

THE AMERICAN LEGION

DEPARTMENT OF WISCONSIN



A GUIDE FOR

DISTRICT COMMANDERS AND

DEPARTMENT OFFICERS

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Wisconsin American Legion
2930 American Legion Dr.
PO Box 388
Portage, WI 53901-0388

Phone: (608) 745-1090

Fax: (608) 745-0179

***In all matters pertaining to the Department of Wisconsin American
Legion, its Constitution & Bylaws shall take preference.***

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DUTIES OF A DEPARTMENT VICE COMMANDER

The By-Laws of the Department Constitution, Article II, Section 2, outlines the primary duties of a Vice Commander as follows:

“The Department Vice Commanders shall be the representatives of the Department Commander on all matters referred to any of them by him, and shall, on his request, preside over meetings of the Department Convention, or Department Executive Committee, and perform such other duties as are usually incident to the office.”

Representing Department Commander

The Department Commander will notify and authorize the Vice Commanders to represent him whenever the Commander deems it necessary. In addition, whenever the Commander desires a Vice Commander to preside at a Department Executive Committee, Department Convention, or other event, he will be notified by the Commander. Vice Commanders will keep in mind at all times their primary duty is to be of assistance to the Department Commander.

Membership

The Vice Commanders, by virtue of Department Executive Committee action, are members of the Department Membership Committee. Whenever the Membership Committee meets, the Vice Commanders are automatically authorized to attend the Membership Committee meeting. Each year, the Commander designates a certain membership area for each Vice Commander including three (3) Districts, which is the area the Vice Commander is responsible for. A weekly membership report is prepared to include the membership in the Vice Commander's respective area, weekly membership standings of the Districts and other pertinent information. This weekly report generally commences approximately ten days after the annual Convention.

Oratorical Contest

While the requirement for Department Vice Commanders to conduct the Regional Oratorical Contests has been eliminated it is highly recommended you attend the Department Oratorical Contest in Ripon each year to show your support for the program.

Department Vice Commander's Allowance

Pursuant to a standing Department Executive Committee mandate, Department Vice Commanders are allocated a certain allowance, as determined by the Finance Committee and approved by the Department Executive Committee, to be used for promotion of American Legion programs and membership. Primarily, of course, it is to assist you in the travel through the Department, District meetings, and whatever other expenses you may incur.

Pursuant to the recommendation of the Auditors, which has been confirmed by the Finance Committee and the Executive Committee, you will receive a bi-monthly allowance check of equal amounts for your year as Department Vice Commander. You cannot exceed your allowance. Your travel to the Department Executive Committee meetings does not come under this allowance, but rather, under the Department Executive Committee budget.

Bi-monthly stipend checks will be processed after your expense voucher/report is submitted to the Department Adjutant.

All expense voucher/reports must be submitted the last week of the second month in order to have the stipend checks processed the first week of the next month.

REPORT PERIODS

August – September
October – November
December – January
February – March
April – May
June – July

CHECKS CUT

(October)
(December)
(February)
(April)
(June)
**(must be submitted at the close of the
Department Convention)**

Summary

A Department Vice Commander, as stated, is to be of assistance to the Department Commander. He should stay in close contact with the Commander and should stay in close contact with Department Headquarters.

A Department Vice Commanders primary responsibility is membership in the agreed upon Districts and he/she is expected to make visits to posts and county councils.

DISTRICT COMMANDER'S INFORMATION

The following information has been prepared in the hopes it will be of some assistance to District Commanders upon taking office at the Department Convention. For a complete understanding of District duties, new District Commanders should get in touch with their Past District Commanders who will be happy to assist them.

District Commander's Allowance

Pursuant to a standing Department Executive Committee mandate, District Commanders are allocated a certain allowance, as determined by the Finance Committee and approved by the Department Executive Committee, to be used for promotion of American Legion programs and membership. Primarily, of course, it is to assist you in the travel through the District, District meetings, and whatever other expenses you may incur. The amount varies according to the Districts. The Districts in Milwaukee and close to Milwaukee, have a lesser amount, while the larger Districts, of course, receive an increased amount.

Pursuant to the recommendation of the Auditors, which has been confirmed by the Finance Committee and the Executive Committee, you will receive a bi-monthly allowance check of equal amounts for your year as District Commander. You cannot exceed your District Commander's allowance. Your travel to the Executive Committee meetings does not come under this allowance, but rather, under the Executive Committee budget. If any of you have any questions relative to your District Commander's allowance, please get in touch with Department Headquarters.

Bi-monthly stipend checks will be processed after your expense voucher/report is submitted to the Department Adjutant.

All expense voucher/reports must be submitted the last week of the second month in order to have the stipend checks processed the first week of the next month.

