

**CONSTITUTION**  
**OF THE**  
**MILITARY MARKSMANSHIP ASSOCIATION, INCORPORATED**

*Approved by the Membership on December 14, 2015*

**ARTICLE I - NAME AND PURPOSE**

Section 1: This Association will be called the “Military Marksmanship Association, Incorporated.”

Section 2: The Association is established as a private organization pursuant to:

- a. DODI 1000.15, Private Organizations on DOD Installations.
- b. DOD 5500.7-R, Joint Ethics Regulation.
- c. AR 210-22, Private Organizations on Department of the Army Installations.
- d. US Army Maneuver Center of Excellence policy memoranda regarding Private Organizations.

Section 3: The Association exists on the military installation at the discretion and with the consent of the Installation Commander or his designee.

Section 4: The purpose of the Association is to:

- a. Support the goals and objectives of the U.S. Army Marksmanship Unit.
- b. Provide a link to the history of the U.S. Army Marksmanship Unit.
- c. Conduct membership meetings, membership reunions, and ceremonial events.

**ARTICLE II - GENERAL PROVISIONS**

Section 1: The Association will be self-sustaining and will receive no financial assistance from any nonappropriated fund instrumentality in the form of contributions, repairs, services, dividends, or other donations of money or other assets.

Section 2: The Association will be a non-governmental association, established and operated by individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Government. The Association is not established nor operated pursuant to authority vested in the Army or any official thereof.

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Section 3: The Installation Commander or his designee may withdraw his consent for the Association to operate on the installation at any time. Consent for the Association to operate on the installation will automatically cease two years after being granted unless the Association applies for and receives revalidation within that two-year period.

Section 4: The programs and activities conducted will not prejudice or discredit the military service or any agency of the United States Government.

Section 5: The Association will not use the name of any DOD component, unit, or installation in our name. If the Association wants to include such in our name, the Association will:

a. Not use a seal, logo, or insignia of any DOD component, organization, unit or installation on the Association's letterhead, correspondence, or in its title;

b. Not use the name so that it may mislead members of the public to assume the Association is in fact an organizational unit within the Department of Defense;

c. Receive prior approval for such use by the head of the appropriate DOD organization. At Fort Benning, the approval authority is the commander of MCoE and Ft. Benning or his designee.

d. Use a prominent disclaimer on all print and electronic media confirming that the Association is not part of the Department of Defense.

Section 6: The Association will not compete with any appropriated or nonappropriated fund activity that offers similar programs or services.

Section 7: The Association will reimburse the Army for any utility expenses incurred by the Army as a result of the operation of the Association, unless it would cost the Army more to bill and collect than it costs to provide the utility.

Section 8: The Association will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the Government.

Section 9: The Association will not seek to deprive individuals of their civil rights.

Section 10: The Association will not engage in the distribution or sale of alcoholic beverages at any time.

Section 11: The property of this Association will consist of such articles as may properly come into its possession. The property shall be accounted for by the Treasurer in accordance with generally accepted accounting principles. Should this Association either dissolve or cease to be allowed to operate on Fort Benning, Georgia, this Association will remove all the Association's property from Fort Benning within 10 working days of dissolution or receipt of notice to cease activities on Fort Benning. After that time, the Association's property will be considered

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abandoned on the installation by the Association and may be acquired or disposed of by the installation under applicable DoD, Army, federal, State, and or local laws, regulations, etc.

Section 12: All records of this Association, excluding permanent files and the uncompleted checkbook, shall be kept on a calendar year basis, and held at least three (3) years after which time they may be destroyed. The checkbook will be placed with related records when it is completed using the applicable provisions of AR 25-400-2 series as a guide.

Section 13: In no event shall the United States Government be held liable, in fact or in spirit, for any actions taken or indebtedness incurred by the Association or the members of the Association.

### **ARTICLE III - OFFICERS AND GOVERNING BODY**

Section 1: Elected officers of the Association shall be the President, Vice President, Secretary, and Treasurer.

Section 2: Appointed officers may be chairpersons of each standing committee. The President shall appoint them.

