

7. To ensure the orderly return of the veterans to civilian life by protecting their rights as individuals while still in uniform.
8. To expedite and assist in the rehabilitation of the veteran by maintenance of employment services, sponsoring educational opportunities, providing counsel of insurance, housing, recreation, personal problems, hospitalization and veterans benefits.
9. To act as a liaison agent between the veteran and the Government.
10. To provide an organization to encourage fellowship among all American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.
11. To keep the public forever reminded that American veterans who have served or are serving in the Armed Forces of the United State during and since World War II fought and served to preserve peace, liberty, and democracy of their Nation.

ARTICLE III – MEMBERSHIP

- Section 1 Any person who served or is currently serving in the Armed Forces of the United States of America at any time after September 15, 1940 is eligible for regular membership in AMVETS provided such service, when terminated by discharge, or release from active duty, be by honorable discharge, honorable separation or general discharge under honorable conditions.
- Sections 2 All United States reservists and national guardsmen who are now serving, or have been honorably discharged since September 15, 1940, are eligible for regular membership in AMVETS provided such service – when terminated by discharge or release – is by honorable discharge or separation.
- Section 3 Any American citizen, as an American citizen, who served in the Armed Forces of an allied nation of the United States at any time after September 15, 1940 is eligible for regular membership in AMVETS provided such service – when terminated by discharge or release from active duty – is by honorable discharge or honorable separation.
- Section 4 No person who is a member of, or who advocates the principles of any organization believing in, or working for the overthrow of the United States government by force, and no American citizen or permanent resident alien in the United States, one of its territories, possessions or the District of Columbia who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization.
- Section 5 Honorary membership shall not be granted.
- Section 6 No person shall be a member of more than one AMVETS post at any one time.

- Section 7 No person expelled from any other AMVETS post shall be eligible for membership in another post without the consent of the expelling post, or consent of the State Executive Committee (SEC) after hearing an appeal.
- Section 8 This Post shall be the judge of its own membership, subject to the provisions of the Constitution and Bylaws of the national constitution.
- Section 9 Membership shall be on a calendar year basis from September 1st through August 31st as prescribed by the national constitution.
- Section 10 Military rank, medals awarded, or past military honors will not be a determining factor toward AMVETS offices or positions held. We acknowledge, and honor rank earned and may address an active or retired military member by his/her rank/title but rank will not be used in the conducting of post business. Every member will be afforded equal respect and courtesy regardless of current or past military rank held: The only exception to this rule is Medal of Honor winners will always be afforded the highest courtesy.
- Section 11 Eligibility for membership and the rights and privileges of members shall be as provided in the Constitution and Bylaws, and the terms of membership and requirements for holding office within AMVETS shall not be discriminatory based on race, color, religion, sex or national origin.

ARTICLE IV – OFFICERS

- Section 1 Officers of this Post shall consist of a commander, at least one but not more than two vice-commanders, adjutant finance officer, provost marshal, judge advocate, three trustees and such other officers as may be prescribed by the Bylaws.
- Section 2 Nomination and election of officers shall be held annually between May 1st and June 1st. Nominations shall be made from the floor at a general meeting.

ARTICLE V – EXECUTIVE COMMITTEE

The elected and appointed officers of the Post, and the immediate past post commander shall constitute the Executive Committee which will be charged with the administrative affairs and property of the Post. The Executive Committee shall formulate the policy of the organization for approval by the members.