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District Commander's Responsibility

As the District Commander, you are responsible for your District in that you are the head of the District. By virtue of your office, you represent the District on the Executive Committee. In the event at any time you are unable to attend an Executive Committee meeting, you should notify your First Vice Commander who has the authority to represent you in your absence and thus insure your District of proper representation.

At the Department Convention, the District Commander conducts his Caucuses and is customarily the Floor Leader for the District.

When a District Commander attends the National Convention, he is automatically the representative of his District. In the event a District Commander does not attend a National Convention, he should either advise our offices who he wishes to represent his District or otherwise someone will be named from his District to be the official representative during the National Convention. This is primarily for roll calls and keeping in touch with the various delegates to the National Convention.

District Officers

Each District varies as to the structure of their District since some operate with full staffs and some with a minimum of officers. Every District should have a First Vice Commander who would be the logical one to represent the District in the absence of the District Commander. Some Districts elect other Vice Commanders and in some instances, they are appointed. Each District should be represented by a District Adjutant and such other officers as a District Commander may designate. ***Please send the full list of your elective and appointed officers to our office 30 days before Convention for compilation of the annual Officers and Committee Roster.***

The officers initial stipend will be withheld until a complete officer and committee roster is received by the Department Adjutant.

Membership

The new membership cards are distributed to all District Commanders usually before the Department Convention. A record of the cards issued to District Commanders is kept at Department Headquarters.

A Weekly Membership Report by District is issued which gives up-to-date information on District membership. District Commanders receive a complete breakdown of the District by Posts and Counties showing the membership data received at the time of the mailing of the breakdown.

For your information, there is included in this Officers' Guide a complete statement on the membership procedure. Please study it thoroughly.

Department Contact

Our offices will be happy to be of service to the District Commanders. It is the responsibility of the Department office staff to keep the District Commanders fully informed as to anything which may occur within their District.

Each year, it has been customary for the Department Vice Commanders to be assigned certain Districts as their respective area and this, of course, will again be continued. Just as soon as the Department Commander makes his breakdown, all District Commanders are notified.

The fall meeting of the Executive Committee will be announced by the Department Commander. This is the first meeting of the year following the Department Convention. All other Executive Committee meetings are established according to the "Master Committee Meeting Schedule". The Official Call, together with reservation information for a room for these events will be mailed to you.

If any District Commander has any questions with regard to his duties or needs any additional information, feel free to contact Department Headquarters.

MASTER PROCEDURES

How The American Legion Service Office Operates

The American Legion has developed a closely knit organization to assist veterans in securing benefits they are entitled to under the law. The Department Service Office is the center of this organization. The Service Office personnel include a Service Officer and Claims Representatives all of whom are recognized by the Veterans Administration as accredited representatives and they are assisted by a staff. The services of our offices are available to all veterans and/or their dependents, whether they are members of The American Legion or not.

How To File A Claim

The backbone of the service program is the Post and County Veterans Service Officer (CVSO). It is they who are aware of the needs of the veteran in their own community. It is also extremely important that the Post Service Officer discuss with the Department Service Officer the Department's guidelines regarding their assistance to veterans and their dependents.

In general, the Post Service Officer's (PSO) primary responsibility is to help the Department Service Officer (DSO) protect a claimant's interests. This means doing nothing that could have an adverse effect on his/her claim, including providing information or advice that may not be accurate or proper.

The Post Service Officer should work with an through The American Legion Department Service Officer and the staff of Legion accredited representatives located at the VA Regional Office in the filing of any claim or evidence in support of a claim or appeal. Similarly, the PSO should strongly advise claimants that it is to their advantage to cooperate with and work through the DSO. Only the DSO's and their staff have direct access to a claimant's VA claims folder called a (C-file) and can take official action on the claimant's behalf.

What Happens To Your Claim

When a claim for benefits of any kind is received at the Department Service Office, the staff goes over it to determine if all the necessary information has been included. In most cases it is forwarded to the proper section in the Regional Office. From this point on, it is the responsibility of the Service Officer and his staff to see to it the claim follows an orderly routing through the appropriate sections with no undue delay. All rating action is reviewed by the Service Office as soon as the rating board has made a decision. At this point, as an accredited representative, the Service Office staff may discuss the case with the Adjudication Officer or his staff, and voice an opinion as to the soundness of the decision.

What Happens If The Veterans Administration Decision Is Not Satisfactory

If a reasonable decision cannot be arrived at in the Regional Office, your Department Service Office has at its disposal the professional services of the National Rehabilitation Commission for administrative review, medical opinions, or appeal to the Administrator of the Veterans Affairs. The Service Office will guide the veteran through the appeals process to assure accuracy and timeliness.

