

*AMERICAN LEGION  
ROSETOWN MEMORIAL  
POST No. 542  
DEPARTMENT OF  
MINNESOTA, Inc.*

**BY-LAWS**

**AMENDED & ADOPTED IN  
July 2018**



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## Article 1: Organization and Purpose

### *Name*

The Post existing under these By-Laws is to be known as;  
***American Legion Rosetown Memorial Post No. 542 Department of Minnesota, Inc.*** (“the Post”)

### *Parent*

This Post is incorporated under the laws of the State of Minnesota as a sub-group of the American Legion National Headquarters Indianapolis, Indiana.

These By-Laws are compliant with:

*American Legion National Constitution and By-Laws* Revised May 2003

*Constitution and By-Laws of the American Legion Department of Minnesota*  
Revised July 2015

### ***Incorporation 501c3***

The **Post** was granted a temporary charter, on February 1, 1946.  
A permanent charter was granted on October 25, 1946.

The **Post** was granted Non Profit Corporation status, 501c3, by the IRS on March 14, 1946, and the Minnesota Secretary of State on March 6, 1953

### ***Incorporation 501c19***

The **Post** was granted Non Profit Corporation status 501c19 by the IRS on March 26, 1973 in accordance with the laws of the State of Minnesota.

The **Auxiliary** was granted a temporary charter on April 1, 1965  
A permanent charter was granted on April 9, 1965

The **Color Guard** formally began on an unspecified date in 1965

The **Sons of the Legion** formally came into existence on October 26, 1970

## ***Roberts Rules***

Business meetings will follow *Robert's Rules of Order 11<sup>th</sup> Edition Revised September 27, 2011* except as otherwise provided in the by-laws or following agendas prescribed in American Legion journals/handbooks.

## ***Purpose***

The purpose of this corporation is:

- To provide support for Veterans and active military personnel and families.
- To be an active member of the community in supporting youth activities
- To be involved in encouraging education
- To work with lawmakers to provide benefits for active military and veterans

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## Article 2: Membership

### *Eligibility for membership*

Eligibility for membership is established by the National American Legion in Indianapolis, IN and cannot be changed by any Post. An application must be filled out along with the first year's dues and a copy of the persons DD214 to establish proof of time served in the United States Military.

If you have served federal active duty in the United States Armed Forces during any of the war eras listed below, and have been honorably discharged or are still serving -- you are eligible for membership in The American Legion!

*August 2, 1990 to today	(Persian Gulf/ War on Terrorism)
December 20, 1989 to January 31, 1990	(Operation Just Cause - Panama)
August 24, 1982 to July 31, 1984	(Lebanon/Grenada)
February 28, 1961 to May 7, 1975	(Vietnam)
June 25, 1950 to January 31, 1955	(Korea)
December 7, 1941 to December 31, 1946	(World War II)
April 6, 1917 to November 11, 1918	(World War I)

\*Because eligibility dates remain open, all members of the U.S. Armed Forces are eligible to join The American Legion at this time, until the date of the end of hostilities as determined by the government of the United States.

U.S. Merchant Marine eligible only from December 7, 1941 to December 31, 1946 (WWII).

### **Annual Dues**

Annual Dues have three sections (National, State, and Post). Each may set their own fee annually. The post is notified during the year of any potential increase and when it will be effective. The member has the option to pay their dues annually or become a Paid Up For Life (PUFL) member. Paying dues can be done directly to the membership person at the post, or online through the American Legion website [mylegion.org](http://mylegion.org). These options allow for cash, check or credit card payments. Continued active membership is contingent upon being up to date on membership dues.



Check with Post officer for current year dues.

## **Rights of Members**

Each member when present at meetings has the right to speak their opinions. They may vote at every meeting except an Executive Board meeting unless they are a voting member of the “Board.” At meetings where there is a quorum they may cast one voice vote or one ballot vote. We do not allow absentee ballots or another representative to vote for an existing member. The member must be signed in “registered” at the beginning of the meeting to be eligible to vote.

