



BRONSTED-SEARL-INGMAN POST #93 OF THE AMERICAN LEGION

CONSTITUTION

ARTICLE I

The name of this post shall be Bronsted-Searl-Ingman Post of the American Legion, State of Wisconsin, Number 93 of Tomahawk, Lincoln County.

ARTICLE II

OBJECTS OR NATURE OF ORGANIZATION

For God and country, we associate ourselves together 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 all wars;

To inculcate a sense of individual obligation to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and goodwill on earth;

To safeguard and transmit to posterity the principles of justice, freedom and democracy;

To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE III

LIMITATION OF POWERS

No articles or sections of this Constitution or By-Laws shall be in force and effect if found to conflict with the National Constitution or in conflict with the Constitution of the Wisconsin State Branch of the American Legion. If found to be in conflict, the Constitution and By-Laws of the National or State Organization of the said American Legion shall govern where same are clearly intended to apply to this Post.

ARTICLE IV
MEMBERSHIP

Section 1

The LEGION Act (Let Everyone Get Involved In Opportunities for National Service Act) of 1991 establishes American Legion membership for anyone who has served at least one day of active military duty since December 7, 1941 and was honorably discharged, or are still serving active military duty honorably.

Section 2

All questions related to the good standing of a member shall be determined by a majority vote of all the members of the Executive Committee.

Section 3

Each member shall be entitled to but one vote, and no member shall be represented in any capacity by a proxy.

Section 4

Every member in good standing shall be eligible to hold any office or be a member of any committee.

Section 5

Sons of The American Legion members include males of all ages whose parents or grandparents served in the U.S. military and were eligible for American Legion membership.

Section 6

Sons of The American Legion 18 years of age and older may serve on any Committee with exception to the Executive Committee.

Section 7

Sons of The American Legion members who are in good standing are allowed the same voting rights and privileges as American Legionnaire members except for the following restrictions:

- No votes will be counted for Sons of The American Legion members under the age of 16 for general votes.
- No votes will be counted for Sons of The American Legion members under the age of 18 and/or still enrolled in High School or a GED program for votes pertaining to Scholarships.

Section 8

Sons of The American Legion members are ineligible to hold an officer position with American Legion Post 93.

ARTICLE V

OFFICERS

Section 1

Elective officers of the Post, elected annually, shall be as follows:

- One Post Commander
- One Post 1st Vice Commander
- One Post 2nd Vice Commander
- One Post Adjutant
- One Post Finance Officer
- One Post Historian
- One Post Chaplain
- Two Sergeants at Arms

Section 2

The appointive officers of the Post shall be those who hereafter may be provided by Post action at any regular meeting, or at any special meeting properly called.

Section 3

All elective officers shall be elected by ballot at the annual general meeting, or at an adjourned meeting thereof.

Section 4

All appointive officers shall be appointed by the Post Commander.

Section 5

All officers shall hold office for one year, or until their successors have been duly elected, appointed, and have qualified.

ARTICLE VI

VACANCIES OF OFFICES

Section 1

All vacancies in elective offices shall be filled by the Executive Committee for the period of the vacancy.

Section 2

Vacancies in appointive offices shall be filled by the Post Commander for the period of the vacancy.

ARTICLE VII

COMMITTEES

The following shall be the standing committees of the Post:

- Executive Committee
- Finance Committee
- Membership Committee
- Children and Youth Committee
- House Committee
- Bar Committee
- Fundraising Committee

ARTICLE VIII

AMENDMENTS

Section 1

This Constitution and any By-Laws provided hereunder shall be amended only by a two-thirds vote of the members present at an annual, regular, or a special meeting provided the following:

- The proposed amendment has been submitted in typewritten form for consideration of a meeting of the membership at least two weeks prior to the date of the meeting at which it is to be voted on.

