

By-Laws of the

WISCONSIN CHAPTER OF THE ASSOCIATION OF INDIANS IN AMERICA

ARTICLE I. Objectives and Name

This organization is formed under Article VIII of the constitution of the Association of Indians

in America, Inc., hereinafter called the AIA, to further the objectives of the AIA in the State of

Wisconsin and its vicinity. It shall be called THE WISCONSIN CHAPTER OF THE ASSOCIATION OF INDIANS IN AMERICA, hereinafter abbreviated as the Wisconsin Chapter

or simply the Chapter.

ARTICLE II.

Section 1: Any member of the AIA, who resides in the State of Wisconsin or its vicinity, and is

not a member of any other chapter of the AIA, may become a member of the Wisconsin Chapter.

Section 2: To remain in good standing, members shall pay the annual dues to the Chapter.

Section 3: In addition to their rights specified in the constitution and by-laws of the AIA, members in good standing shall be eligible to:

(i) hold elective offices in the Executive Committee of the Wisconsin Chapter

(ii) be Wisconsin delegates to the National Council

(iii) nominate candidates for elective offices in the Chapter Executive Committee and Wisconsin delegates to the National Council

(iv) vote for elective offices in the Chapter Executive Committee and Wisconsin delegates

to the National Council

(v) vote for the recall of elective officers of the Chapter Executive Committee and Wisconsin delegates to the National Council and

(vi) vote on amendments to the by-laws of the Wisconsin Chapter.

Section 4: A life member of the AIA, residing in State of Wisconsin or its vicinity, may become

a member in good standing of the Wisconsin Chapter, provided he/she is not a member of any

other Chapter.

ARTFCLE III. The General Body

Section 1: All members in good standing shall constitute the general body of the Chapter, which

shall be the final decision-making body of the Chapter. All decisions taken by the General Body

shall be by simple majority. The quorum for any business meeting of the General Body shall be

25% of the members in good standing, or 20 members in good standing, whichever is less.

Section 2: The General Body shall meet at least once every six months. In addition, the president

shall be obliged to call a special General Body meeting within 60 days of a petition

signed by at

least 25% of the members in good standing, or 20 members, whichever is less.

Section 3: The General Body shall elect the Chapter Executive Committee and Wisconsin delegates to the National Council.

Section 4: The General Body shall have the power to recall the Chapter Executive Committee,

any member thereof, and any Wisconsin delegate to the National Council.

ARTICLE IV. The Chapter Executive Committee

Section 1: The elective officers of the Chapter Executive Committee shall be the president, the

president-elect, the treasurer, the secretary and a minimum of five or a maximum of eight members-at-large.

Section 2: The tenure of the Chapter Executive Committee will be one year.

Section 3: The past president of the Chapter Executive Committee shall be a member of the

Committee for the following year.

Section 4: The Chapter Executive Committee may appoint no more than two additional members-at-large for the duration of its tenure.

Section 5: The members of the Chapter Executive Committee specified in Sections 1, 3 and 4 of

this article shall constitute the voting members of the Committee, with the exception noted in

ARTICLE V, Section 1(b).

Section 6: All members of the Chapter Executive Committee shall be residents of the State of

Wisconsin or its vicinity.

Section 7: Members of the National Executive Committee and the Board of Trustees of the AIA,

who are also members of the Wisconsin Chapter, shall be invited to all meetings of the Chapter

Executive Committee. They may participate in the deliberations of the Committee, but are not

entitled to vote.

Section 8: The Chapter Executive Committee shall meet at least five times a year to conduct the

business of the Chapter.

Section 9: The quorum for meetings of the Chapter Executive Committee shall be 50% of the

voting members.

Section 10: The Chapter Executive Committee shall, by appointment, fill all vacancies that may

arise in it.

Section 11: The Chapter Executive Committee shall, by appointment, fill all vacancies that may

arise in the Wisconsin delegation to the National Council.

Section 12: Two members of the Chapter Executive Committee, as designated in

ARTICLE V,

shall sign the checks; the signators shall be responsible for transaction.