## **Transfer**

If a member wishes to leave the post they must file the appropriate paperwork to transfer to a different post with the National American Legion to remove their name from our roster or from our membership team. Ceasing to pay your dues does not remove you from our roster, you just become delinquent.

## **New Members to the Post**

The Adjutant or Membership committee will present to each new or transfer member a welcome packet. Each packet should contain a copy of the current By-Laws, a coupon for a free meal, and a token for a free drink, literature for the American Legion 4<sup>th</sup> District, American Legion Department of Minnesota, and American Legion National at a minimum.

## **Article 3: Accounts**

### ***Bank***

All accounts will be kept at the same bank. Accounts include: General, Savings, ATM, Sons of the American Legion and Color Guard

### ***Safe Deposit Box***

The Post shall maintain a safe deposit box at the bank that has the Post accounts. The Post Commander and Finance Officer will have keys and will account for the contents of the box. Two Post members must be present whenever the safety deposit box contents are accessed

### ***Signatures***

A minimum of three and whenever possible four Post members will be authorized to sign checks, make deposits and otherwise access Post accounts.

The Post Gambling manager must have knowledge of and authorize any transaction involving gambling accounts prior to each/any execution.

Personnel authorized to sign & co-sign checks must be current Post office holders.

### ***Post General Account***

These monies will be used at the discretion of the Post Commander, the Executive Board and/or the general membership.

The Post Commander & Finance officer is directly responsible for maintaining this account.

The balance, expenditures and deposits will be reported to the general membership, in writing, once each month, be recorded in a log book and in meeting minutes in a timely manner.

Receipts must accompany any/all expenditures.

Delegates who are given Post funds to attend any conference, convention, seminar and/or meeting, must submit receipts and report on the event to the general membership

A request for funds will be first submitted to the Executive Board members. If approved, by a simple majority vote, a recommendation will go before the next general membership meeting.

The general membership must approve any expenditure by a simple majority vote of those members present at the meeting

The Post Commander or his/her authorized representative will facilitate emergency expenditures for the welfare of the Post, Club, or Gambling entities. A report will be made to the Executive Board and General Membership members as soon as practicable.

Each check issued must be signed by two authorized persons. (see Signatures above)

### ***Post Savings Account***

Monies will be added to this account whenever practicable.

Expenditures from this account will follow the stipulations under the Post General Account

At least once each year, the Post Commander, Finance officer or designated representative(s) will evaluate the return on these funds so as to achieve the maximum & safest return possible

### ***ATM Account (static)***

This account contains the minimum necessary amount of funds needed to cover ATM deposits and withdrawals. This will be adjusted as necessary, by the designated post ATM coordinator

### ***ATM Account (monthly)***

Once each month, the ATM vendor will electronically deposit that month's ATM profit directly into the Post General Account. That amount will be reported, in writing, each month to the general membership

### ***Post Gambling Account***

The Post Gambling Manager is responsible for maintaining this account in a timely & accurate manner.

These funds must meet all stipulations of the Minnesota Gambling Control Board. A timely & accurate written report will be made each month to the general membership

### ***Post Color Guard Account***

The Color Guard Commander is responsible for maintaining this account in a timely & accurate manner

The Color Guard maintains a safe deposit box at the bank where all Post accounts are kept.

Two Color Guard members must be authorized to sign and be present whenever the box contents are accessed.

All monies and deposit safe box contents belong to the Post. Expenditures are subject to the direction of the Post Commander and/or his/her authorized representative.

### ***Post Sons of the Legion Squadron Account***

The S.A.L. Commander is responsible for maintaining this account in a timely & accurate manner

All monies and property belong to the Post. Both are subject to the direction of the Post Commander and/or his/her authorized representative

### ***Emergency Funds:***

The emergency fund is a reserve fund within the general fund where a members of the executive board if contacted by a veteran, active military, Beyond The Yellow Ribbon or like organization may draw from this fund to help a veteran or active military in need.