Who Sees You In The Hospital

In addition to the Claims Service, there has been established with the Department Service Office a Contact Service in all of the Veterans Administration Hospitals within our jurisdiction. The Contact Representative will call on all veterans who, upon admission, make known that they are members of The American Legion. Their first duty is to notify the Post Service Officer that a member of his Post has been admitted. Next, it is their duty to assist this member to secure any of the rights and benefits provided by the laws covering veterans and their basic rights as such.

Who To Write To For Information

All inquiries regarding veterans benefits should be sent to:

**American Legion Service Office
VA Regional Office
5400 W. National Ave, # 164
Milwaukee, WI 53214-3461**

**Phone: (414) 902-5722
Fax: (414) 902-9401**

The Service Office will do everything they can to assist you. The office is your friend and Power of Attorney (advocate) in all your relations with the Veterans Administration.

HOW TO SUBMIT NEWS ITEMS FOR THE BADGER LEGIONNAIRE

Where To Mail Them

Editor – Badger Legionnaire, P.O. Box 388, Portage, WI, 53901

When To Mail Them

The first day of the month preceding month of publication is the deadline date for submitting articles.

How To Submit News Items

1. Present a concise, clear-cut report of the happenings.
2. Make sure the Post name, number and city is on the copy.
3. If it is a District or County story rather than a Post story, be sure to specify.
4. Make certain all names are spelled correctly.
5. Furnish the following facts:
 - a) “What” the news is.
 - b) “Where” it took place
 - c) “When” it happened.
 - d) “Who” was involved.
 - e) “Why” it took place.
 - f) “How” it was handled.

HOW TO SUBMIT PICTURES OF LOCAL ACTIVITIES

Where To Mail Them

Editor – Badger Legionnaire, P.O. Box 388, Portage, WI, 53901

When To Mail Them

The first day of the month preceding month of publication is the deadline date for submitting pictures for publication.

What Type To Send

1. Clear, sharp, glossy photographs of a 5 x 7” or 8 x 10” size reproduce best.
2. If a picture of the event appeared in a local newspaper, the editor is usually willing to furnish a copy for reproduction, and the paper is given a credit-line below the picture when it appears in The Badger Legionnaire.
3. Other pictures may be used, however, they do not always reproduce in a satisfactory manner. Digital photo prints or instant photos (like Polaroid) cannot be used.

NOTE: News items and photographs submitted for publication are given every consideration, but in accordance with mandates of the Badger Legionnaire Board, the deciding factor as to how or when they appear must necessarily rest with the Editor.

HOW THE CHILDREN AND YOUTH COMMITTEE OPERATES

Purposes

1. To assure care and protection for children of veterans.
2. To improve conditions for all children.

Principles

1. Preserve the integrity of the home.
2. Maintain a "Whole Child Program".
3. Cooperate with and strengthen other sound agencies and organizations for children.

Methods Of Operation

1. Legislation
2. Information
3. Direct Assistance

Points Of Emphasis

1. An Active Children and Youth Chairman in every Post
2. Duties of the Post Children and Youth Chairman
 - a. Aid
 - b. Leadership
 - c. Cooperation
 - d. Reporting
3. Juvenile Delinquency
4. Youth Physical Fitness
5. Mentally Ill Children
6. Physically Handicapped Children



Sources Of Services And Aid

1. Veterans Administration
2. General Assistance
3. Aid to Dependent Children
4. Old Age and Survivors Insurance
5. Crippled Children Services
6. Other Health Services
7. Child Welfare Services
8. Direct Aid from American Legion Sources
9. Temporary Financial Assistance from National Headquarters

Other Phases Of Child Welfare Program

1. April is Child Welfare Month
2. Children and Youth Citations
3. American Legion Child Welfare Foundation
4. Memorial Fund

Note: Questions or correspondence may be directed either to the Department Children and Youth Chairman, Department Headquarters or National Headquarters. Brochures and other printed matter is available for the asking from the above mentioned sources.



HOW TO SPONSOR A BOY TO BADGER BOYS STATE

Who May Sponsor

Any American Legion Post in the State of Wisconsin or any patriotic, fraternal, civic, religious organization or individual through a local American legion Post.

Allotment Of Boys

Each American legion Post is entitled to sponsor at least one boy provided that the requirements and deadlines for sponsorship fees are met. Every community having sponsored more than one boy the previous year through the local Post, is entitled to sponsor the same number of boys. The only limitation would be as a result of less available space on the campus because of construction or renovation.

How To Indicate A Desire For Sponsorship

Wait until the latter part of December prior to the upcoming session and then contact the BBS Secretary at Department Headquarters requesting information on sponsorship including current fees. The requested information will include a "Request for Reservation" card which must be filled out and submitted prior to the deadline stated along with pre-determined fees.