ARTICLE VI – POST ORGANIZATION

- Section 1 This Post shall be governed by the officers chosen in accordance with this Constitution and Bylaws and will annually revalidate its charter prior to June 1. Such revalidation shall be evidenced by the issuance of a Revalidation Certificate issued by the National Department upon satisfactory completion of all requirements. Aside from any other requirements imposed by the Department or National Constitution and Bylaws, this Post shall:
- a) Furnish National Headquarters and AMVETS Department of Wisconsin with a certified list of current Post officers not later than June 15;

- b) Provide a written statement to the national organization that the post has/has not filed an IRS Form 990 with the Internal Revenue Service for the fiscal year.
 - c) Furnish National Headquarters with a copy of the Post's current Constitution and Bylaws or certify on the Change of Officers Form that the copy on file has not been altered, changed or amended.
 - d) Be fully paid up in all accounts with National Headquarters.
 - e) Comply with applicable liability insurance and bonding mandates; and
 - f) Have a minimum of ten (10) members in good standing at all times.
- Section 2 Within 30 days of notice to surrender its charter resulting from disciplinary or voluntary action, the Post will close all bank accounts and deliver to the State Department or National organizations all Post records, property and assets.

ARTICLE VII – SUBORDINATE ORGANIZATIONS

- Section 1 (a) A subordinate organization of this post may be established only by a provision of the post's Constitution, and in keeping with the National Constitution and Bylaws.
- (b) All subordinate organizations' membership qualifications must be consistent with the aims and purposes of AMVETS.
- Section 2 All AMVETS subordinate organizations shall follow the same membership year and pay membership dues in concern with the parent organization.
- Section 3 All subordinate organizations shall be under the jurisdiction of the AMVETS Post whose name it bears and shall carry the corresponding number of the Post.
- Section 4 (a) A two-thirds (2/3) vote of the AMVET members present at a stated meeting is required to approve and form a subordinate organization.
- (b) AMVETS Post members must be given written notice of such meeting a minimum of 15 days prior to the proposed formation.
- (c) Where no post exists, a subordinate organization shall not be formed, nor continue to operate as an independent entity. The subordinate's charter must be surrendered along with any property it may possess to the duly recognize subordinate officer in accordance with the Constitution of the national subordinate organization.
- (d) Wherever a post clubroom is maintained and operated for the convenience and pleasure of its members, and the name of AMVETS or its insignia are displayed or used, a board of trustees shall be elected by and from among the members of the post to supervise its activities, operations and finances.
- Section 5 No fundraising activities can be sponsored by any subordinate organization without the recommendation of the AMVETS Post Executive Committee and the prior approval of the AMVETS Department and National organizations in compliance with National Bylaws Article VII, Section 3 (a).

ARTICLE VIII – AUXILIARY

- Section 1 AMVETS recognizes a subordinate organization known as the AMVETS Ladies Auxiliary.
- Section 2 (a) Membership eligibility in the AMVETS Ladies Auxiliary is limited to the mothers, wives and grandmothers, regardless of age, and to the daughters, sisters and granddaughters not less than 18 years of age of regular members of AMVETS and to
- (b) Mothers and widows, regardless of age, and daughter’s sisters and granddaughters not less than 18 years of age of deceased veterans who would have been eligible for membership in AMVETS.
 - (c) Female veterans who served honorably in the Armed Forces of the United States after September 15, 1940, or as an American citizen in the armed forces of Allied countries, who maintain their AMVET membership unless they meet the established criteria.
 - (d) Any Auxiliary member who qualifies and joins as a member under the criteria in Section 2 (a), (b) or (c) shall be allowed to remain an Auxiliary member so long as she remains a member in good standing.
- Section 3 AMVETS recognizes a subordinate organization known as Sackettes, a fun and honor organization of the AMVETS Auxiliary.

ARTICLE IX – SAD SACKS

- Section 1 AMVETS recognizes a subordinate organization known as AMVET Sad Sacks of American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.
- Section 2 Eligibility for membership in the Sad Sacks shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary and Sons of AMVETS.

ARTICLE X – JUNIOR AMVETS

- Section 1 AMVETS recognizes a subordinate organization known as Junior AMVETS.
- Section 2 From the age of 5, to and including 17 years, sons and daughters, brothers and sisters, and grandchildren of AMVETS, deceased servicemen who would have been eligible for AMVETS membership, including all children for whom they are legal guardians.