- There should always be at least two executive board members involved in a withdrawal and a form completed for each.
- The requesting person/organization must fill out a form indicating the need,
- who it is requested for,

- are other organizations also helping (name and contact information),
- if active military unit/commander/contact information.
- The form should be placed in a file marked Emergency Fund in our records. The amount of this fund should be maintained at \$1000.
- If more funds are needed the Commander, Finance Officer, and the Gambling Manager, at their combined discretion may create a request to the gambling account for an amount not to exceed the amount of the emergency fund (\$1000) in dire cases.
- This fund should be reported on at each General Membership and Executive Board Meeting.
- If the request is declined, write “declined” in the amount of assistance given and give a reason.
- A person receiving assistance is only eligible one time in any given year.

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## **Article 4: Amendments**

By-Law changes may be considered at any regularly scheduled general membership meeting.

Each proposed change must be in writing. A copy will be given to each member who requests same.

Approval, editing, rejection or tabling of the proposed change shall be by a 2/3<sup>rd</sup> vote of those members' present

### ***Notification***

Planned amendment presentations and approvals to the by-laws will be sent to the members for review and meeting times, dates, and locations will be posted online on the post website [WWW.rosetownlegion.com](http://WWW.rosetownlegion.com), emailed to members with email addresses on file, and/or sent to members with only USPS addresses listed in our roster via our quarterly newsletter which is sent out through both postal mail and email. This complies with Minnesota statutes for non-profit corporations 317A.431 & 317A.435.

Existing, proposed and approved articles will be made available to Post Veteran, S.A.L., Auxiliary members

Approved changes will be noted in the minutes of the general membership meeting.

These will be subject to approval, rejection or editing at the next scheduled general meeting.

Once an amendment (new, or changed) has been voted on and approved at two consecutive general membership meetings, it will be published as an approved amendment.

## **Article 5: Contracts**

All existing contracts are to be routinely reviewed and evaluated. Whenever possible, this should be done annually.

That evaluation will consider quality, value and timeliness of the service provided.

The Finance Officer will make recommendations to the Executive Board as to the renewal or termination of contracts

When a purchase, repair and/or maintenance of bar and/or restaurant equipment becomes necessary the approval goes to the Social Club Board (this includes bar stools juke box, bar glassware, coolers, and dinner ware).

The building, grounds, lighting, furnace, water, sewer, and network belong to the American Legion Post 542 and should be submitted to the Finance officer for approval and payment.

At least two, or more, bids will be obtained from separate vendors. Bids will be presented to the Board for approval. Bids must include all costs (tax, license etc.) and warranty/guarantee information

## **Article 6: Auxiliary**

The Rosetown Memorial American Legion Post 542 Auxiliary is independently chartered to serve, support, and promote the welfare of the Legion

The Auxiliary supports programs and complies with the National Standing Rules of the Auxiliary as revised in 2015

The Auxiliary subscribes to the Minnesota Auxiliary strategic plans and goals

### ***Auxiliary Meeting***

The unit's Executive Board meets prior to the General Membership meeting. The General Membership meeting is held on the second Tuesday of each month

The unit has ten officer positions

### ***Auxiliary Attending Executive Board Meeting***

The Auxiliary President or her designated representative is invited to attend the monthly Post Executive Board meeting as a non-voting member.



## **Article 7: Color Guard/Sons of the Legion**

The Post Color Guard and Sons of the Legion units are incorporated in the Post charter.