Any Post wishing to increase their quota should contact Badger Boys State at P.O Box 388, Portage, WI 53901. Requests will be placed in a "Request Over Quota File" in the order in which received and openings filled accordingly. Posts who do not submit initial payment by the deadline run the risk of losing its allotment to another Post.

When a "Request For Reservation" card is received by the BBS secretary from the Post along with a check covering the fees for each boy sponsored, the requests are processed and one registration card is forwarded for each boy sponsored. All requests for "refund" for unfilled spots must be submitted prior to March 31st. The Board of Directors will review the portion of a refund for "no show" boys on an annual basis.

Method Of Selection Of Boys To Attend

The actual selection of the boys is made by the local school officials with input from the local sponsoring Post, regardless of sponsorship" Each Post should contact the school authorities and cooperate closely with them in the selection process. Indicate the number of boys to be sponsored and of the number of alternates needed including a registration card for each boy selected, (not for alternates) and do so promptly to avoid problems with deadlines. It is the Posts responsibility that the cards with registration and medical be completed and returned by specified deadlines.

Transportation

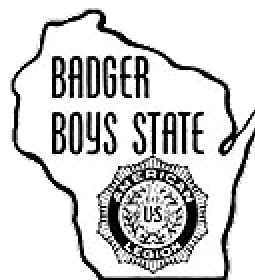
In every case the parent or guardian is responsible for the transportation to and from the session. However, some Posts may make arrangements for busses and will coordinate pick up time and locations. The BBS Board of Directors" discourage" the boys from driving as there is no advantage in having a vehicle on campus, however, if a boys arrives by his own transportation the vehicle will remain in an assigned lot for the duration of the session .BBS is a very demanding and tiring experience and boys are pretty tired at the end of a session.

Advance Instructions

Towards the end of May, each boy accepted for attendance will receive instructions, including detail information as to clothing and other items to bring or in some cases not bring to the session. Many Posts will sponsor an “Orientation Session” somewhere in the County of their school district. All delegates and parents are encouraged to attend. It is an opportunity for a complete look at the week’s session. The orientation also appears on the BBS Website www.badgerboysstate.com

Final Instructions

At the closing session on Saturday, each boy is presented a “Certificate of Attendance” which is not valid until signed by an official of the sponsoring organization. The boys are instructed to contact their sponsors and to report on their activities at BBS. It is an obligation of the Post to arrange for the boys appearance before sponsoring organizations.



HOW TO START A COUNTY GOVERNMENT PROGRAM

What Preliminary Steps To Take

1. Appoint County Committee composed of Legionnaires and Auxiliary members.
2. Obtain available literature and sample outline of program from the Department Headquarters.
3. Ascertain willingness of schools in County to participate in program.
4. Ascertain willingness of County officials to cooperate with program.

How To Coordinate Entire Operation

1. Hold meeting with County American Legion committee (both Legion and Auxiliary), school officials, and County officials.
2. Each group has an appointed part in the program, and cooperation means success. The American Legion cannot simply turn material over to the schools and let it go at that – neither can they make demands on the various schools as to how they should operate their portion of the program. Close contact among the three groups: American Legion, Schools and County, is necessary for a well organized program.
3. Cooperation and assistance is available from the Department Headquarters office and inquiries should be sent to American Legion, P.O. Box 388, WI 53901.

How To Assist The Schools

1. Confer with school officials on selection of date to hold an American Legion Boys and Girls County Government Day.
2. Help line up officials and lawyers to assist in the advance instruction on County operation in the schools, if the schools want such assistance.
3. Arrange with officials for the loan of voting booths and other equipment for the schools to use for the actual election.
4. Start the program early in the year so school officials can include, in the year's program, a period of instruction on election procedure and on the powers and duties of public officials.

How To Assist The County Officials

1. Clear the date selected with County officials so use of the Courthouse will be available and various County officers will be able to devote time to the boys and girls elected to those particular County offices.
2. Coordinate local programs so the sheriff and other County officers from every town electing them can come to the Courthouse on the same day.

When To Hold The Program

The general dates must be determined locally and depend on how extensive a program is undertaken. The entire program should wind up by early April.



HOW TO BECOME A MEMBER OF THE AMERICAN LEGION AUXILIARY

Basis Of Eligibility

1. Eligible through husband, son, father, grandfather or brother who is a member of The American Legion.
2. Eligible through the service of a deceased husband, son, father, grandfather or brother.
3. Eligible through own service in World War I or II, the Korean War, or the Vietnam War, Grenada, Lebanon, Panama or Persian Gulf (see below).