ARTICLE V. Duties of Officers

Section 1: The president shall be chief executive officer of the Chapter and shall:

- (d) Preside at the meetings of the Chapter Executive Committee;
- (e) Have the casting vote, in the event of, and only in the event of, a tie at Chapter Executive Committee meetings;
- (f) Execute, and see to the execution of, the by-laws of the Chapter;
- (g) Be responsible for the initiation and execution of major programs of the Chapter;
- (h) Oversee the financial transactions of the Chapter in collaboration with the treasurer of the Chapter;
- (i) Assign duties to the president-elect;
- (j) In the event of his/her inability to function as president, due to absence or illness, he/she shall appoint the president-elect as acting president. The term of the acting president shall not exceed 60 days. During this interim, the acting president shall have all the powers and responsibilities of the president;
- (k) Be authorized to sign checks.

Section 2: The president-elect shall be responsible for membership enrollment, development and organization of programs and other assignments as determined by the president. President-elect

shall be authorized to sign checks.

Section 3: The treasurer shall:

- (a) Present a proposed budget, for the entire term, for approval by the Chapter Executive Committee no later than 30 days after assuming office;
- (b) Be responsible for collecting all sums due to the Chapter and disbursing all sums payable by the Chapter;
- (c) Present an up-to-date statement of the financial status of the Chapter at each meeting of the Chapter Executive Committee;
- (d) Prepare an annual financial report for submission to the Chapter Executive Committee, to the General Body at one of its meetings and to the National Treasurer;
- (e) Sign all accounts before handing them over to the treasurer-elect on or before the last day of his/her term;
- (f) Be authorized to sign the checks.

Section 4: The Secretary shall:

- (a) Keep the minutes of all Chapter Executive Committee and General Body meetings;
- (b) Be custodian of the documents of the Chapter as assigned by the president;
- (c) Be authorized to sign the checks.

Section 5: All official communications between the Chapter and the National Executive Committee shall be through the Chapter president or his/her designee.

ARTICLE VI. Membership Dues

Section 1: The annual dues and the Chapter fiscal year shall be as determined by the National Executive Committee.

Section 2: The dues shall be collected by the Chapter and forwarded to the National-treasurer as

specified in Article IX of the constitution of AIA.

Section 3: The annual dues of new members shall be payable on joining the Chapter.

Section 4: Persons joining the Chapter after the first half of a fiscal year shall pay 50% of the annual dues for the year, to cover their membership dues for the remaining part of the year.

ARTICLE VII. Nominations and By-Laws Committee

Section 1: The Chapter Executive Committee shall elect a standing Nominations and By-Laws

Committee within 60 days of assuming office.

Section 2: The tenure of the Nominations and By-Laws Committee shall cease with the tenure of the Chapter Executive Committee that elected it.

Section 3: The Nominations and By-Laws Committee, or any member thereof, may be recalled

by a vote of two-thirds of the voting members of the Chapter Executive Committee.

Section 4: The Nominations and By-Laws Committee shall review the by-laws of the Chapter at

least every alternate year and make recommendations for possible amendments to the Chapter Executive Committee.

Section 5: No member of the Nominations and By-Laws Committee shall be a candidate for

election to the Chapter Executive Committee, unless he/she submits his/her resignation from the committee to the Chapter Executive Committee.

ARTICLE VIII. Election Procedures

Section 1: The Nomination and By-Laws Committee shall invite nominations from the General

Body for all elective offices, except the office of the president, and the Wisconsin delegation to

the National Council and shall conclude the elections at least two weeks prior to the expiration of the terms of the offices.

Section 2: All elections shall be by mail ballot or a general body meeting shall be called for this purpose.

Section 3: Elections shall be held even if all offices are uncontested; and provisions for write-ins shall be made.

Section 4: All petitions for recall shall be made to the Nominations and By-Laws Committee and

shall be signed by at least 25% of the members of the Chapter, or 20 members, whichever is less.

Section 5: A recall election shall be held within 90 days of the receipt of a valid recall petition.

Section 6: The recall of an elective officer, or delegate, shall require two-thirds of the votes cast.

ARTICLE IX. Amendments

Section 1: Amendments to the by-laws may be proposed by the Chapter Executive Committee, or by petition signed by at least 25% of the members of the Chapter, or 20 members, whichever is less.

Section 2: A duly proposed amendment shall be presented to the Nominations and By-Laws Committee, who shall examine it for consistency with the constitution and by-laws of the AIA.

Section 3: If the Nominations and By-Laws Committee determines the proposed amendment to be consistent with the constitution of the AIA, it shall present the proposed amendment in the general body for vote by mail at the time of the next annual election. If the amendment is found to be unsatisfactory, the committee shall inform the petitioners in writing, within 60 days of the original petition, explaining the reasons for the rejection.