The current Post Commander has authority over both units

Monies and property of each and both units belong to the Post

Each unit has By-Laws however; Post, Department and National By-Laws supersede such if a conflict arises

### ***Color Guard***

The Color Guard is made up of Post members (Veteran, S.A.L. Auxiliary) who join as volunteers

### **Color Guard Meetings**

The Color Guard meets on the Thursday following the Post General Membership meeting

The Color Guard Commander or his/her authorized representative is invited and encouraged to attend the Post Executive Board meetings

The Color Guard performs at rituals including but not limited to the following: Funerals (wake & graveside), flag dedication & retiring's, public ceremonies including Veterans Day, Memorial Day, Fourth of July and parades

### ***Color Guard Compensation***

The Color Guard members are compensated under: Minnesota State Statute 349.12 Articles 1, 2 & 3, Minnesota Gambling Control Board Regulations and through mutual agreement with the post Gambling Manager

This agreement includes the provision that members are compensated only if possible, only when possible and only in the amount that is possible

See Color Guard By-Laws 2015

### ***Color Guard Attending Executive Board Meeting***

The Color Guard Commander or her designated representative is invited to attend the monthly Post Executive Board meeting as a non-voting member.

### **Sons of the American Legion**

#### **SAL Meetings**

The Sons of the Legion meet on the same second Tuesday of each month as does the Post General membership

The S.A.L. members hold fundraisers; assist the post in many ways and on many work groups

#### **Sons of the American Legion Attending Executive Board Meeting**

The SAL Commander or her designated representative is invited to attend the monthly Post Executive Board meeting as a non-voting member.

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## **Article 8: Delegates**

### ***District, Department, or National Conventions***

Delegates to District, Department and/or National Convention must be volunteers.

Delegates and alternates will be recommended or declined by the Executive Board members

The recommendation(s) or the reasons for denial(s) will be presented to the General Membership members

The General Membership members by simple majority vote will have final approval or denial.

The Executive Board will also make a recommendation to the membership as to the use of funds for per diem, transportation and all other accommodations

Each member who is given funds must furnish all necessary receipts to the Post Commander or Finance Officer as soon as practicable

The member who attends a meeting(s) must report, either in writing or orally, to the General Membership as soon as practicable

## **Article 9: Discipline Members/Employees**

### ***Members:***

Discipline will follow the Department (state) guidelines as found in:

### ***The Constitution and By-Laws of the American Legion Department of Minnesota***

Revised July 2015 Article 7 page # 9

which reads:

*“The provision of the National Constitution and By-Laws relating to thereto shall govern the discipline of posts and members of this department.”*

Discipline will follow the National guidelines as found in:

### ***The National Constitution and By-Laws***

May 2003 Article VI pages 12 & 13 Sections 1 – 4

### ***Post 542 Guidelines:***

The post disciplinary guidelines are as follows:

- Each post shall be the judge of its own membership
- Members may be suspended or expelled only upon proper showing of cause & finding of guilt
- Charges may include but not be limited to:
  - disloyalty,
  - dishonesty,
  - and/or conduct unbecoming a member of the American Legion
- Charges must be in writing and be authored by the accuser(s)
- There must be a fair trial.
- A panel of three current post members will hear all arguments and review all written documents
- The judges must not have been involved in/with the incident(s) which led to the charges
- Any member who has been suspended or expelled has the right to appeal to the Department Executive Committee.
- The decision of the Department Executive Committee shall be final

## *Employees*

- First infraction is a verbal warning which also must be documented in their personnel file.
- Second infraction is a written warning also included in the employees personnel file
- Third infraction is a written warning included in the employees personnel file and employment is terminated

Disciplinary actions would include but not limited to insubordination, theft, fraud, illegal activities while in or on Rosetown Legion Property or during working hours, or bringing firearms onto American Legion Property.

The Human Resources department will take control of any employee issues and determine any disciplinary actions and inform the board of the actions. All federal and State labor laws must be followed.

## **Article 10: Donations/Flowers**

### ***Donations***

All donation requests must be in writing and be presented to the Executive Board members at their meeting

Requests for donated funds should be forwarded to the Adjutant of the Post who will research the request for (institution 501c3, in allowed gift area, or within our 10% outside area limit). Place requests with research data in document on agenda for next Executive Board meeting for Post Commander to present to the board members to approve or disapprove.