This Constitution may also be amended upon a two-thirds vote of all members of the Post taken by mail at any time provided the following:

- The proposed amendment shall be printed in typewritten form and sent to each member of the Post at least three weeks prior to the day appointed for the count to be made of such vote.

Section 2

Proposed amendments in writing may be submitted by any member at any meeting, provided that any amendment to be voted upon by mail, shall be first submitted to the Executive Committee for approval or disapproval. If approved, the Executive Committee shall instruct the Post Adjutant to prepare the necessary information, instructions, ballots, and otherwise supervise the vote by mail upon the proposed amendment.

BY - LAWS

ARTICLE I

MEETINGS

Section 1

The annual meeting of the Post will be held on the first regular meeting of the month of July in each year, at which time a concise but complete report will be made to the Post by the Post Adjutant, Post Finance Officer, Post Historian, Post Chaplain, and by the Chairman of each committee. Each report will be called for in such order as the Post Commander may deem desirable.

Section 2

The regular meeting of the Post shall be held on the 3rd Tuesday evening of each month.

Section 3

Special meetings of the Post shall be called by the Post Adjutant at the request of the Post Commander, or upon written request of a majority of the Executive Committee, or upon written request of ten percent of the members of the Post in good standing.

Special meetings shall only be called by notice in writing, addressed and mailed/mailed to each member of the Post, giving the place, the time, and the object of the meeting. No other object or matter shall be taken up in the special meeting.

The notice for the special meeting shall be mailed/mailed not later than three days before the day set for the special meeting.

Section 4

Meetings of committees not otherwise provided for in these By-Laws, may be called by the Post Commander or by the Executive Committee.

Section 5

At all meetings of members and of committees, each member shall have but one vote.

Section 6

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

Section 7

Meeting Minutes shall be recorded for all Post meetings (Executive, Membership and Committee). A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

Section 8

An electronic meeting (e-meeting) format may be used for committee meetings in lieu of an in-person meeting.

Section 9

Members may attend the monthly Post Membership meeting utilizing electronic methods such as teleconferencing and direct dial-in.

ARTICLE II

ORDER OF BUSINESS

The order of business at the monthly Post Membership meeting shall be in the following order:

1. Opening Ceremonies
2. Roll Call Of Officers
3. Introduction Of Guests And New Members
4. Review And Approval Of Minutes From Prior Meetings
5. Officer Reports
6. Committee Reports
7. Tomahawk Area Veterans Honor Guard Report
8. Unfinished Business
9. New Business
10. Election Of Officers (yearly)
11. Sick Call
12. For The Good Of The Legion
13. Closing Ceremonies

ARTICLE III

THE OFFICIAL AND FISCAL YEAR

Section 1

The official year shall begin on the first day of July and end on the 30th day of June, both dates inclusive.

Section 2

The fiscal year shall correspond with the calendar year.

ARTICLE IV

MEMBERSHIP FEES AND DUES

Section 1

There shall be no membership fee for admission as a member to this Post.

Section 2

The amount of annual dues will be set by a vote of the majority of the membership present at an authorized meeting. There will be no proration of dues for the partial year in which they are paid.

Section 3

The membership fee may accompany the application for membership or may be paid within a reasonable time after election to membership.

Section 4

Suspension of membership for non-payment shall result if any member fails to pay his annual dues within six months after being put on notice that his dues remain unpaid. This notice shall indicate that he stands in danger of forfeiting his membership in the Post if his dues are not paid by a specified default date. A second final notice may be sent just prior to the default date named, but it is not obligatory. A member who has forfeited his membership can only be reinstated by the Executive Committee after a full settlement of delinquent dues are paid or reinstated by a majority vote of the membership during a meeting of the Post. This majority vote of the membership may set conditions for reinstatement.

ARTICLE V

EXPULSION

Section 1

The expulsion of any member may be made by the unanimous vote of all members of the Executive Committee, or by a two-thirds vote at any meeting of the membership. No one shall be so expelled without first having been invited to appear in his/her own defense and may be accompanied by counsel, However, it shall be unnecessary to invite any member to appear if the charges against him/her have been proven in a court of law.

