.

Section 2

(a) No contracts involving expenditures in excess of \$2,000 of Department of Wisconsin AMVETS funds shall be negotiated without inviting a reasonable number of competitive written bids and where the required products are of equal quality, the contract shall be awarded to the lowest bidder.

(b) All contracts to be executed by the Department of Wisconsin AMVETS shall be approved by the State Executive Committee and signed by the Department Commander and attested to by The Department Executive Director after said contract has been reviewed by the Department Judge Advocate.

Section 3

(a) No public fund-raising project or program of any kind or character shall be undertaken by or on behalf of any post or combination of posts or subordinate thereof unless the contract, agreement or other arrangement under which such a project or program is to operate has first been submitted for the prior approval of the Department Judge Advocate and then to a standing committee of the National organization composed of the President of the National Service Foundation, the National Judge Advocate and the National Commander. A public fund-raising project is defined as any project or program involving a solicitation or request to nonmembers of AMVETS for a donation or pertaining to the sale of merchandise, goods, tickets, or advertising matter of any kind or character. In the event of an adverse decision by the Department Judge Advocate, an appeal may be made at the next State Executive Committee meeting whose action shall be final. Any fundraising project or program conducted by a post or any combination of posts or subordinates thereof in which there is no other person, firm or corporation involved, and in which such fund-raising project or program is conducted solely by the post, shall not be deemed to be within the purview of this section, provided that the anticipated gross receipts from such fund-raising project or program do not exceed the sum of \$2,500; in the event it is anticipated that the gross receipts will exceed \$2,500 in any fiscal year, then said project or program shall be submitted as described above. Failure of a post or combination of posts or subordinates thereof to adhere to the provisions of this section shall be considered grounds for disciplinary action.

(b) Wherever a post clubroom is maintained and operated for the convenience and pleasure of its members and the name of AMVETS or its insignia is displayed or used, a board of trustees shall be elected by and from among the members of the post to supervise its activities, operation and finances.

(c) Any post operating a clubroom as mentioned in Section 3(b) hereof shall be required to carry workers' compensation insurance (in accordance with the laws of the state of Wisconsin and public liability insurance, including product liability and personal injury coverage, with a minimum single limit of \$300,000. Posts that

maintain a building primarily for meeting purposes shall be required to carry public liability insurance, including product liability and personal injury coverage with a minimum single limit coverage of \$100,000 or the minimum local amount prescribed by state law. The Department of Wisconsin AMVETS and the National Department shall be included as additional insured in all policies and a certificate of said insurance shall be furnished to the State Department and to National Headquarters.

(d) Upon renewal of insurance policies, which either incorporate liquor liability coverage within general liability coverage or have stand-alone liquor liability coverage, a copy of the new policy will be forwarded to Department of Wisconsin AMVETS within 30 days of the renewal date. If a renewal confirmation is not received within 45 days of the renewal date, the Post becomes suspended until such time as the confirmation is received.

(e) Any post operating a clubroom as stated in Section 3(b) hereof shall be mandated to incorporate under a business not-for-profit corporation law, in accordance with existing Wisconsin state statutes. All post clubrooms desiring to be included in the AMVETS group tax-exempt status under Internal Revenue Service Code as a 501(c)(19) organization shall provide, on incorporation, a point of contact, employer identification number, mailing address and letter of authorization to the Department of Wisconsin AMVETS and AMVETS National Headquarters.

(f) Any post failing to comply with these provisions shall be deemed to have violated the Department of Wisconsin AMVETS Bylaws and the charter of said post shall, in accordance with adopted procedure, be subjected to suspension or revocation.

Section 4

All post and department accounts shall be kept in accordance with generally accepted accounting procedures.

Section 5

The minimum annual and life membership dues shall be in accordance with National and Department guidelines. Any dues above the minimum required to be forwarded to National and the Department of Wisconsin shall be fixed by the post. Members-at-large will remit the minimum dues to department headquarters, from which sum the national department will be paid the minimum national dues.

Section 6

Annual members who paid their annual dues between September 1 and August 31 may convert to life membership and receive credit for their prepaid annual dues at any time during that period.

ARTICLE IX: RESTRICTED USE OF ORGANIZATION

The Department of Wisconsin AMVETS, or any component part thereof, shall not be used to promote the interest of any individual who is a candidate for public office or to promote otherwise any individual, political party, or faction. Any violation of this provision shall be sufficient cause for disciplinary action against the offending member, or post.

ARTICLE X: MEETINGS

Section 1

All meetings and all matters and proceedings not otherwise provided for herein shall be conducted pursuant to ROBERT'S RULES OF ORDER NEWLY REVISED.

Section 2

The AMVETS uniform for males consists of a navy blue blazer, medium-gray trousers, white dress shirt, black belt, navy blue necktie and appropriate black footwear. The AMVETS uniform for females consists of a navy blue blazer, medium-gray slacks or medium-gray skirt, white dress blouse and appropriate black belt, neckwear and black footwear.

Official AMVETS caps are different depending on the title of the member:

Post officers and members: Green with gold piping and lettering.

Dept. District officers: Green band with white top with gold piping and lettering.

Dept. officers: White with green piping and lettering.

National officers: White with gold piping and lettering.

National Commander: Gold with white piping and lettering.

AMVETS Ladies Auxiliary: Official Ladies Auxiliary cap.

AMVETS Riders: Official beret.

Sons of AMVETS: Official cap.

AMVETS Sad Sacks: Official cap.

Junior AMVETS: Official cap.

Members may wear the cap of the highest office that they've held, provided that the year that they served is indicated on it. Stars are to be worn only on the caps of Department Commander, Past Department Commanders, National Commander and Past National Commanders.

Only official AMVETS caps and headgear of AMVETS subordinate organizations will be worn on the convention floor during sessions. No other caps are to be allowed on the convention floor. The AMVETS uniform and cap should be worn at all AMVETS functions. Additionally, they should be worn at all patriotic events and when cooperating with or participating in observances of other veterans military organizations. The cap should be worn indoors and outside. However, it should be removed when entering a church unless worn by a member (or the Commander) of an armed honor guard or color guard.

ARTICLE XI: ACCOUNTING FOR MONIES

All monies received by this Department shall be strictly and accurately accounted for and a report shall be made available to all members, at each meeting of the SEC, showing the sources of all such income and expenditures thereof.

ARTICLE XII: AMENDMENTS

Section 1

These bylaws may be amended by a majority vote of the delegates present at any Department of Wisconsin AMVETS Convention. Proposed amendments for action of the Department Convention will be submitted by a post, the State Executive Committee or a Standing Department Committee to the Department Executive Director, by mail, postmarked at least 120 days prior to the opening date of the Department Convention.

Section 2

These bylaws, however, may be amended from the floor of any Department Convention without notice, by a two-thirds vote.

Section 3

Amendments to these Bylaws shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

Revised June 26th, 2015

At the Department Convention in Green Bay, WI
James Smejkal, Department Judge Advocate