Those members will consider each request, monies available and any pending Post costs

Donation requests that are presented for the first time, at the General Membership meeting, will be “tabled” until each can be researched and evaluated by the Executive Board.

An “emergency” exception may be granted at the discretion of the Post Commander

If endorsed, the recommendation will include a suggested money amount and a determination as to what source, Post, Gambling, S.A.L. or Color Guard will provide the funds.

The Adjutant shall enter the details in the minutes and make a record of approved donations to be presented to the General Membership at the next meeting.

At the General Membership meeting the list is read, with suggested donation amounts or why rejected, then by simple majority vote, determine rejection or, if endorsed, the amount of money provided. A copy of the list is handed to the appropriate person with contact information to make the payments to the charities

The Adjutant shall enter the details in the minutes and make a record of approved and rejected donations.

The guidelines are as follows:

- Priority 1 = Veterans      Active duty, reserve duty and honorably discharged Veterans
- Priority 2 = Youth      Consideration will be given to those residing in the 4<sup>th</sup> District
- Priority 3 = Adult      Groups or individuals residing/benefiting persons in the 4<sup>th</sup> District
- Priority 4 = 501 c (3)      Organizations that qualify for this non-profit designation
- Priority 5 = All Others      Based on an established true & deserving need

### ***Funeral Flower/ Memorials***

Post General Fund money will provide a suitable flower arrangement in the case of the death of a currently serving Post, S.A.L., Color Guard Commander, Gambling manager, Auxiliary President, or their current life's partner

The Post Commander or his/her authorized representative is authorized to provide flowers or other memorials under all other circumstance i.e. an employee. A report must be made to the Executive Board and General Membership as soon as practicable.

## **Article 11: Elections/Vacancy**

### ***Frequency***

Elections for Post, Color Guard and S.A.L. officers will be held annually

### ***Offices***

Post offices include:

- Post Commander,
- 1<sup>st</sup> Vice Commander,
- 2<sup>nd</sup> Vice Commander,
- Adjutant,
- Finance officer,
- Service officer,
- Chaplain,
- Sergeant at Arms,
- Immediate past Post Commander (Appointed)
- Historian
- At Large Executive Board
- At Large Executive Board

### ***Nominations***

**April = Nominations:** A review of the duties/responsibilities of each office will be presented along with a nomination(s) sheet. Members may volunteer/nominate his/her self

### ***Voting***

**May = Ballot/Votes:** A secret ballot will take place. The Post Commander will designate a member(s) to conduct, count and report the results at the General Membership meeting

### ***Installation***

**June = Installation:** The duly elected office holders will be installed. The term of office shall be from 1 July in the current year until 30 June the following year

### ***Taking Office***

**July = Assume Office** The duly elected will assume their position, duties and responsibilities

The Post Commander and each current Post 542 member can vote in the election.



### ***Absentee Ballots***

Absentee votes/ballots will not be accepted

### ***In Case of Tie***

In the event of a tie, a nominee may drop out or the office holder will be decided by a coin toss

### ***Vacancy***

Vacancies that occur for any reason during the term of office will be filled through appointment by the Post Commander. This includes resignation, death, moving, and/or newly elected officers being unable to fill their office for whatever reason, but not enough time exists to hold a new election before the current officer's term ends.

### ***Write-Ins***

Every ballot should allow at least two spaces to allow for a name to be written in for each of the offices on the ballot

### ***Ballots***

The ballot should be prepared by the nominating committee appointed by the Commander. The nominating committee should verify that the ballot is correct that ALL names that were nominated and listed in the minutes of the nominating meeting are included in the ballot

The Annual Meeting when the nominating committee brings the ballots to the election the ballots should be given to the Sergeant-at-Arms to verify that they are correct and in his/her control until the elections are held.

### ***Notification***

Nominations, Elections, and Installation of Officers meeting times, dates, and locations will be posted online on the post website [WWW.rosetownlegion.com](http://WWW.rosetownlegion.com), emailed to members with email addresses on file, and/or sent to members with only USPS addresses listed in our roster via our quarterly newsletter which is sent out through both postal mail and email. This complies with Minnesota statutes for non-profit corporations 317A.431 & 317A.435.