Section 2

Grounds for expulsion shall exist when in the judgement of the Executive Committee, or of the Post, a member shall have conducted himself, or herself, in such a manner as to discredit or tend to discredit the Post.

ARTICLE VI

TERMINATION OF MEMBERSHIP

Termination of membership may result from forfeiture, expulsion, or transfer of membership.

ARTICLE VII

DUTIES OF OFFICERS

Section 1

Post Commander

The duties of the Post Commander are the following:

- Preside over the meetings of the Post.
- Appoint all appointive officers, tellers and committees not otherwise provided for in this Constitution and By-Laws.
- Direct the affairs of the Post for its successful conduct under this Constitution and By-Laws, and in accordance with such legislation as shall be passed by the Executive Committee.
- Adhere to the Financial Policy and Procedures outlined in Article XIII.
- Do and perform such other duties as is usual to such office.

Section 2

Post Vice-Commanders

The duties of the Post Vice-Commanders shall be to assume the duties of the Post Commander when the latter shall:

- Invite the Post Vice-Commander to so act.
- Be absent from his duties.
- Be deceased, and until the Executive Committee has filled the vacancy.

If both the Post Commander and the Post Vice-Commanders shall be absent, then the members assembled may elect a temporary Post Commander.

Section 3

Post Adjutant

The duties of the Post Adjutant are as follows:

- Shall develop and distribute an agenda for the monthly Post Membership meeting and the Executive Committee meeting.
- Shall keep meeting minutes for the monthly Post Membership meeting and the Executive Committee meeting.
- Meeting minutes shall be submitted for approval at the subsequent Post Membership meeting and Executive Committee meeting.
- Keep a permanent file of all reports, present and read all such data or reports as directed from time to time by the Post Commander or Executive Committee.
- To act for and on behalf of the Post Commander at any time upon direction by the Post Commander.
- Make an annual report.
- Process all membership transactions and report such at the monthly Post Membership meetings.
 - New members
 - Renewals
 - Transfers
 - Deceased
- Submit all required National and Department reports.

- Adhere to the Financial Policy and Procedures outlined in Article XIII.

Section 4

Post Finance Officer

The duties of the Post Finance Officer are as follows:

- Shall manage all funds and accounts of the Post.
- Pay all bills against the Post.
- Keep an accurate account of all funds received and disbursed.
- Make a report on all funds at the monthly Post Membership meeting, the annual meeting, and at such other times and places as requested by the Post Commander or by the Executive Committee.
- Ensure that all local, state, and federal taxes are properly submitted.
- Adhere to the Financial Policy and Procedures outlined in Article XIII.

The Post Finance Officer shall furnish a bond for the faithful performance of his duty if directed by the Executive Committee. The cost of which shall be paid out of the funds of the Post.

Section 5

Post Historian

The duties of the Post Historian are as follows:

- Shall be charged with the duty of compiling and keeping continuously a complete record of the history of the Post and its members.
- Shall make reports at such times as directed by the Post Commander, or by the Executive Committee.

Section 6

Post Chaplain

The Post chaplain shall be charged with the spiritual welfare of the Post members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by the National or Department headquarters.

Section 7

Sergeant-At-Arms

The sergeant-at-arms shall preserve order at meetings and shall perform such other duties as assigned by the Post Commander or Executive Committee. Basic duties include:

- Posting of the colors
- Maintaining the POW/MIA chair
- Meeting room setup and security
- Escorting special guests

Section 8

Appointive Officers

The duties of all appointive officers shall be prescribed by the Post Commander.

ARTICLE VIII

DUTIES AND FUNCTIONS OF COMMITTEES

Section 1

Executive Committee

The Executive Committee shall be composed of eight members, and shall consist of the Post Commander, Post 1st Vice-Commander, Post 2nd Vice-Commander, Post Adjutant, Post Finance Officer and three members elected by the membership at the annual meeting of the Post. Sons of The American Legion are not eligible for membership in the Executive Committee.