ARTICLE XI – SONS OF AMVETS

- Section 1 AMVETS recognizes a subordinate organization known as Sons of AMVETS.
- Section 2 Membership is limited to all male descendants, grandsons, adopted sons and stepsons, fathers, husbands, widowers and brothers of members of AMVETS and deceased members of AMVETS, or service personnel who died and would have been eligible for membership in the parent AMVETS organization.
- Section 3 The Applicant for the Sons of AMVETS must be at least 18 years of age and cannot be a member of nor eligible for membership in the parent organization of AMVETS.

ARTICLE XII – AMVETS RIDERS

- Section 1 AMVETS recognizes a subordinate organization known as AMVETS Riders.
- Section 2 Eligibility for membership in AMVETS Riders shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary, Sons of AMVETS, and Junior AMVETS.

ARTICLE XIII - AMENDMENTS

This Constitution may be amended by resolution at the annual meeting. Proposed amendments shall be submitted in writing to the Executive Committee for its review and presentation at the next annual meeting. Copies of proposed amendments shall be distributed by mail to all Post members at least ten (10) day prior to the date of the vote. A two-thirds (2/3) vote of the members present shall be required to amend this Constitution. Copies of all adopted amendments shall be forwarded to the Department for review by the department judge advocate within thirty (30) days after their adoption. The department judge advocate will forward the approved copies to the National Headquarters for placement in the permanent Post file.

BYLAWS

ARTICLE I – QUORUM

- Section 1 At all regular and special meetings at least 4 members present shall constitute a quorum, providing at least one elected officer is present to preside.
- Section 2 A **quorum** at Executive Committee meetings shall consist of 4 members of the committee.
- Section 3 A **quorum** for the Board of Trustees shall consist of 3 members of the Board.

ARTICLE II – COMMITTEES

- Section 1 The following standing Committees shall be appointed by the commander with approval of the Executive Committee: Membership, Finance, Hospital and Welfare, Programs, Legislation, and Americanism. The post commander shall appoint a chairman and such members of AMVETS to each committee as are necessary to accomplish its objective.
- Section 2 Temporary committees may be appointed by the commander to expedite projects for the good and welfare of the Post.

ARTICLE III - MEETINGS

- Section 1 This Post shall meet on the _____ of every month at a place designated at the previous meeting, unless a special meeting needs to be called.

- Section 2 There shall be three types of meetings; the general monthly meeting, special meetings and the annual meeting. Post members will be notified in advance of all meetings.
- Section 3 The order of business shall be prescribed by the Executive Committee but may be changed when necessary.
- Section 4 Nominations for officers shall be entertained and an announcement of the business to be considered at the annual meeting will be made at the general meeting one month preceding the annual meeting. Further nominations may be made from the floor of the annual meeting on a majority vote.
- Section 5 All business meetings of this Post shall be conducted in accordance with “Robert’s Rules of Order, Newly Revised.”

ARTICLE IV – ELECTION AND APPOINTMENT OF OFFICERS

- Section 1 (a) A commander, not more than two vice-commanders designated as first, and second Vice Commanders, adjutant, finance officer, provost marshal, judge advocate, and trustees shall be elected annually by members of the Post. A chaplain, historian, service officer, Military Family Support Liaison, Quarter Master and public relations officer shall be appointed annually by the newly elected commander with the approval of the Executive Committee.
- (b) Any member in good standing may seek any office. There shall be no automatic progression. Every member will be given equal opportunity to hold offices and posts.
- (c) If more than one candidate for an office is listed each candidate will be allowed a short time to speak to his/her qualifications prior to balloting.
- Section 2 The election of officers shall be held at the annual meeting of the Post in May of each year. The vote shall be taken in the manner prescribed by the post membership. If by written ballot, sufficient paper ballots will be prepared in advance by the Adjutant. The Provost Marshal shall distribute, collect and count the ballots and shall thereafter make the announcement of the results. Only members in good standing in person at the meeting shall be entitled to vote. (There will be no absentee or proxy votes allowed.) National and Department Headquarters shall be notified of the election of new officers by the Post Adjutant within thirty (30) days after the said elections have been completed.
- Section 3 The newly-elected and appointed officers shall be sworn in and shall take office at the next regular meeting of the Post, but in no event sooner than two weeks after such election, nor later than July 15 thereafter.
- Section 4 In the event that the office of the commander is vacated, the vice commanders in the order of their numerical designation shall succeed to the office of commander or the unexpired term.

