

Trier-Puddy Post #75

Constitution

I. Name

The name of this post shall be Trier-Puddy Post #75 of the American Legion.

II. Objectives

The objectives of this post shall be the following: To uphold and defend the Constitution of the United States of America: to maintain law and order; to foster and perpetuate a 100 percent Americanism; to preserve the memories and incidents of our associations in the great 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 good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

III. Nature

Section 1. The American Legion is a civilian organization; membership therein does not affect or increase liability for military or police service. Rank does not exist in the Legion; no member shall be addressed by his or her military title in any conversation or meeting.

Section 2. The American Legion shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment. No candidate for or incumbent of a salaried elective public office shall hold any office of this post.

Section 3. Each member shall perform his full duty as a citizen according to his or her own conscience and understanding.

IV. Membership

All persons shall be eligible to membership in this post who served in the military and have an honorable or medical discharge and are eligible to belong to the American Legion by service during dates specified by the National Organization. No person shall be entitled to membership who being in such service during and of said periods, refused on conscientious, political or other grounds to subject himself/herself to military discipline or qualified service.

Trier-Puddy Post #75

V. Headquarters

This post shall be located with-in the City Limits of Fond du Lac, County of Fond du Lac, State of Wisconsin and headquarters and principal office of the Post shall be in the same place.

VI. Officers

Section 1. The officers of this Post shall be as follows:

Commander

First Vice Commander

Second Vice Commander

Adjutant

Finance Officer

First Sergeant-at-Arms

Second Sergeant-at-Arms

Chaplin

Together with such other officers as the Post shall determine the officers shall be elected annually at the annual meeting (see Bylaws, Election of Officers, and Section 2) of the post and shall hold office for one year or until their successors are elected or appointed and assume office.

Section 2. The duties of the officers shall be provided in the Bylaws.

VII. Management

Section 1. The management and control of the business and activities of the Post shall be vested in an Executive Committee of eleven members, consisting of the Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Immediate Past Commander (see Section 4), and five members elected from the membership at large.

Section 2. The five or six members of the Executive Committee to be chosen from the membership at large shall be elected annually at the annual meeting of the Post in manner provided in the bylaws.

Section 3. The members of the Executive Committee shall hold office for (the) elected or appointed term or until their successors are elected or appointed and assume office.

Trier-Puddy Post #75

Section 4. The following Past Commander may not serve under the following condition(s):

1. The Immediate Past Commander is more than one person removed. In this case, a sixth at large member will be elected to the Executive Committee.
2. The Immediate Past Commander is elected to or appointed to any position that serves on the Executive Committee.
3. The Immediate Past Commander is elected or appointed to a County, District, State, or National Position that has voting privileges.

VIII. Amendments

This constitution shall be in force upon adoption by the post and may be amended by a vote of two-thirds of the members present at any regular meeting thereof. Provided notice of the proposed amendments has been given in the fall of the meeting in a manner provided by the Bylaws.

BYLAWS

I. Election of Officers

Section 1. At the regular meeting in March, April and May of each year, there shall be nominated from the floor at said meeting, candidates for the respective offices of this post. In the event there are more than three candidates proposed for nomination for any office, the three members receiving the largest number of votes shall be declared or considered nominated.

Section 2. At the "annual meeting" of this post in May of each year, there shall be elected from those members declared nominated the various officers provided for by the Constitution. Voting shall be by ballot, and a majority of the votes cast shall be necessary for election. In case no candidate receives a majority, the candidate receiving the smallest number of votes shall be eliminated and a ballot shall be taken on the two remaining candidates.

Section 3. No member not duly nominated as herein provided shall be eligible for election, and no candidate shall be elected to any office other than the one for which nominated. Further, a member may be nominated for several offices but may only hold one office.

Section 4. A vacancy existing in any office from any other cause than the expiration of term shall be filled by appointment by the Post Commander. As soon as practical, the term shall be filled by election at any meeting of the post. In such cases, a majority of the votes cast shall be necessary for the election, and the election shall be by ballot.