The members of the Executive Committee shall also be the Legal Trustees of the Post with all the duties, powers, and responsibilities incident thereto. These duties, powers and responsibilities include the holding of the title of real estate and the control and management of said real estate.

The Executive Committee shall elect a chairman from the elected membership representatives, but no officer of the Post shall be eligible for that position.

The Post Adjutant shall be ex officio secretary of the Executive Committee and shall keep a record of all the proceedings of said committee.

It shall be the duty of the Executive Committee to supervise and legislate all matters not otherwise provided for in this Constitution and By-Laws.

The Executive Committee shall have charge of all matters affecting legislation. No resolution shall be presented to the membership concerning state legislation without first having the approval of a majority of the members of the Executive Committee.

The Executive Committee shall have the power and authority to create and to delegate to subcommittees chosen from any members of the Post such duties as it may determine necessary for the efficiency and best interest of the committee. These delegations to be appointed by the Chairman of the Executive Committee.

The Executive Committee shall have the power and authority to delegate to officers of the Post such duties as it may determine necessary for the efficiency and best interest of the Post. These delegations to be appointed by the Chairman of the Executive Committee.

It shall be the further duty of the Executive Committee to provide for the election of delegates necessary for any purpose and to see that they are elected in accordance with the provisions of the State Constitution and By-Laws.

Meetings of the Executive Committee may be called at any time by the Post Commander, the Chairman of the Executive Committee, or by the Post Commander upon written request of ten per cent of the members of this Post. Said request to state the object for which said meeting is requested.

It shall be the duty of the Executive Committee to fill all vacancies that may occur in offices of the Post, and officers so appointed shall serve for the unexpired term of the officer for whose place he has been appointed. The appointee shall conform to all the requirements of said office.

The Post Commander shall fill any vacancy in the terms of the three elective members of the Executive Committee, and members so appointed shall serve for the unexpired term of the committeeman for whose place he has been appointed.

The Executive Committee shall investigate and resolve all membership grievances.

The Executive Committee shall review all Post financial accounts and adhere to the Financial Policy and Procedures outlined in Article XIII.

The Executive Committee shall be responsible for the management of all employees (hiring, termination and wages).

Section 2

Finance Committee

The Finance Committee shall be composed of a minimum of three members (Legion or SAL), one of which shall be the Post Finance Officer with the others being appointed by the Post Commander, with the appointments being duly reported to the Post Adjutant.

The Chairman of the Finance Committee shall be elected by the Finance Committee, but the Post Finance Officer shall not be eligible.

The Finance Committee shall review all Post financial accounts and adhere to the Financial Policy and Procedures outlined in Article XIII.

It shall be the duty of the Finance Committee to audit the books of the Post Finance Officer and to make a written report of the audit(s) with any findings at the annual meeting.

The Post Finance Officer shall not be present during the examination of records of his office but shall remain where he can be consulted by the committee and shall render any assistance requested by the other members of the committee.

Meetings of the Finance Committee shall be called by the Chairman at such times, and for such purposes as he may designate, or as he may be instructed by the Executive Committee.

Meeting Minutes shall be recorded for all Finance Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

Vacancies on the Finance Committee shall be filled by appointment of the Post Commander.

Section 3

Membership Committee

The Membership Committee shall consist of Legion or SAL members with the roster being reported to the Post Adjutant.

The Chairman of the Membership Committee shall be elected by Committee members.

The Membership Committee shall be charged with the duty of developing means to increase the membership in the Post.

The Post Adjutant, or administrative designee, shall process all membership transactions.

Meetings of the Membership Committee may be called by the Chairman of the Executive Committee.