- Section 5 Should any other office be vacated the commander is empowered to appoint a successor for the completion of the term subject to approval of the Executive Committee.
- Section 6 Any elected officer who misses three (3) consecutive regular meetings without prior consent shall be removed from office without any further action, notification or hearing. The vacated position shall be filled within the guidelines prescribed herein.

ARTICLE V – DELEGATE TO CONVENTION

At least thirty (30) days prior to the Department and National conventions, delegates and alternates shall be chosen to attend said conventions. The number of delegates will be in accordance with the National and Department delegate strength guidelines. The Post commander shall constitute one delegate. Other delegates may be elected with instructions governing their representation.

ARTICLE VI – FINANCE

- Section 1 The total annual dues of this Post shall be set at \$ _____ of which \$15.00 per member shall be paid to National, \$5.00 to the Department, and the Post shall retain \$ _____ the balance shall be deposited in the Post’s account under the General Funds ledger. AMVETS District _____ annual dues are \$1 per post member due first calendar quarter of the year.
- Section 2 Life member dues are as determined by national convention and remitted to National Headquarters and the Department as prescribed. 50% of Life Membership dues will be paid to the National Department, 25% will be forwarded to the Department, and the remaining 25% will be maintained by the Post.
- Section 3 All fundraising activities must be approved in advance by the Post Executive Committee and the Department Judge Advocate. If a fundraising activity requires entering into a contract or if anticipated gross revenues are expected to exceed \$10,000, a copy of the proposed fundraising program must be transmitted through the Department to National Headquarters for approval.
- Section 4 An annual budget shall be prepared by the finance officer and submitted to the Executive Committee for approval. Accurate books and records of account activities maintained by the finance officer shall be subject to inspection and regulation by the Executive Committee at all reasonable times.
- Section 5 The finance officer shall render a report of receipts and disbursements to each meeting of this Post. This office is also responsible for filing an IRS Form 990 with the District Director of the Internal Revenue (or a certificate in lieu thereof where the 990 is not required) on or before the 15th day of the fifth month following the close of the annual accounting period. A statement as to whether a 990 has/has not been filed with the IRS must be given in writing to the Department and National Headquarters. The Post’s fiscal year shall be Jan 1 to December 31.

Section 6 If Post club rooms are maintained and operated for the convenience and pleasure of the members of this Post in the name of AMVETS, or its insignia are displayed or used, a Board of Trustees shall be elected from among the members of the Post to supervise its activities, operation and finances. The Post shall also secure, at the least, the minimum liability insurance coverage prescribed by the National constitution and Bylaws which named the Department and National offices.

Section 7 Post officials handling AMVETS funds shall be properly bonded with a good and solvent bonding surety company, acceptable to the U.S. Treasury, as surety to cover the average amount of AMVET funds handled by said individual in a single year. At no time will the finance officer and any other official responsible for funds be from the same household or family.

ARTICLE VII – BOARD OF TRUSTEES

The Board of Trustees shall be comprised of the post commander, immediate past post commander, adjutant, finance officer and judge advocate, along with three trustees elected by the post members.

ARTICLE VIII - RESOLUTIONS

Section 1 All resolutions adopted by this Post shall be forwarded to Department Headquarters.

Section 2 A simple majority vote of members present is required to pass any resolution other than amendments to the Constitution and Bylaws.

ARTICLE IX – RESTRICTED USE OF ORGANIZATION

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, organization, political party, faction or product. Any violation of this provision shall be sufficient case for disciplinary action against the offending member.