### ***Challenge Election***

To override the real or perceived notification of election, nomination of officers, requires a petition with at least fifty (50) signatures of active members to be

submitted to the Commander (CEO) of the Finance Officer (CFO) pursuant to Minnesota statues 317A.431 & 317A.435 for non-profit corporations

The Commander or his/her designee may certify the election of officers to the American Legion 4<sup>th</sup> District, American Legion Department of Minnesota, and American Legion National if the Adjutant fails to do so in time for the installation of officers.

***Quorum for Election***

See Quorum under Article 14 General Membership

***Annual Meeting***

Elections will be held at the corporation's annual meeting. See Article 14 General Membership Annual Meeting for more specifics.

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## **Article 12: Executive Board**

### ***Executive Board Members***

The Executive Board shall be membered by the following:

- Post commander,
- 1<sup>st</sup> Vice Commander,
- 2<sup>nd</sup> Vice Commander,
- Adjutant,
- Finance Officer,
- Service Officer,
- Immediate past Post Commander
- At Large Executive Board
- At Large Executive Board

These personnel have voting powers

### ***Executive Board Meetings***

The board will routinely meet on the last Tuesday of each month.

The Post Commander, with adequate notice can change the day, date or time of the meeting

The Post Commander or his/her designated representative will chair the meeting

### ***Executive Board Quorum***

Five (5) members shall constitute a quorum

The five members includes the Post Commander or his/her designated representative

The post commander may only vote when it becomes necessary in-order to break a tie vote

Absentee voting/ballots are not permitted

The following are invited and encouraged to attend each Executive Board meeting: Color Guard Commander, Sons of the Legion Commander, Auxiliary President, Gambling Manager, and any member or employee of the Post these persons do not have voting powers.

***Bonding***

Adequate bonding & insurance must cover the members of the Executive Board involving liability in the performance of their duties.

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## **Article 13: Gambling**

The Post gambling program is regulated under the provisions found in the “Lawful Gambling Manual” revised in 2015. This is produced by the *Minnesota Gambling Control Board. GCB.*

The Gambling Manager is hired by the Executive Board of the Post.

The Post gambling manager will ensure compliance with the provisions of the “Lawful Gambling Manual”.

The manager will work closely with the GCB compliance specialist assigned to Post 542

The manager must successfully complete all initial & refresher training as dictated by the GCB

In an emergency, the current Post Commander can appoint an interim manager. That appointment is effective for up to 90 days

The manager is responsible for but not limited to the following:  
hiring, training, scheduling, evaluating, disciplining and terminating gaming staff

### ***Employee Pay***

Gaming employee (including the Gambling Manager) compensation, reduction and/or bonuses shall be presented to the Post Executive Board members for consideration, approval, adjustment or denial

The Post Commander shall appoint current Post members to assist the manager. They will also perform reviews and evaluations of the program.

### ***Gambling Manager Attending Executive Board Meeting***

The manager or his/her representative will, when possible, attend the Executive Board meeting

### ***Gambling Report***

The manager or his/her representative must report to the Post general membership each month

That report will be both oral and in writing. At a minimum, it shall contain the following:

1. The **Checkbook balance** as of the date of the general membership meeting\*  
\*whenever possible, the checkbook balance shall be maintained at a minimum of \$25,000.00\*

2. The **Lawful Purpose Expenditures** (total amount) \*  
\*Money spent to sustain the program i.e. cost of equipment, pull tabs, gift cards, meat, salaries, CPA fees, record storage/shredding, license renewals, training, internet/telephone/fax fees, city, state, national taxes\*

3. The **Allowable Purpose Expenditures** (total amount) \*  
\*Money available because of the program for donations, property tax, % of the utilities, repair, replacement, maintenance of Post facilities/equipment (exception = no monies may be spent on any lounge/bar items)