Section 4: A proposed amendment shall require, for its adoption, a favorable vote of two-thirds of the votes cast.

ARTICLE X. Parliamentary Authority

Robert's rules of order, except when inconsistent with the by-laws of the Chapter, shall govern the meetings of the committees and general body.

THE ASSOCIATION OF INDIANS IN AMERICA: CONSTITUTION AND BY-LAWS

(originally adopted March, 1970; amended in October, 1975, in October, 1977 and in January,)

Article I: Preamble

WHEREAS a growing number of peoples of (Asian) Indian heritage have become (permanent) residents of the United States of America, and

WHEREAS many of them have become citizens of the United States of America, be it resolved

THAT a non-profit organization be formed to Provide a forum of common action to all whose

Indian heritage and American commitment offer a bond of unity.

Article II: Name

The name of this organization shall be THE ASSOCIATION OF INDIANS IN AMERICA,

hereafter referred to as the ASSOCIATION or AIA.

Article III: Objectives

The objectives of the Association of Indians in America are:

- 1) to concern itself with the social welfare of the Indians who have decided to live in the United States, and to help them become a part of the mainstream of American life.
- 2) to facilitate participation by the membership of AIA and others in the development and progress of India, and
- 3) to facilitate involvement of the members of the Association in American community life through charitable, educational and cultural activities.

Article IV: Membership

Section 1: Eligibility: Any person who is at least 18 years of age and who subscribes to the objectives of the Association and is willing to contribute to the achievement of those objectives may become a member of the Association.

Section 2: Responsibilities: To remain in good standing, members shall be required to pay the membership dues, as established and revised by the National Executive Committee, and in force at the time.

Section 3: Rights: Members in good standing shall be eligible to (i) hold elective positions in the Association, (ii) participate in AIA activities, and (iii) serve on various appointed and volunteer committees, and shall have the right to (iv) nominate candidates for elective positions, (v) vote for the election of the President, and other members of the National Executive Committee and the Board of-Trustees, (vi) vote on the recall of elected members of the National Executive Committee, and (vii) vote on amendments to the Constitution and the By-Laws of the Association.

Section 4: Life membership: Any individual eligible for membership may become a Life Member of AIA by paying the life membership dues in the amount and manner in force at that time. Life Members shall have the same rights and privileges as stated in Section 3 above.

Article V: The National Council

(Article remains unchanged, prior to proposed amendment.)

Article VI: The National Executive Committee (NEC)

Section 1: Elective Officers: The elective officers of the Association shall be (i) the President, (ii) no more than four Vice-Presidents, (iii) the Treasurer, and (iv) no less than ten Members-atlarge.

The tenure of the elective officers shall be two years.

Section 2: Administrative Officers: The Administrative officers of the Association shall be the Secretary, the Parliamentarian, and other officers to be appointed by the President with the

advice and approval of the National Executive Committee. All such officers shall be ex-officio members of the National Executive Committee.

Section 3: Voting Members: The elective officers along with the immediate past president of the Association shall constitute the voting members of the N.E.C.

Section 4: Duties: The National Executive Committee shall be fully responsible for all executive functions of the Association and shall establish policies governing all activities of the

Association. Its powers and responsibilities shall include:

(a) To actively engage in furthering the objectives of the Association.

(b) To review all activities of the Association to ensure that they cannot conflict with the basic objectives of the Association.

(c) To propose amendments to the Constitution and By-Laws, as may be recommended by the Committee on By-Laws and Rules.

(d) To appoint special councils and committees, or to initiate programs as may be necessary

and to terminate those programs; whose objectives have been fulfilled.

(e) To authorize the establishment of chapters, and to approve their by-laws and amendments

thereto, as may be recommended by the President of the Association.

(f) To nominate members for election to the Board of Trustees.

(g) To overview the election to the National Council.

(h) To adopt resolutions affecting programs, policies and objectives of the Association.

Section 5: Appointment of Councils, Committees: All such appointments shall be made by the

President with the advice and approval of the NEC.

Section 6: Committee Meeting: The National Executive Committee shall met at least three times

a year to conduct the business of the Association. Mail ballot may be used for business not

completed during a meeting, or business requiring immediate attention between meetings.

Section 7: Terms of Office: No elective officer of the Association shall serve more than two

consecutive terms for the same office.

Section 8: Recall: The NEC. or any member thereof can be recalled by sixty percent of the

members in good standing, so voting and petitioning.