ARTICLE X – DISCIPLINE OF POST MEMBERS

Section 1 Members of the post may be suspended or expelled for any one or more of the following reasons:

- (a) Failure to comply with any obligation imposed on members under the Constitution and Bylaws
- (b) Any violation of law that reflects unfavorably on the name of AMVETS
- (c) Any conduct unbecoming an AMVET, which may include but is not limited to actions or activities contrary to any portion of the Post, Department, or National AMVETS Constitution, Aims, or Preamble
- (d) Ineligibility for membership at time of acceptance into membership

(e) Procurement of membership by fraud or deception.

- Section 2 Any member of AMVETS may prefer charges against any other member, alleging any of the foregoing causes for suspension or expulsion. Such charges shall be made under oath, setting forth the time and place of the offense or other basis for the charges, as near as may be practicable, and signed by the accuser.
- Section 3 All charges and specifications shall be filed with the post commander of the post to which the member complained about belongs. On receipt of said charges and specifications, the post commander shall, within five days, send a copy thereof by certified mail to the member complained about, together with a notice fixing a date, place and time of a hearing to be held not less than 30 days after said date of mailing.
- Section 4 Said charges and specifications shall be heard by the Executive Committee of the post, at which said hearing the member complained about shall have the right to be represented by counsel and to cross examine his accuser or accusers and witnesses presented against him. No member against whom charges have been preferred, or who has preferred charges against another member, shall sit in judgement on any panel hearing or deciding the matter.
- Section 5 The post Judge Advocate shall prosecute the charges, and the attendance of a court reporter shall be permitted.
- Section 6 The presiding officer of said Executive Committee shall decide all questions as to the relevancy of evidence and the regularity of the proceedings.
- Section 7 On the conclusion of the hearing, a vote shall be taken first as to whether there is a basis for the charge or charges and, if by the vote hereinafter mentioned, it is determined that there is none, the charges may be dismissed. If the charges are not dismissed, then a vote shall be taken on the guilt or innocence of each of the charges and each of the specifications. A two-thirds (2/3) vote of the members of the Executive Committee hearing the charges and specifications shall be required to sustain any charge or specification. Voting herein provided for shall be secret or open as said Executive Committee may, be majority vote thereof, determine.
- Section 8 In any charge or specification is sustained, then the member shall be deemed to be guilty thereof and the officer presiding at the hearing shall then put the question of the degree of punishment as to; whether there shall be a suspension from the benefits of membership and, if so for how long; or, whether there shall be an expulsion from membership.
- Section 9 Any member whose membership is suspended or forfeited may appeal to the next highest level applicable from that which heard the charges and specifications, i.e., from

the post Executive Committee. Notice of appeal must be filed in writing with the appellate body not later than 15 days after the imposition of the penalty.

Section 10 The decision of the appellate body at either level shall be binding and final.

Section 11 The procedure for the handling of any appeal to be heard by the National Executive Committee or the National Convention shall be prescribed by the National Judge Advocate. The procedure for the hearing of an appeal by the department Executive Committee shall be prescribed by the department Judge Advocate, and the procedure for the handling of any appeal to be heard by the post Executive Committee shall be prescribed by the post Judge Advocate. No such procedure at any level, however, shall be inconsistent or in conflict with the national, department or post constitution and bylaws or this code.

ARTICLE XI – AMENDMENTS

The Bylaws may be amended by the majority vote of the members present at the annual meetings. Proposed amendments must be submitted in writing to the Executive Committee for recommendation. The Committee will instruct the Adjutant to notify the membership, by mail, with copies of proposed changes at least ten (10) days before the meeting to vote on the amendment. Copies of the adopted amendments shall be forwarded to the department Judge Advocate for review and recommended approval. The department Judge Advocate will forward a copy of the approved Bylaws to the National Headquarters for filing.

CERTIFICATION

This document is a true copy which was adopted by the membership of this Post.

Date

Signature of Post Judge Advocate

Date

Signature of Post Commander