Meeting Minutes shall be recorded for all Membership Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

A vacancy in the Chairmanship of the Membership Committee shall be filled by the Post Commander. All other vacancies in said committee shall be filled by the Chairman of the Membership Committee.

Section 4

Children and Youth Committee

The Children and Youth Committee shall consist of Legion or SAL members with the roster being reported to the Post Adjutant.

The Chairman of the Children and Youth Committee shall be elected by Committee members.

The duties of the Children and Youth Committee are as follows:

- Student Financial Aid
- American Legion Baseball
- Girls Softball
- Boy Scouts
- Girl Scouts
- Badger Boys State

Meetings of the Children and Youth Committee may be called by the Chairman thereof, or by the Post Commander.

Meeting Minutes shall be recorded for all Children and Youth Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

A vacancy in the Chairmanship of the Children and Youth Committee shall be filled by the Post Commander. All other vacancies in said committee shall be filled by the Chairman of the Children and Youth Committee.

Section 5

House Committee

The House Committee shall consist of Legion or SAL members with the roster being reported to the Post Adjutant.

The Chairman of the House Committee shall be elected by Committee members.

The duties of the House Committee are as follows:

- Manage and maintain all existing facilities of the building and surrounding grounds.
- Manage all building construction projects.

Meetings of the House Committee may be called by the Chairman thereof, or by the Post Commander.

Meeting Minutes shall be recorded for all House Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

A vacancy in the Chairmanship of the House Committee shall be filled by the Post Commander. All other vacancies in said committee shall be filled by the Chairman of the House Committee.

Section 6

Bar Committee

The Bar Committee shall consist of the Bar Manager and Legion or SAL members, with the roster being reported to the Post Adjutant.

The Chairman of the Bar Committee shall be elected by Committee members.

The duties of the Bar Committee are as follows:

- Determine operating hours
- Plan and implement food/beverage menus and pricing
- Manage food and beverage inventory
- Plan and implement entertainment and special events
- Manage gaming machines
- Financial Management:
 - Review monthly profit/loss reports
 - Review Bank account transactions
 - Develop and implement cost controls
 - Review supplier payments and performance
- Develop and implement marketing strategies to increase bar revenue
- Ensure cleanliness of the bar and food preparation area
- Review all customer complaints
- Ensure compliance with alcohol regulations and health and safety standards
- Staff Management:
 - Recommend a staffing plan to the Executive Committee
 - Recommend personnel changes to the Executive Committee
 - Review/manage employee schedules and shift calendars
 - Develop employee training
 - Resolve staffing issues
- Report all maintenance issues to the House Committee

Meetings of the Bar Committee may be called by the Chairman thereof, or by the Post Commander.

Meeting Minutes shall be recorded for all Bar Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

A vacancy in the Chairmanship of the Bar Committee shall be filled by the Post Commander. All other vacancies in said committee shall be filled by the Chairman of the Bar Committee.

Section 7

Fundraising Committee

The Fundraising Committee shall consist of Legion or SAL members with the roster being reported to the Post Adjutant.

The Chairman of the Fundraising Committee shall be elected by Committee members.

The duties of the Fundraising Committee are as follows:

- Plan and Implement fundraising activities
- Manage raffles:
 - Provide a detailed accounting of all tickets sold and monies received
 - Ensure all sold tickets are present in the drawing
 - Ensure all appropriate state and federal taxes are paid and reported
 - Store all raffle related items for 7 years

Meetings of the Fundraising Committee may be called by the Chairman thereof, or by the Post Commander.

Meeting Minutes shall be recorded for all Fundraising Committee meetings. A copy of the Meeting Minutes shall be provided to the Adjutant for record keeping.

A vacancy in the Chairmanship of Fundraising Committee shall be filled by the Post Commander. All other vacancies in said committee shall be filled by the Chairman of the Fundraising Committee.

ARTICLE IX

SALARIES AND EXPENSES

There shall be no salaries paid to any officer or member of this Post except as the Executive Committee shall recommend, with the membership in the meeting assembled approving by a majority vote thereof.