Eligibility Dates

World War I	- April 6, 1917 to November 11, 1918
World War II	- December 7, 1941 to December 31, 1946
Korean War	- June 25, 1950 to January 31, 1955
Vietnam War	- February 28, 1961 to May 7, 1975
Grenada & Lebanon	- August 24, 1982 to July 31, 1984
Panama	- December 20, 1989 to January 31, 1990
Persian Gulf	- August 2, 1990 to ... open



Application For Membership

Application for membership can be made to any Unit, not necessarily the Unit the relative belongs to. Applicant will be given an application form to be completed showing basis of eligibility, properly certified, together with other essential information.

Class Of Membership

The only form of membership authorized is active membership. There are two classes:

1. **SENIOR MEMBERSHIP** is the functioning (or active) group composed of members over the age of 18 years; provided, however, that a wife under the age of 18 years who is eligible through her husband shall be classed as a senior member.
2. **JUNIOR MEMBERSHIP** shall consist of that group under the age of 18 years whose activities shall be supervised by the Senior membership.

Dues

Dues are paid annually and are determined by each Unit. Each Unit is required to send to Department Headquarters, Department and National per capita for Senior membership and Junior membership.

MAJOR EVENT INFORMATION

Master Schedule Of Department Committee Meetings

Pursuant to Department Executive Committee action, the following Master Schedule for all Department Committee meetings is in effect:

FALL DEPARTMENT MEETING – PORTAGE, WISCONSIN

2nd Weekend in October

Americanism Committee	Fundraising Committee
Badger Legionnaire & PR Committee	Membership Committee
Convention and Activities Commission	Past Department Commanders
Executive Committee	Policy Committee
Finance Committee	Veterans Affairs & Rehabilitation Committee

Other Committees scheduled to meet in the fall are as follows:

Camp American Legion will meet at a location and date determined by the Department Commander.

MIDWINTER MEETING

January – Location As Announced

Americanism Committee	Hospital Committee
Badger Legionnaire & PR Committee	Legislative Committee
Camp American Legion Committee	Membership Committee
Children & Youth Committee	National Security Committee
Convention and Activities Commission	Past Department Commanders
Coordinating Committee	Policy Committee
Executive Committee	POW/MIA Committee
Finance Committee	Religious Emphasis Committee
Fundraising Committee	Veterans Affairs & Rehabilitation Committee

SPRING MEETING – PORTAGE, WISCONSIN

2nd Weekend in May

Badger Legionnaire & PR Committee	Legislative Committee
Convention and Activities Commission	Membership Committee
Coordinating Committee	Past Department Commanders
Executive Committee	Policy Committee
Finance Committee	Public Safety Committee
Fundraising Committee	Veterans Affairs & Rehabilitation Committee
Pre-Convention Committee:	
a) Rules Committee	
b) Credentials Committee	
c) Permanent Organization Committee	

Other Committees scheduled to meet in the Spring are as follows:

Camp American Legion will meet at a location and date determined by the Department Commander.

The Policy Committee meets during the month of June within the prescribed Constitutional period of time to review resolutions, make recommendations and assign resolutions to committee. The Department Adjutant will prepare a brief of resolutions consisting of the Resolving Clause(s) with the assignment to a Convention Committee and recommendation of the Policy Committee on each resolution to be distributed prior to convention.

DEPARTMENT CONVENTION MEETING AT CONVENTION CITY

3rd Weekend in July

Americanism Committee	Hospital Committee
Badger Legionnaire & PR Committee	Legislative Committee
Camp American Legion Committee	Membership Committee
Children & Youth Committee	National Security Committee
Convention and Activities Commission	Past Department Commanders
Coordinating Committee	Policy Committee
Executive Committee	POW/MIA Committee
Finance Committee	Religious Emphasis Committee
Fundraising Committee	Veterans Affairs & Rehabilitation Committee

Pre-Convention Committee:

- a) Rules Committee
- b) Credentials Committee
- c) Permanent Organization Committee

The pre-Convention Committees – Credentials, Rules and Permanent Organization will meet at the Department Convention.

SPECIAL NOTE:

In addition to the listed meetings and in accordance with the Executive Committee mandate, the Finance Committee will meet between the four major meeting times at such time as determined by the members of the Finance Committee.

DISTRICT CONFERENCE DATES

Dates will be submitted to the Department Adjutant for publication to Candidates for higher office, all Department Officers and past commanders. The schedule will also be posted on the Departments WEB site.

DEPARTMENT EVENT SELECTION SCHEDULE

Listed below is the schedule of dates indicating at which meeting of the Department Convention and Activities Commission final consideration will be given to the event designated.