Section 3: Nominations, elections, terms of office, and duties are outlined in the Bylaws.

Section 4: The Association shall be administered under the supervision of the Executive Board in accordance with the approved Constitution and Bylaws and other applicable government directives.

Section 5: The Executive Board will consist of the elected officers, standing committee chairpersons, and designated group representatives. Additionally, the Immediate Past President shall be an ex officio member of the Executive Board and will have a standing invitation to attend all Executive Board meetings. He will assist the President in the execution of his duties in any way the President requests. All members of the Executive Board will be entitled to vote.

Section 6: The Executive Board shall carry out the purposes and objectives of the Association by approving the transaction of routine business in accordance with the approved Constitution and established policies and shall make and enforce such Bylaws as are necessary for the government of this Association.

Section 7: At the end of the Association year, all officers and chairpersons of standing and special committees shall submit to the Secretary a written report. One copy will go to the President, one copy to the appropriate officer and/or committee chairpersons, and one copy to the Association files.

### **ARTICLE IV - MEMBERSHIP OR PATRONAGE**

Section 1: Membership in this Association will be voluntary and will be open to all active duty and retired members of the Armed Forces and to all civilian personnel subject to the following restrictions. The Association is a Veterans Organization under Section 501(c) (19), Internal

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Revenue Code; therefore, membership ratio must be maintained so that at least seventy-five percent of the members are past or present members of the Armed Forces. Veterans must have been discharged under honorable conditions. Membership categories are Active and Honorary.

a. Active Member: Active members have all rights and privileges of membership to include voting privileges, holding elective office, and participating in the management of the Association. Active member annual dues and Life Membership payments are set forth in the Bylaws of this Constitution.

b. Honorary Member: Any person to whom the Executive Board or a simple majority of the membership extends an invitation to become an Honorary Member of the Association. Honorary members will not pay dues, will not have voting privileges, will not hold elective office, and will not participate in the management of the Association, but may participate in all other functions and activities of the Association.

Section 2: The Association will advertise and solicit membership by making prospective members aware of the Association through *word-of-mouth* by individual active members. Other means may include providing prospective members with complementary copies of the Association's newsletter, encouraging prospective members to view the Association's Internet web site, or inviting prospective members to attend Association events. Membership in the Association will not be discussed in official government business meetings or formations, and the Association's Secretary, Treasurer, or Membership Committee Chairman will strictly maintain lists of members and non-members. Under no circumstances will such lists be posted in public view in the workplace.

Section 3: Membership discrimination based on race, color, sex, religion, age, disability, or national origin will not be permitted. The use of male pronouns in this document is a matter of convenience and in no way implies any intent to discriminate against women.

Section 4: All members shall be required to read the Constitution and Bylaws as a condition for membership.

Section 5: Membership in the Association may be terminated by a simple majority vote of the Executive Board if a member acts on behalf of the Association without prior approval of the Executive Board; a member provides false information on their Membership Application Form; or a member fails to respond to an official written request by the President of the Association.

### ARTICLE V - METHOD OF FINANCING

Section 1: The revenue necessary to pursue the objectives of the Association shall be derived from dues and from revenue-producing activities conducted by the Association when required, approved, and conducted under the guidance and supervision of the Executive Board. All revenue-producing activities shall have prior approval of the Installation Commander or his designee. The officers of the Association understand that gambling in federal buildings is prohibited and that raffles on post have been restricted as a matter of policy. Raffles conducted off post will be in conformance with Georgia law and with the approval of the county sheriff.

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Section 2: The dues of this Association are established by the Association's Bylaws, but may be amended annually by a simple majority vote of the Executive Board.

### **ARTICLE VI - ACTIVITIES**

Section 1: In support of its purpose, the Association plans to conduct membership meetings, membership reunions, and ceremonial events.

### **ARTICLE VII - INCOME TO MEMBERS**

Section 1: Income shall not accrue to individual members except through wages and salaries as employees of the Association or as award recognition for service rendered to the Association or the military community.

