

SONS OF THE AMERICAN LEGION

SQUADRON 58

Constitution and Bylaws

Proposed 3/10/2016

Stephen Lee - Commander

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Contents

PREAMBLE.....	5
ARTICLE I - NAME.....	6
ARTICLE II - NATURE	6
SECTION 1: CIVILIAN ORGANIZATION	6
SECTION 2: NON-POLITICAL	6
SECTION 3: NON-SECTARIAN.....	6
SECTION 4: DUTY	6
ARTICLE III - MEMBERSHIP	6
SECTION 1: ELIGIBILITY.....	6
SECTION 2: CLASSES.....	7
SECTION 3: RESTRICTIONS.....	7
SECTION 4: EXCEPTIONS.....	7
ARTICLE IV - STRUCTURE.....	7
SECTION 1: ORGANIZATION	7
SECTION 2: GOVERNANCE.....	7
ARTICLE V - OFFICERS	7
SECTION 1: SQUADRON OFFICERS.....	7
SECTION 2: OFFICER TERMS	8
ARTICLE VI – GOVERNING BOARD	8
SECTION 1: EXECUTIVE COMMITTEE	8
ARTICLE VII – MEMBER DUES.....	8
SECTION 1: DUES	8
ARTICLE VIII - MEETINGS.....	8
SECTION 1: ROBERT RULES.....	8
SECTION 2: MEETING FREQUENCY	8
ARTICLE IX - AMENDMENTS	9
ARTICLE I - DUTIES OF OFFICERS	10
SECTION 1: COMMANDER.....	10
SECTION 2: FIRST VICE COMMANDER.....	10

SECTION 3: SECOND VICE COMMANDER.....	10
SECTION 4: ADJUTANT	10
SECTION 5: FINANCE OFFICER	10
SECTION 6: CHAPLAIN	11
SECTION 7: HISTORIAN.....	11
SECTION 8: SERGEANT-AT-ARMS.....	11
SECTION 9: LEGION LIAISON	11
ARTICLE II - COMMITTEES	12
SECTION 1: EXECUTIVE COMMITTEE	12
SECTION 2: EXECUTIVE COMMITTEE MEETINGS	12
SECTION 3: EXECUTIVE COMMITTEE MEMBERS	12
SECTION 4: EXECUTIVE COMMITTEE DELIBERATIONS.....	12
ARTICLE III - MEMBERSHIP	13
SECTION 1: MEMBERSHIP GOVERNANCE	13
SECTION 2: MEMBERSHIP PROCESSING.....	13
SECTION 3: MEMBERSHIP DISCIPLINE	13
ARTICLE IV – MEMBER STATUS	13
SECTION 1: DISCIPLINE.....	13
SECTION 2: DELINQUENT DUES.....	14
SECTION 3: APPEALS	14
ARTICLE V – GOVERNING BODY	15
SECTION 1: REGULATIONS.....	15
ARTICLE VI – ELECTIONS/APPOINTMENTS.....	15
SECTION 1: ELECTIONS NOTICE	15
SECTION 2: ELECTIONS NOMINATIONS.....	15
SECTION 3: APPOINTMENTS.....	15
SECTION 4: INSTALLATIONS	15
ARTICLE VII – STANDING COMMITTEES.....	16
SECTION 1: CHARITABLE DONATIONS COMMITTEE	16
SECTION 2: MEMBERSHIP/ACTIVITIES COMMITTEE.....	16
ARTICLE VIII - MEETINGS.....	17
SECTION 1: MEETING RULES	17

ARTICLE IX - CONFORMANCE 17
 SECTION 1: AMENDMENTS 17
ARTICLE X – SAFETY CLAUSE 17
ARTICLE XI – REPEAL AND SAVINGS CLAUSE..... 17

CONSTITUTION SQUADRON 58 SONS OF THE AMERICAN LEGION

PREAMBLE

Proud possessors of a priceless heritage, we, male descendants of veterans of the Great Wars, associate ourselves together as "Sons of The American Legion" for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers in the Great Wars; to inculcate a sense of individual obligation to the Community, State and Nation; to combat the autocracy of both the classes and masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

ARTICLE I - NAME

The name of this organization shall be the Sons of The American Legion Squadron 58.

ARTICLE II - NATURE

SECTION 1: CIVILIAN ORGANIZATION

The Sons of The American Legion is a civilian organization.

SECTION 2: NON-POLITICAL

The Sons of The American Legion shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person or group seeking public office or preferment.

SECTION 3: NON-SECTARIAN

The Sons of The American Legion Squadron 58 shall be absolutely non-sectarian.

SECTION 4: DUTY

Each member shall perform his full duty as a citizen according to his own conscience and understanding in accord with the law.

ARTICLE III - MEMBERSHIP

SECTION 1: ELIGIBILITY

All male descendants, adopted sons and stepsons of members of The American Legion and such male descendants of veterans who died in service during World War I, World War II, the Korean War, or the Vietnam War, during the delimiting periods set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

SECTION 2: CLASSES

There shall be no form or class of membership except an active membership as prescribed by the National Organization.