<u>Department Event</u>	<u>“Desired” Decision Date</u>	<u>“Final” Decision Date</u>
Department Convention	DEC at Department Convention	Fall Meeting
Midwinter Conference	Midwinter Conference	Spring Meeting
Golf Tournament	Fall Meeting	Midwinter Meeting

The above dates are flexible since many times events are scheduled by the Convention and Activities Commission several years in advance. The above schedule is the latest possible time that scheduling can be made for these events.

DEPARTMENT CONVENTION / MIDWINTER CONFERENCE REQUIREMENTS

Due to the annual **Department Convention / Midwinter Conference** requirements being numerous and in detail, the requirements outline has not been included in this Officer’s Guide. Copies of the requirements, in Contract form, if desired, may be obtained from Department Headquarters.

DEPARTMENT GOLF TOURNAMENT REQUIREMENTS

If your District, County or Post is interested in the Annual Department Golf Tournament, you may contact the Department Adjutant for the most current information and contacts.



POST INFORMATION

Organization Of A New American Legion Post

1. A Temporary Charter is issued to a Post when fifteen (15) veterans sign the application.
2. Applicants should not be members of any other Post at the time.
3. The original application form is in triplicate. The original copy should bear the signatures of the applicants, but the names must be typed on the other two copies.
4. Department Headquarters assigns a number to the Post. The new Post should adopt a name before mailing the blanks in triplicate to our offices. No Post should be named after any living person. These applications are then forwarded to the National Headquarters where a Temporary Charter is prepared.
5. A Post should designate a representative to sign the form at the bottom. This representative then becomes the individual with whom correspondence is carried on until the Post Officers are elected.
6. The Department per capita dues are \$25.00, money should be sent to us with the applications.

PROCEDURE ON STATEMENT OF INTENTION TO INCORPORATE

Under the Wisconsin Statutes, Section 188.08, a duly chartered Post of The American Legion may incorporate under the laws of Wisconsin.

The procedure for incorporation is as follows:

1. 3 sets (3 copies each) of incorporation papers are sent to the Post desiring to incorporate.
2. The Post, at a regular business meeting, will pass the resolution which is a part of the set of three papers.
3. After the Resolution of Incorporation is passed, all three sets (three copies each) must be filled out and all three sets sent to Department Headquarters.

Department Headquarters will process the request to incorporate and then forward the papers to the Secretary of State.

After the papers are returned from the Secretary of State, Headquarters will process the papers. The following will then be forwarded to the Post:

1. Certificate of Incorporation.
2. One set of original papers for Post file.
3. Procedure outline and papers for Supplemental Charter.

APPLICATION FOR SUPPLEMENTAL CHARTER

After a Post has been duly incorporated under the laws of the State of Wisconsin, the Post should complete the procedure and obtain a Supplemental Post Charter. The procedure is as follows:

1. Three (3) copies of the Application for Supplemental Charter are sent to the Post.
2. The Post fills out the three copies, forwarding two (2) copies to Department Headquarters and retaining one (1) copy for the Post files.
3. Department Headquarters processes the application and forwards to the National Headquarters.
4. After the application has been duly recorded by the National Headquarters, a Supplemental Charter will be sent to the Department Headquarters.
5. Department Headquarters will process the Supplement Charter and forward to the Post.

PROCEDURE ON APPLICATION FOR PERMANENT CHARTER

Send the Post requesting a Permanent Charter three (3) copies of National form, "Post Application for Permanent Charter."

Post returns two (2) completed copies to Department Headquarters, keeping one (1) copy for Post files.

Department will then endorse the copies, forwarding one copy to National Headquarters. Upon approval, National Headquarters will prepare a Permanent Charter and forward Charter to Department Headquarters, which will be signed by the Department Commander and Adjutant. The completed Charter will then be sent to the Post.

Posts, upon receipt of the Charter, should have all the Charter members sign the Charter Roll which will accompany the Charter, and then should:

1. Frame and display the Permanent Charter.
2. Frame and display the Charter Roll which carries the signatures of the Charter sights.

BONDING OF POST OFFICERS

Article VI, Section 1, of the National By-Laws provides as follows:

“All National, Department and Post officials handling American Legion monies shall be properly bonded with a good solvent bonding and surety company, as surety . . . In case of delinquencies in the payment of amounts due Department and National Headquarters, action shall be taken at once by the proper officials to bring about a speedy and complete settlement . . .”

It is the position of the Post (such as Adjutant, Finance Officer, etc.) that is bonded rather than the individual person holding the office. ***ANY POST WHOSE OFFICERS ARE NOT NOW BONDED SHOULD HAVE THEM COVERED.*** A new position of office can be added to the bond at any time.