4. The percent of **Allowable Purpose Expenditures** GCB minimum necessary  
= 33 1/3<sup>rd</sup>

The manager or his/her representative will request a motion to approve of the **report** from the general membership

The manager or his/her representative will request a motion to approve the **estimated lawful expenditures** for the coming month

The manager is responsible to maintain, and present upon request, accurate, comprehensive, and up to date records, reports, licensing and auditing of all gambling related documents

The manager is responsible for training a member of the staff so that individual can perform the duties & responsibilities of the manager during his/her absence

Any proposed wage increase, decrease or bonus for Gambling employee must be presented to the Executive Board. The board will, by majority vote, approve or disapprove.

The Gambling managers will inform the Executive Board of any hiring, disciplinary and/or firings

American Legion Rosetown Memorial Post No. 542, Inc. is an equal opportunity employer

***Sexual Harassment***

The Post does not condone and has zero tolerance for sexual harassment of any kind from employees, guests, or suppliers

***Dress Code***

While the dress code at the Post is very relaxed we do not condone any sexually provocative clothing. Jeans, Shorts, slacks are all allowable dress here.

***Employee Reviews***

The gambling manager will do an annual review of each employee and place a copy of it in the employees personnel file. The gambling manager's review should be given by Commander or his or her designee and place in their personnel file.

## **Article 14: General Membership**

A General Membership meeting is open to current Legion, Post 542 members and guests

### ***Meeting Day***

The meeting will be held on the second Tuesday of each month

The Post Commander can, for cause, make a day, date and/or time change however, notice must be given with as much lead time as possible and through as many media sources as possible.

The Post Commander or his/her designated representative will chair each meeting

### ***Quorum / for all meetings except committee and Executive Board***

Nine (9) members shall constitute a quorum

The nine members include the Post Commander or his/her representative

Each current Post 542 member can vote

The post Commander will only vote in-order to break a tie vote

### ***Absentee Voting***

Absentee votes/ballots are not permitted

### ***Simple Majority***

A simple majority vote will approve or deny motions that include but are not limited to the following:

- amendments to the By-Laws,
- contracts,
- delegates,
- donations,
- expenditures,
- finance
- gambling reports
- and Election



## **Annual Meeting**

The Annual Meeting of the Corporation for the purpose of electing a new board of officers is May of every year on the second Tuesday of that month at 7 pm at the Post located at 700 W County Road C, Roseville, Minnesota 55113 in conjunction with their regular General Membership Meeting.

## **Notice of Meeting**

Meeting times, dates, and locations are publicized on our website [rosetownlegion.com](http://rosetownlegion.com); via email for those with email, in our quarterly newsletter which is sent out through both postal mail and email. This complies with Minnesota statutes for non-profit corporations 317A.431 & 317A.435.

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## Article 15: Officers/Duties

### ***Post Commander:***

The Post Commander is the Chief Executive Officer.

He/she will preside over Executive Board, General Membership meetings and have supervision over all business affairs of the Post, and Gambling.

Each July at the beginning of the term of office the Post Commander along with the Past Post Commander should hold a training session with all new officers to familiarize them with the duties of their office and timetable on when events will happen (i.e. signing signature cards at banks, locations of banks, locations of records at post, keys each officer will have)

### ***First Vice Commander:***

The 1<sup>st</sup> Vice Commander will assume the duties of Post Commander in his/her absence.

The 1<sup>st</sup> Vice is also the Chairman of the Membership committee. Along with the Adjutant will maintaining/processing records, applications for transfer & renewal, the processing & transfer of monies to the Department. He/she will maintain a current/correct roster of Post members.