SECTION 3: RESTRICTIONS

No person may be a member, at any one time, of another Squadron.

SECTION 4: EXCEPTIONS

No person who has been expelled by another Squadron shall be admitted to membership in this Squadron without the consent of the Squadron Executive Committee. This ruling, if negative, may be reviewed after six (6) months has passed.

ARTICLE IV - STRUCTURE

SECTION 1: ORGANIZATION

This Squadron is organized as a subordinate body of the Sons of The American Legion Detachment of Colorado, and under the sponsorship and jurisdiction of the American Legion Post 58, Department of Colorado.

SECTION 2: GOVERNANCE

This Squadron shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, and such rules and regulations prescribed by the Department Headquarters, approved by the Department Executive Committee of the American Legion, and by such rules and regulations as may be prescribed by the American Legion Post 58, that are not inconsistent with those prescribed by the National Organization.

ARTICLE V - OFFICERS

SECTION 1: SQUADRON OFFICERS

The Squadron shall elect one Commander, one First Vice Commander, one Second Vice Commander, one Chaplain, one Sergeant-at Arms, one

Adjutant, one Finance Officer, and one Historian. Other Officers may be added at the Squadron Executive Committee's discretion.

SECTION 2: OFFICER TERMS

Such Officers shall serve until the adjournment of the succeeding elections held annually, or if replaced by resignation and/or appointment as deemed necessary by the Squadron Executive Committee.

ARTICLE VI – GOVERNING BOARD

SECTION 1: EXECUTIVE COMMITTEE

The Executive Committee of the Sons of The American Legion Squadron 58 consists of The Commander, The First Vice Commander, The Second Vice Commander, The Finance Officer, The Sergeant At Arms, The Adjutant, The Historian, The Chaplain, and the immediate past Commander.

ARTICLE VII – MEMBER DUES

SECTION 1: DUES

The annual Membership dues in this Squadron shall be set forth by the Executive Committee.

ARTICLE VIII - MEETINGS

SECTION 1: ROBERT RULES

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Squadron in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Squadron may adopt.

SECTION 2: MEETING FREQUENCY

The Squadron shall meet monthly or as prescribed by the Executive Committee.

ARTICLE IX - AMENDMENTS

This Constitution is adopted, subject to the provisions of the National Constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitution which is in conflict with any provision here shall be regarded as automatically repealing or modifying the provision of this Constitution, to the extent of such conflict.

BY-LAWS

SQUADRON 58

SONS OF THE AMERICAN LEGION

ARTICLE I - DUTIES OF OFFICERS

SECTION 1: COMMANDER - The Commander shall be the Chief Executive Officer of the Sons of The American Legion Squadron 58, with full power to enforce the provisions of the Squadron Constitution, and Squadron Bylaws. He shall appoint all necessary committees, subject to the ratification of the Squadron Executive Committee, and shall perform such other duties as are usually incident to the office.

SECTION 2: FIRST VICE COMMANDER - The First Vice Commander shall act as the Commander in the absence of the Commander and shall perform such other duties as are usually incident to the office.

SECTION 3: SECOND VICE COMMANDER - The Second Vice Commander shall act as the Commander in the absence of the First Vice Commander and Commander and shall perform such other duties as are usually incident to the office.

SECTION 4: ADJUTANT - The Adjutant, is charged with the administrative duties required in carrying out the policies and mandates of the National and Department Committees of the Sons of The American Legion, and the Executive Committee of this Squadron, and to administer the funds associated with operating the requirements of that office.

SECTION 5: FINANCE OFFICER - The Finance Officer is the Chief Financial Officer and will be in charge of all Squadron funds, deposits and

records. He will report all financial records to Squadron Executive Committee.

SECTION 6: CHAPLAIN - The Squadron Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by National Membership and Post Activities Committee of the sponsoring American Legion.

SECTION 7: HISTORIAN - The Squadron Historian shall collect, from year to year, all records and data of value and interest for the Squadron of the Sons of The American Legion and shall compile, during his term of office, a complete history of the years activities.

SECTION 8: SERGEANT-AT-ARMS - The Squadron Sergeant-at Arms shall be charged with the responsibility of preserving order at all meetings and shall be given the custody of, and responsibility of, the Squadron colors. He shall perform such other duties as are usually incident to the office.

SECTION 9: LEGION LIAISON - The Squadron Legion Liaison shall be charged with the responsibility of communicating with and interfacing with the sponsoring American Legion Executive Committee. This member should be a dual member but may be filled with a non squadron member as determined by the Squadron Executive Committee. This position is appointed by the incoming Commander and approved by the Squadron Executive Committee.

ARTICLE II - COMMITTEES

SECTION 1: EXECUTIVE COMMITTEE

Subject to the provisions of the Squadron Constitution, the Commander, subject to ratification by the Squadron Executive Committee, shall fill any vacancy in the membership of the Squadron Executive Committee for the remainder of any unexpired term.

SECTION 2: EXECUTIVE COMMITTEE MEETINGS

The Squadron Executive Committee shall meet at the Chairman's discretion or when at least four (4) Squadron Executive Committee members request a meeting. This Committee must meet at least once (1) time during the calendar year.