CHANGE OF POST NAME

The procedure for a Post to change the name of the Post is as follows:

1. At a regular Post meeting, pass the attached resolution.
2. After the resolution of name change is duly passed, fill out the three (3) copies of the resolution.
3. Forward two (2) copies to Department Headquarters, retain one (1) copy for the Post files.

Department Headquarters then forwards the resolution to National Headquarters.

After the change is recorded, a new Post Charter is sent to Department Headquarters.

After processing at Department Headquarters, the new Post Charter is sent to the Post and the change of name is official.

Note: A sample copy of the resolution to be submitted is attached. The resolution, in triplicate, is sent to the Post desiring to change its name upon request.

(SAMPLE COPY OF RESOLUTION)

POST NO. _____

BE IT RESOLVED: That _____ Post
No. _____, The American Legion of Wisconsin, located at _____,
Wisconsin, desires to change its name to _____,
Post No. _____, The American Legion of Wisconsin.

Adopted this _____ day of _____, 20 ____.

Aye's _____ No's _____

We certify that the above is a full, true, and correct copy of a resolution adopted by
_____ Post No. _____, located at
_____, Wisconsin, on the _____ day of _____,
20 _____, and we further certify that the change includes the name of a deceased veteran.

POST COMMANDER

POST ADJUTANT

Total Membership _____
Number Voting _____
Number in Favor _____
Number Against _____

CONSOLIDATION OF POSTS

Consolidation or merger takes place by mutual agreement between two or more Posts.

When two Posts wish to consolidate, the following is the procedure for the merger:

Resolution “A”

The Post willing to have its Charter cancelled will adopt and pass Resolution “A” at a Post meeting.

Resolution “B”

The Post willing to complete the merger and agree to the transfer of the membership from the cancelled Post to its Post will adopt and pass Resolution “B”.

Both Posts will complete three (3) copies of their respective resolutions, forwarding two (2) copies to Department Headquarters, retaining one (1) copy for their Post files.

If, in the event there will be any change of name involved in the merger, the Post adopting Resolution “B” will also adopt and pass the Change-of-Name resolution at the meeting.

Upon receiving the Resolutions “A” and “B” and Change-of-Name (if such resolution is passed), Department Headquarters will process the resolutions as follows:

1. The Department Executive Committee will have to act on both resolutions.
2. When the Department Executive Committee approves the resolutions, their motion, together with copies of the resolutions, will be forwarded to the National Headquarters.

National Headquarters will record the cancellation and merger and, if necessary, issue a new Charter.

Upon receipt of notification of the change being recorded at the National Headquarters, the Department will process the notice and forward the new Charter, if necessary, to the Post which adopted Resolution “B”. Notice of this action will also be sent to the Post adopting Resolution “A”.

SAMPLE RESOLUTION FOR CONSOLIDATION OF POSTS

RESOLUTION "A"

WHEREAS: The members of the _____ American Legion Post No. _____ feel that the purpose of the American Legion could be best served by a larger Post, and,

WHEREAS: The _____ Post, No. _____, has had difficulty in maintaining attendance at meetings because many of its members have moved away or did not renew their membership, and now therefore be it

RESOLVED: That _____ Post No. _____ requests the Department Executive Committee of The American Legion, Department of Wisconsin to accept the voluntary surrender of its Charter and approve transfer of its membership to the _____ Post, No. _____.

Resolution Adopted: _____
(Date)

Certified: _____
Post Commander Post Adjutant

RESOLUTION "B"

WHEREAS: The members of _____ American Legion Post No. _____ have expressed their desire to surrender their Post Charter, and petition the Department Executive Committee of The American Legion, Department of Wisconsin to give approval to a transfer of members to the _____ Post, No. _____, and

WHEREAS: _____ Post, No. _____, feels that this merger and consolidation would be to the best interests of all concerned, and now therefore be it

RESOLVED: That _____ Post No. _____ requests the Department Executive Committee to effect the consolidation and transfer of the members of the _____ Post, No. _____, to the _____ Post, No. _____.

Resolution Adopted: _____
(Date)

Certified: _____
Post Commander Post Adjutant

FEDERAL TAX EXEMPTION

It is strongly suggested every post file a form 990, whether or not income exceeds limits set by the Internal Revenue Service.

Section 6033 (a) of the Internal Revenue Code of 1954 requires The American Legion and all its component parts to file annual information reports with the Bureau of Internal Revenue on Form 990 Treasury Department, Internal Revenue Service. A copy of this form can be secured by writing to:

DISTRICT DIRECTOR
INTERNAL REVENUE

(IN YOUR AREA)

The American Legion and its component Department and Posts are exempt from the payment of Federal Income Taxes und Section 501 (c) (19) of the Internal Revenue Code of 1954, as amended. All Posts in existence as of December 1945 were, in 1946, exempted by a 1946 Internal Revenue Department ruling. Posts chartered after December 1945 must contact Department Headquarters for the date of their exemption.