Serve as a member of the Finance Committee

### ***Second Vice Commander:***

The 2<sup>nd</sup> Vice Commander will assume the duties of the Post Commander and/or 1<sup>st</sup> Vice Commander in their absence. He/she will oversee fundraising events and other activities

### ***Adjutant:***

The Adjutant will make & maintain current minutes of the General Membership & Executive Board meetings in accordance with Roberts Rules of Order. He/She will also execute the duties of the Adjutant as described in the Adjutant Handbook published by the American Legion National Headquarters. They will also be responsible for maintaining the Adjutant Userid and Password for the Post at the National Headquarters website. He/She will also serve on the Membership

Committee with the 1<sup>st</sup> Vice Commander. He/she will also facilitate Post correspondence and other activities as directed by the Post Commander or his/her representative

***Finance Officer:***

The Finance Officer is in charge of overseeing, accounting for, reporting on and distributing Post monies. These accounts will include General Fund, Savings, Loans, Color Guard, Investments, Sons of the American Legion & ATM funds. He/she must report on all money transactions and balances once each month to the General Membership and Executive Board Meetings. He/She will also meet with the Gambling Manager to receive regular financial reports on gambling funds.

The Finance Officer will also function as the Post Human Resource Specialist and assist the Social Club manager in this area if that manager has no formal education / training in HR.

***Service Officer:***

The Service Officer will be involved with & coordinate activities with the Fourth District & the Department. He/she will help insure Veterans have access to benefits. He/she will also conduct activities with the Veterans hospital, home and national contacts

***Chaplin:***

The Chaplin will offer a non-sectarian opening and closing to each General Membership meeting. He/she shall perform such duties on other occasions as directed by the Post Commander

***Sergeant at Arms:***

The Sergeant at Arms will set up and put away required equipment at the General Membership meetings. He/she will distribute minutes and ensure that all persons attending have been both identified (guests) and have signed in. He/she will perform opening & closing rituals. He/she will maintain order and perform other duties as assigned

After an election the election committee will hand the ballot count / tally to the Sergeant-at-Arms along with the cast ballots. The Sergeant-At-Arms will announce

to the membership that 1) the ballot was verified as correct and 2) the count is verified and the election is confirmed. Then deliver the tally sheet and the cast ballots to the Adjutant.

At each meeting the Adjutant will supply the Sergeant-at-Arms with a current roster with the printed names of the members in alphabetic order showing full name current year of membership and member id and space to sign name so Adjutant can read which members are present. Then attach extra paper for guests to register

***Historian:***

The Historian will generate written and photographic records of the Post activities each year.

***At-Large Board Member (2):***

Assist the 2<sup>nd</sup> Vice Commander with overseeing fundraising events. The 2<sup>nd</sup> Vice commander will assign which event each will be responsible for. They will also assist the Adjutant and 1<sup>st</sup> Vice Commander with membership drives and be part of the membership team.

## **Article 16: Records/Reports**

The following records/reports will be created, distributed and stored in a timely and accurate manner. Reports must be presented upon request

### ***Written Reports To Adjutant***

Post office holders who make a report to the General Membership must give a written copy of that report to the Adjutant

### ***Minutes/Sign-in Sheets:***

The Adjutant will make & maintain current minutes of the General Membership & Executive Board meetings in accordance with Roberts Rules of Order.

Member sign in sheets will be by the entrance to the lower level lounge entrance. It is State Law that all Legion members sign in.

### ***Finance Report***

The Finance Officer will give an oral and written report on the current balances & expenditures of Post funds to the general membership each month.

A motion to approve of this report will be considered.

### ***Gambling Report***

Gambling Manager will give an oral and written report once each month at each General Membership meeting. (see article 12 Gambling)

A motion to approve of this report will be considered

### ***Bank Statements***

Monthly bank statements must be retained for seven (7) years.

Original statements will be retained by the Finance officer, and Gambling managers.

Post, Color Guard, Sons of the Legion and Gambling bank statements will be retained by each unit. A copy will be given to Finance Officer for forwarding to the contracted CPA

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Pat Van Reese, Commander

Date

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Ken Semling, Adjutant

Date

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Treverse Guess, Finance Officer

Date

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