SECTION 3: EXECUTIVE COMMITTEE MEMBERS

The Executive Committee of the Sons of The American Legion Squadron 58 consists of The Commander, The First Vice Commander, The Second Vice Commander, The Finance Officer, The Sergeant At Arms, The Adjutant, The Historian, The Chaplain, and the immediate past Commander.

SECTION 4: EXECUTIVE COMMITTEE DELIBERATIONS

The Squadron Executive Committee's deliberations shall be public record except in the case of a disciplinary hearing. In the case of disciplinary actions, only the members and those asked to provide testimony shall be admitted.

ARTICLE III - MEMBERSHIP

SECTION 1: MEMBERSHIP GOVERNANCE

Membership in the Sons of the American Legion, Squadron 58 is governed by the rules set forth by the Detachment of Colorado and the National Organization.

SECTION 2: MEMBERSHIP PROCESSING

All qualified requests for membership will be acted upon in a timely manner by the Adjutant. If the application is denied, they may appeal the decision of the Adjutant with the Squadron Executive Committee.

SECTION 3: MEMBERSHIP DISCIPLINE

Members may be suspended or expelled under the same guidelines set forth by the American Legion Post 58, Department of Colorado, The American Legion, or by the Squadron Executive Committee by 2/3^{rds} vote

ARTICLE IV – MEMBER STATUS

SECTION 1: DISCIPLINE

Members may be suspended or expelled from the Sons of The American Legion only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, or other conduct unbecoming a member of the Sons of The American Legion. All charges must be made under oath in writing by the accusers and no member in good standing shall lose his membership until given a fair trial in such manner and form as the Squadron By-Laws and the Squadron Executive Committee shall prescribe. This section shall govern procedure whenever charges are brought against any person at any time appearing upon the rolls of a Squadron as a member upon the grounds of his ineligibility to membership either in the Squadron or in the Sons of The American Legion.

SECTION 2: DELINQUENT DUES

A member whose dues for the current year have not been paid by February 1st shall be classed as delinquent. If his dues are paid on or before April 1st, he shall be automatically reinstated. If he is still delinquent after April 1st, he shall be suspended from all privileges. If he is still under such suspension on December 31st of such year, his membership, in the Sons of The American Legion shall be forfeited. A member suspended of whose membership has so forfeited may be reinstated to active membership in good standing by vote of the Squadron and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Squadron, Detachment and the National Organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

SECTION 3: APPEALS

Any member who has been suspended or expelled has the right of appeal to the Detachment Executive Committee of The American Legion in the manner prescribed by the said Committee. The decision of the Detachment shall be final.

ARTICLE V – GOVERNING BODY

SECTION 1: REGULATIONS

The Squadron Executive Committee of The American Legion is authorized to make and publish regulations for the organization, management and conduct of the Squadron. Such regulations shall be consistent with the Squadron Constitution and By-Laws and shall be complied with by all concerned.

ARTICLE VI – ELECTIONS/APPOINTMENTS

SECTION 1: ELECTIONS NOTICE

The Adjutant shall post a notice of elections 30 days prior to the first nomination meeting, or a reasonable time prior to, on the website and the newsletter of the sponsoring American Legion.

SECTION 2: ELECTIONS NOMINATIONS

The two regular meetings prior to elections will allow for nominations to any elected position. All members requesting nomination must be in good standing, be present, and nominees must have paid their dues for the current calendar year. The Adjutant will record each nomination and post the appropriate notice on the website and the sponsoring American Legion's newsletter.

SECTION 3: APPOINTMENTS

The Commander will appoint an Election Committee at the second nomination meeting. This committee is responsible for the creation of ballots and the counting of the votes at the election meeting.

SECTION 4: INSTALLATIONS

The installation of new Officers typically will occur at the next regular scheduled meeting. All appointed positions shall be filled, and committees appointed at that meeting.

ARTICLE VII – STANDING COMMITTEES

SECTION 1: CHARITABLE DONATIONS COMMITTEE

This Committee shall consist of three (3) members. This committee is responsible for maintaining all financial distribution records, as well as, information on each organization the Squadron shall determine to subscribe. All distributions must be approved by the Squadron Executive Committee.

SECTION 2: MEMBERSHIP/ACTIVITIES COMMITTEE

This Committee shall consist of three (3) members. This committee is responsible for coordinating membership drives with the Adjutant and activities for the Squadron with the American Legion Sponsoring Post.

ARTICLE VIII - MEETINGS

SECTION 1: MEETING RULES

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Squadron in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Squadron may adopt.

ARTICLE IX - CONFORMANCE

SECTION 1: AMENDMENTS

All amendments must conform to the requirements of the Squadron Constitution.

ARTICLE X – SAFETY CLAUSE

If any section herein shall be determined, by proper authority, to be unconstitutional, such determination shall not be deemed to effect the validity of the remaining unaffected sections of these By-Laws.

ARTICLE XI – REPEAL AND SAVINGS CLAUSE

These By-Laws were revised and adopted at the Squadron Executive Committee. All previous By-Laws are now therefore declared null and void.

Signed by Commander – Stephen Lee