Accordingly, the questions on Form 990, as to exemption, should be answered as follows:

QUESTION: Have you been advised by the Bureau as to your exemption?

ANSWER: YES.

QUESTION: If so, state date of letter under which you are exempt.

ANSWER: All American Legion Posts in existence as of December 1945 were granted tax exemption by 1946 Internal Revenue Department ruling.

Note: Posts chartered after Dec. 1945 must contact Department Headquarters for date of ruling.

QUESTION: State nature of your activities.

ANSWER: Civic league not organized for profit but operated exclusively for the promotion of social welfare.

All Posts, Units, and component parts should file form with:

DISTRICT DIRECTOR
INTERNAL REVENUE

(IN YOUR AREA)

The form must be filed with the District Director at the close of the annual accounting period.

**STATEMENT SHOWING A FEW OF THE PROVISIONS OF THE INTERNAL
REVENUE CODE OF 1954 (Public Law 591, Approved August 16, 1954) OF INTEREST
TO AMERICAN LEGION POSTS, DEPARTMENT, ETC.**

Exemption From Federal Income Taxes

Section 501 (c), (17) continue the exemption previously granted The American Legion, its Posts, Department, etc., from the payment of Federal Income Taxes.

It should be noted the Bureau of Internal Revenue has held the position when Posts go into a commercial business, they lose their exemption from Federal Income Taxes.

Admissions Tax On Junior Baseball Games

Section 4233, (8) provides that no Admissions Tax shall be imposed on amateur and semi-professional games if all the players who participate have an amateur or semi-professional standing, and if (A) such game is not primarily conducted for profit, (B) neither team participating in such game is regularly engaged in playing baseball for its own profit, and (C) no part of the net earnings thereof inures to the benefit of any private stockholder or individual.

Bequests To The American Legion

Bequests, legacies, devises or transfers, made to The American Legion are exempt from Federal Estate Taxes.

Section 2055, (a) (4) exempts any bequests, legacies, devises or transfers to or for the use of any veterans' organization incorporated by an Act of Congress, or its Departments or Posts, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Charitable Contributions And Gifts

Under the provisions of Section 170, (c) (3), deductions may be claimed for charitable contributions (not dues) made to a Post or organization of war veterans, or an auxiliary unit or society of, or trust or foundation for, any such Post or organization (a) organized in the United States or any of its possessions, and (b) no part of the net earnings of which inures to the benefit of any private shareholder or individual. (The amounts claimed for such deductions, however, are subject to the other limitations depending on the taxpayer's income.)

AMERICAN LEGION SPECIAL CAP REGULATIONS

The following are the existing regulations with regard to American Legion Special Caps as listed below. The original National Executive Committee action on Special American Legion Caps was taken in May of 1937 and provides as follows:

DEPARTMENT OFFICERS

(All White Cap)

Department



Commander, Vice Commanders, Adjutant, Service Officer, Judge Advocate, Chaplain, Historian and Sergeant-At-Arms:

This cap is to be worn only while serving in office. Upon retiring, you must revert to all blue Post Cap with proper title designation on right side.

DISTRICT OFFICERS

(Blue Cap with White Top)

District



Commander, Vice Commanders, Adjutant, Finance Officer, Judge Advocate, Chaplain, Service Officer, Historian and Sergeant-At-Arms:

This cap is to be worn only while serving in office. Upon retiring, you must revert to all blue Post Cap with proper title designation on right side.

COUNTY OFFICERS

(All Blue Cap, Piped in Silver, Lettered in White)

County



Commander, Vice Commanders, Adjutant, Finance Officer, Judge Advocate, Chaplain, Service Officer, Historian and Sergeant-At-Arms:

This cap is to be worn only while serving in office. Upon retiring, you must revert to all blue Post Cap with proper title designation on right side

Please insure that all newly elected officers follow the procedure as established by our Headquarters. For your information, the following are the National regulations relative to the above officers:

“That Officers of the National Organization, Departments, Districts, and Counties of The American Legion, be authorized to wear Caps designating their office, be extended to mean ALL CONSTITUTIONAL Officers of such Organizations, whether elected or appointed.” The foregoing is, of course, governed by the Constitution of each Department.

No prior authorization for American Legion Caps for the above Officers is required by the Department Headquarters. In order to expedite the ordering of these caps, it would be appreciated if you would follow the procedure listed below:

1. Read the National Emblem Sales Catalog.
2. Select the cap of your choice and remit the necessary check or money order (payable to National Emblem Sales).

Contact Emblem Sales at:

www.emblem.legion.org or call 1-888-453-4466