Section 9: Vacancies: Any vacancy occurring in the National Executive Committee shall be

filled by an individual eligible to hold that office, and elected by a majority vote of the remaining

members of the Committee, with the President serving as the returning officer. In the event the

office of the President is vacant, the returning officer will be the Chairman of the Board

of

Trustees, or his/her nominee.

Article VII: Duties of Officers

Section 1: The President shall be the Chief Executive Officer and shall:

(a) Preside at meetings of the National Executive Committee, and be responsible for the initiation and presentation of major programs, in collaboration with the vice-presidents.

(b) Execute and see to the execution of the By-Laws of the Association.

(c) Have the casting vote in the event of a tie at the National Executive Committee meeting.

(d) Be responsible for the financial transactions of the Association in collaboration with the

treasurer of the Association.

(e) Appoint one of the vice-presidents of the Association as acting President in the event of

his absence or sickness. The term of the Acting President shall not exceed 60 days.

During this interim period the Acting President shall have all the authority, power and privileges of the President.

Section 2: Vice Presidents shall be responsible for membership enrollment, for nation of new

chapters, development and organization of programs, and any other assignment for the President,

at regional and/or national level(s), as may be determined by the President after due consultation

with the Vice-Presidents elected.

Section 3: The Treasurer shall:

(a) Present a budget for the fiscal year for approval by the National Executive Committee no

later than 30 days after assuming office.

(b) Be responsible for collecting of all sums due to the Association and for directing the due disbursement of all sum payable by the Association.

(c) Submit an up-to-date financial statement of the Association at each meeting of the National Executive Committee.

(d) Prepare an annual financial report of the Association for submission to the National Executive Committee.

(e) Shall sign the accounts before handing them over to the Treasurer-elect on or before the

last day of his/her term.

Article VIII: Chapters

Section 1: subject to the approval of the National Executive Committee a chapter can be formed.

Section 2: Chapters must have at least 10 members in good standing.

Section 3: Within 18 months of its formation a chapter shall have its own by-laws consistent

with the By-Laws of the Association. No provision of the chapter bylaws should conflict with the National Association By-Laws

Section 4: Chapter By-Laws, or any amendments thereto, must be approved by the

National
Executive Committee.

Section 5: The President of each chapter shall be an ex-officio member of the National Executive Committee, and shall serve as the Chapter liaison with the National Executive Committee.

Section 6: Dissolution: In the event of violations of the objectives of the Constitution and By-Laws of AIA by a chapter, the National Executive Committee shall have the power to dissolve the Chapter.

Article IX: Membership Dues and Chapter Share

Section 1: The annual dues, covering the fiscal year of the Association, January 1 through December 31, shall be established by the National Executive Committee for individual and family membership.

Section 2: Each dues-paying member shall have the right to join the chapter of his/her residence wherever such a chapter exists.

Section 3: Annual dues are due by March 1 of each fiscal year. The chapter shall collect dues from the chapter members. Any membership received by the national headquarters shall be duly credited to the national account and the chapter concerned shall be appropriately advised.

Section 4: By the last date of each quarter, membership accounts between the national headquarters and each chapter office shall be settled on the basis of 60% of the membership dues going to the chapter and the remaining 40% being the share of the National Office.

Section 5: The National Treasurer shall be responsible for collecting dues from the non-chapter members by March 1 of each year.

Section 6: By February 1 of each year, each chapter and/or each unit of the Association shall prepare the consolidated accounts for the Internal Revenue Service, and shall make the same available to the national office for preparation of the IRS statement of the Association which, for its tax exempt status, is one consolidated account.

Section 7: All Life Membership dues received by the chapter will be transmitted to the National Office. The National Office will reimburse the chapter's share of the dues for life members to the chapter within whose area of operation a life member resides for more than 6 months in a given calendar year.

Article X: Board of Trustees

Section 1: The Board of Trustees, hereinafter called the Board, shall consist of twelve

members,

nominated by the National Executive Committee and selected by the members in good standing.

Section 2: A third of the trustees shall retire every two years. For the Election of the trustees

first time after the amendment is approved, the NEC shall designate four members for a two-year term, another four members for a four-year term and yet another four members for a full

six-year term. As soon as the new Board is elected, the existing Board members shall cease to

function.

Section 3: The trustees shall elect their own chairman and adopt rules to conduct their business.