### **ARTICLE VIII - MEETINGS AND QUORUMS**

Section 1: General Membership Meetings

- a. The Executive Board will convene an annual General Membership Meeting. At the meeting, the Treasurer will render a financial status report.
- b. The Active members present at a General Membership Meetings will constitute a quorum. A simple majority vote shall govern.

Section 2: Executive Board Meetings.

- a. The President shall determine how often the Executive Board will meet. Special meetings of the Executive Board may be called at the request of any board member.
- b. One half of the members of the Executive Board will constitute a quorum. A simple majority vote shall govern.

Section 3: All meetings will be conducted according to the current edition of *Robert's Rules of Order Newly Revised*. The President will have the final authority to decide points of order.

### **ARTICLE IX - ADOPTION AND AMENDMENTS**

Section 1: This Constitution and any Bylaws hereto will become effective upon adoption by a simple majority vote of the General Membership present at a duly constituted regular or special meeting and upon approval of the Installation Commander or his designee. This Constitution will then supersede all previous constitutions and amendments except that it will not affect officers elected, specific agreements, or contracts entered into under the terms of previous constitutions until such terms of agreement or contracts have reached their expiration date.

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Section 2: A member desiring to propose an amendment to the Constitution or the Bylaws shall present the proposed amendment in writing with his or her signature to the Executive Board. The board shall consider the proposed amendment at its next meeting.

Section 3: Amendments to the Constitution or to the Bylaws must be approved by a simple majority vote of the members of the Executive Board present at a duly constituted regular or special Executive Board meeting. Amendments will become effective upon approval of the Installation Commander or his designee

### **ARTICLE X - INSURANCE**

Section 1: The Garrison Commander (GC) or the GC's DFMWR designee has been furnished with a "Declaration Page" and a "prepaid in-full" receipt for one (1) year of coverage as proof of "umbrella" liability insurance in the amount of \$1,000,000.00; which amount the GC or the GC's DFMWR designee deemed as sufficient for protection against public liability, claims, property damage claims, or other legal actions arising from Association activities, one or more of the Association's members acting on its behalf, or the operation of any equipment, apparatus, or device under the control and or responsibility of the Association. Should that amount of insurance coverage be insufficient, the Association members may be held personally liable for debts, claims, and legal actions that arise as a result of the activities of the Association or one or more of its members acting on its behalf. Therefore, individual Association members could be sued, judgments could be rendered against them, and their assets (e.g., land, homes, cars, bank accounts, other personal and or real properties) could be seized and or their salaries and incomes (military and or civilian) garnished to pay the judgments.

Section 2: All Association members may be held personally liable for debts, claims, and legal actions that arise as a result of the activities of the Association or one or more of its members acting on its behalf. As a condition of membership, all members shall be required to sign a Membership Application Form where they agree to read and abide by all provisions of the Constitution and Bylaws of the Association. The Association shall ensure that all State and jurisdictional laws are met.

Section 3: Fidelity bonding will be purchased for members or employees handling monthly cash flow exceeding \$500. Such bonding will be in an amount equal to the normal maximum amount of cash handled.

### **ARTICLE XI - DISSOLUTION**

Section 1: Upon dissolution of the Association by an affirmative vote of a majority of the General Membership, without any provision to meet again in the future, the funds in the treasury at the time shall be used to meet any outstanding debts, liabilities, or obligations. The balance will be disposed of as determined by the membership with the proviso that members can only dispose of the assets in a manner consistent with the purposes of the Association for which the funds were raised initially. No part of the remaining assets may inure as income to the members. This liquidation may result in a personal liability on the part of individual members. In the event that Association liabilities exceed Association assets, individual members will be personally liable for his pro rata share of the Association's outstanding liabilities.

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This Constitution was approved by a simple majority vote of the General Membership present at the Annual Meeting held on December 14, 2015. In witness whereof the following officers affix their signatures:

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Robert E. Harbison, President

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Michael J. Behnke, Vice President

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Charles E. Coffey, Secretary

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Kyle A. Ward, Treasurer