ARTICLE X

APPLICATION FOR MEMBERSHIP AND FORM ATTENDING ADMISSION

Application for membership shall be made in accordance with the rules prescribed by the Executive Committee.

Any form of ritual used for the admission of members shall be prescribed by the Executive Committee.

ARTICLE XI

INSTALLATION OF OFFICERS AND COMMITTEEMAN

Any form of ritual used in the installation of officers or committeeman shall be prescribed by the Executive Committee.

ARTICLE XII

MOTIONS AND RESOLUTIONS

All motions and resolutions offered for consideration at any meeting of the Post, or of any committee of the Post, shall be produced in writing before being voted upon if it has been requested in writing by any member of the body deliberating upon same.

ARTICLE XIII

QUORUMS

Section 1

A quorum at any meeting of the membership shall be a majority of the members present at such meeting, unless otherwise provided in the Constitution and By-Laws.

Section 2

A quorum of any committee shall be a majority of the members of the committee, unless otherwise provided in the Constitution and By-Laws.

Section 3

Any number in attendance at a meeting of the membership or of the committee, and being less than a quorum, shall have the power to adjourn from time to time to a given place, and at a given date.

A quorum shall consist of seven members at a meeting of the membership.

ARTICLE XIII

FINANCIAL POLICY AND PROCEDURES

Section 1

All checks require two signatures. The primary signature should be the Finance Officer followed by a second signature from one of the following: Post Commander, 1st Vice Commander, or Adjutant. In cases where the Finance Officer is unavailable the check shall be signed by two of the following: Post Commander, 1st Vice Commander, or Adjutant.

Section 2

All expenditures of \$500 or less must be approved by the Finance Officer. Honor Guard expenditures are exempt from Post approvals as they are determined by the Honor Guard organization (Legion, VFW, DAV, AmVets).

Section 3

All expenditures greater than \$500 must be approved by the Finance Committee, Executive Committee, and Post Membership. (Exceptions: utilities, insurance and taxes.) Purchases cannot be split/divided to circumvent required approvals. Honor Guard expenditures are exempt from Post approvals as they are determined by the Honor Guard organization (Legion, VFW, DAV, AmVets).

Section 4

The Finance Officer may expend funds to address emergency matters to protect, preserve or secure Post property. This action must be approved (by conference or individual calls) by at least (5) members of the Executive Committee. The resultant decision/action must be reported to Post Membership at the next scheduled meeting.

Section 5

The Finance Officer shall maintain control of all credit cards and shall ensure that no accounts are drawn into a negative balance through their use.

Section 6

Reimbursement for any expenditures (personal check or credit card) made by an individual will not be honored unless accompanied with a matching receipt and having been previously approved as outlined above.

Section 7

No property of the Post will be sold, transferred, conveyed, or otherwise disposed of without the approval of the Executive Committee and the Post membership. The Commander may at his or her sole discretion, dispose of non-functioning Post equipment whose value does not exceed \$100 per item.

Section 8

Restricted funds are those dollars that are donated to the Post with specific instructions from the donor on how they are to be spent. By law, these donations must be spent as directed by the donor. The following accounts are designated as Restricted Funds: Youth Fund, Baseball Fund, Renovation Fund and Honor Guard.

Section 9

All loans (any debt relationship between the Post and a bank/credit union) must be approved by the Finance Committee, Executive Committee and Post Membership.

Any increase to an existing loan (any debt relationship between the Post and a bank/credit union) must be approved by the Finance Committee, Executive Committee and Post Membership.

Section 10

All construction projects must be reviewed and approved by the Finance Committee, House Committee, Executive Committee and Post Membership.

All construction projects must be fully funded before project initiation.

All changes to a previously approved construction project must be reviewed and approved by the Finance Committee, House Committee, Executive Committee and Post Membership.