Section 4: The Board shall have no executive function nor shall be responsible for executive

duties. The Board shall assist NEC in (i) developing perspective plans (ii) raising funds (iii)

reviewing financial reports (iv) acquiring and managing permanent assets of the Association

(v) making judicial review as and when called by the NEC.

Section 5: In the event the NEC fails to function according to the provisions of the constitution, the Board shall takeover the management of the Association, and shall function

as the NEC pending the election of a new NBC, which shall take place in 90 days thereupon.

Section 6: In nominating candidates for election to the Board the NEC shall give consideration

to (i) service to the Association (ii) service to the Indian immigrant community (iii) regional

representation (iv) willingness and availability of the nominee.

Article XI: Standing Committee

Section 1: The Committee on Nomination and Election: The Committee an Nomination and

Election shall be responsible for conducting the election of the National Executive Committee.

The committee shall consist of a chairman and four other members, all to be elected by the

NEC. Members of the Committee on Nominations and Elections shall neither serve on, nor will

became candidates for, the National Executive Committee during their term of membership.

Section 1-A: The Nomination for Election of the National Executive Committee:

(i) A member in good standing can nominate one person for each office.

(ii) All valid nominations shall be placed on the ballot.

(iii) The two conditions of validity shall be:

(a). For the office of the president, Vice Presidents, and the Treasurer, the nominee shall be a member of the Association in good standing for no less than 3 consecutive years, while for members-at-large, the nominee shall be a member in good standing for at least 1 year. The Committee on Nomination and Election shall have the power to use its discretion insofar as representation of members-at-large and the NEC from new chapters is concerned.

(b). For the offices of the President, vice-Presidents and the Treasurer, the nomination shall be signed by at least 15 members in good standing representing no less than 3 chapters and at least 3 signatories from each chapter. For the offices of members-at-large, each nomination shall be signed by 1 proposer and 1 seconder in good standing.

(iv) Nomination shall be accepted by the nominee in writing.

(v) If no valid nominations are received on or before the due date, as may be announced by the Committee on Nomination and Election, the Committee on Nomination and Election shall have the right to nominate one or more candidates for each office, with options for write-in candidates.

Section 2: The By-Laws and Rules Committee: The By-Laws and Rules Committee shall be

responsible for supervising and reviewing the by-laws and rules of the Association. It shall also

be responsible for drafting a chapter affairs manual to assist formation of new chapters.

This

committee shall consist of a chairman and four members to be appointed by the President with

the advice and consent of the NEC.

Article XII: Amendments

Section 1: Amendments to the Constitution and By-Laws may be proposed by the ENC, or by

petition signed by at least 50 members of the Association in good standing.

Section 2: A duly proposed amendment shall be presented to the By-Laws and Rules Committee

for review. The By-Laws and Rules Committee shall examine the proposed amendment with

respect to its relationship or possible effect on the Association's tax-exempt status.

Section 3: On clarification by the By-Laws and Rules Committee, and approval by the NEC, the

President shall submit the proposed amendment to the chairman of the Committee on Nomination and Election for mail ballot at the time of the next election of the NEC. The

mailing

shall include a statement of the NEC's position regarding the proposed amendment.

Section 4: A proposed amendment shall require for the adoption, a favorable vote of two-thirds

of the members who return the ballots.

Article XIII: Tax-Exempt Status

Section 1: The Association is a non-profit organization. No part of the net earnings of the Association shall inure to the benefit of, or be distributed to its members, trustees,

officers, or
other private persons, except that the Association shall be authorized to pay reasonable compensation for services rendered, and to make payments and distribution in furtherance of the objectives set forth in Article III of the Constitution.
Section 2: No substantial part of the activities' of the Association shall be the carrying on of any activity not permitted to be carried on by a corporation exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Code), and by a tax-exempt organization of the type described in Section 509(a)(2) of the Internal Revenue Code

Article XIV: Parliamentary Authority

Robert's Rule of order, except when inconsistent with the Constitution and By-Laws of the Association, shall govern the meetings of the National Executive Committee, the Board of Trustees, and all the committees.

TAX EXEMPT STATUS: Eligible Organizations and Deductible Contributions

The Association of Indians in America is a non--profit, tax-exempt organization. The tax-exempt status is a special status granted by the Internal Revenue Service, after it investigates an organization and declares it to be a worthy organization to benefit the general public in some manner. The status also entitles the tax-payer to deduct all contributions to the Association from his income -tax (according to the prevailing tax laws).

James Whary, CPA