Trier-Puddy Post #75

II. Election of “At Large” Executive Committee Members

Section 1. At the Annual meeting of the Post in May of each year, there shall be nominated from the floor of said meeting, candidates for the remaining positions on the Executive Committee. From these candidates, six members of the Executive Committee shall be elected. Voting shall be by ballot, and the six candidates receiving the highest number of votes shall be declared elected. When the Immediate Past Commander does not meet the requirements listed in (see VII. Management, Section 4) the sixth elected candidate, i.e. the candidate finishing sixth in total ballots, will fill the position.

Section 2. A vacancy existing on the Executive Committee from any other cause than the expiration of term shall be filled by the appointment of the Post Commander. As soon as practical, the appointment shall be confirmed by the majority vote of the Executive Committee. A person so appointed shall hold office from the un-expired term of the member of the committee whom he or she succeeds.

III. Powers and Duties of Officers

Section 1. The Post Commander shall preside at the meeting of the Post and shall preside as Chair at the meetings of the Executive Committee. The Commander shall appoint all committees whose appointment is not otherwise provided for the Bylaws. The Commander shall sign all vouchers, statements and communications requiring a signature.

Section 2. The First Vice Commander shall act for and in the stead of the Commander in case of death, absence or disability. The First Vice Commander shall be a member of the Executive Committee.

Section 3. The Second Vice Commander shall act for and in the stead of the First Vice Commander in case of death, absence or disability. The Second Vice Commander shall be a member of the Executive Committee.

Section 4. The Adjutant shall keep an accurate account of meetings and a directory of Post membership. The Adjutant shall be custodian of all Post records, issue all notices for meetings of the Post and shall perform all duties required under these Constitution and Bylaws and by the Executive Committee. The Adjutant shall collect all dues and shall also act as the secretary of the Executive Committee as well as the Secretary of all Post meetings.

Section 5. The Finance Officer shall be charged with collection and custody of the funds of the Post, shall keep its accounts and shall report thereon at each regular meeting of the Post. The

Trier-Puddy Post #75

Finance Officer shall counter sign all voucher and pay all bills and report such for approval by the Executive Committee. The accounts shall be audited annually by the accounting firm with the results reviewed by the Executive Committee and results of the review presented to the membership, all of this to take place prior to the meeting in May. The Finance Officer shall be subject to the control of the Executive Committee.

Section 6. The Sergeants-at-Arms shall be responsible for maintenance of proper order and decorum at Post meetings and for arrangement of the hall. They shall be custodians of the Post Colors and shall perform such other duties as determined by the Executive Committee.

IV. Executive Committee

Section 1. The Executive Committee shall meet at least once each month at the call of the Chairmen. It shall have control of the governance, management and conduct of the various activities of the Post and shall direct and control such committees as may be needed. The Post Commander and Post Adjutant shall, by virtue of their offices, be chair and secretary of the Executive Committee. All business related and Legion related decisions reached at a "Regular" Executive meeting will require approval at the next post meeting prior to any final action taken.

Section 2. The Executive Committee may, by two-thirds vote, suspend a member of the Post for any violation and/or conduct improper and prejudicial to the welfare of the Post or the American Legion, and it may likewise reinstate such members when, at its discretion, it deems advisable. However, no member shall be suspended without being given one week written notice of the charges against him or her and the time and place where the member may appear before the Executive Committee or prepare and file a written answer in defense against the charges.

Section 3. The Executive Committee may recommend to the Post at any meeting that any member then under suspension be expelled by enumerating the charges against the person and his or her answer thereto and placing all the facts in the matter before the membership. The Committee shall also declare forfeit the membership of any member who shall fail to pay an amount due the Post, including yearly membership dues, after notice has been given as in the Bylaws hereinafter provided.

Section 4. The Executive Committee shall prescribe the rules for the use of the Post Headquarters and any other building property used by the Post and may modify and revoke the same, it shall fix the penalties for violations of the rules and have power to enforce the same and also to remit such penalties.

Section 5. Each of the various standing committees of the Post shall have a Chair appointed by the Executive Committee and the Chair shall report to the Executive Committee and to the general membership.

Trier-Puddy Post #75

Section 6. It shall be the duty of the Executive Committee to recommend, approve, modify or disapprove reports of the various committees and Post Officers. It shall disapprove all bills submitted by any committee for disbursement incurred beyond the budget of the committed. The committee budget will be presented to the Executive Committee for approval.

Section 7. The Executive Committee shall appoint all standing committees of the Post.

Section 8. A Special Meeting of the Executive Committee may be called by the Chairman: or upon by at least five members of the Executive Committee.

Section 9. Seven member(s) of the Executive Committee shall constitute a quorum at any meeting thereof.

Section 10. The Executive Committee shall be empowered to make spending decisions to "Maintain Daily Business." All of these decisions to be presented at the next post meeting.

V. Dues

The dues of the members shall be payable in advance on the first day of January of each year. The amounts of dues shall be recommended by the Executive Committee and approved by vote of the general membership.

VI. Post Meetings

Section 1. The regular meeting in May of each year shall be designated the "annual Meeting" of the Post.

Section 2. There shall be a regular meeting of the Post held on the second Thursday of each month.

Section 3. The Post Commander or a member of the Executive Committee shall have the power to call special meetings of the post at any time.

Section 4. Upon the request of ten general members, the Executive Committee shall call a special meeting of the Post.

Section 5. Members present shall constitute a quorum at any regular or special meeting of the Post.

Section 6. The Post Adjutant shall give at least two weeks' notice in writing of all special meetings.

Posting at Post 75 on the bulletin board and use of electronic media shall constitute a written notice.

Trier-Puddy Post #75

VII. Committees

Section 1. The Executive Committee shall determine the number and duties of the standing committees of the Post. These committees shall be appointed by the Executive Committee and shall serve from the date appointed until the date of the next annual meeting of the Post.

Section 2. In addition to the standing committees provided for, the Post Commander may, from time to time, appoint such special committees as may be necessary to carry on the activities of the post that would not be duties of the standing committees. Such special committees shall serve from the date of appointment and until their duties are completed.

VIII. Representation of the American Legion

Delegates and alternates to represent the Post at the State Conventions and representatives of the Post shall be elected at a meeting of the Post duly called by a majority vote of those present at the meeting. Meetings for the election of delegates and alternates to the State Convention shall be held at least fifteen days before the convention that they attend.

IX. Installation of Officers

Post officers shall be installed at the annual meeting of the Post each year with ceremonies as the Executive Committee shall deem proper for the occasion.

X. Procedures

Rules of procedures at meetings of the Post shall be those set forth in Robert's Rules of Order, except as otherwise expressly provided herein.

XI. Order of Business for Annual Meeting

The following is suggested as the order of business at Post annual meeting.

1. Roll call of Officers
2. Presentation of minutes of previous meetings
3. Presentation of Officers reports
4. Communication and correspondence
5. Report of Executive Committee
6. Report of Standing Committees
7. Report of Special Committees
8. Election of Officers
9. Nomination and election of Executive Committee
10. Unfinished business
11. Initiation of candidates
12. Installation of Officers

Trier-Puddy Post #75

13. For the good of the Legion

XII. Amendments

This Constitution may be amended at any regular Post meeting by vote of two-thirds of the members of said Post attending such regular meeting, providing the proposed amendments shall have been submitted in writing and read at the next preceding regular meeting of said Post, and providing, further, written notice shall have been given to all members at least thirty days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon.

XIII. Review of Constitution and Bylaws

These Bylaws shall be reviewed and updated every five years by the Executive Committee and in accordance with item XII, Amendments, be approved by the vote by the membership at the regular meeting in June.

We, the undersigned, hereby certify that the above is a true and correct copy of the Constitution of the Trier-Puddy Post 75 of the American Legion, Department of Wisconsin adopted at a duly called and constituted meeting of said Post, held in the City of Fond du Lac, in the County of Fond du Lac, State of Wisconsin on the _____ Day of _____ in the year _____ AD.

The above approved by a unanimous vote of the membership, Post 75 meeting on Dec 11, 2014.

Post Commander

Post Adjutant