

CONSTITUTION AND BY-LAWS



BADEN
AMERICAN LEGION POST #641
BADEN PA, 15005

DEPARTMENT OF PA

CONSTITUTION OF SONS OF THE AMERICAN LEGION SQUADRON #641

PREAMBLE

Proud possessors of a priceless heritage, we, mail descendants of the 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 the masses; to make right the master of might; to promote peace and goodwill 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 to letter and spirit all of the great principles for which the American Legion stands; and to assist to carrying on for God and Country.

ARTICLE I NAME

Section 1. The name of this organization shall be The Sons of The American Legion, Squadron #641, attached to the Baden American Legion, Post #641, Department of PA.

ARTICLE II NATURE

Section 1. The Sons of The American Legion, Squadron #641, attached to the BADEN Post #641, Department of PA, is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Squadron 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 seeking public office or preferment.

Section 3. The Squadron shall be absolutely non-sectarian.

Section 4. Each member shall perform his full duty as a citizen according to his conscience and understanding in accordance with the law.

ARTICLE III ORGANIZATION

Section 1. This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of PA, and under the sponsorship and jurisdiction of the Baden Post #641, Department of PA, The American Legion.

Section 2. This Squadron shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, by such rules and regulations as may be prescribed by the Detachment Headquarters, approved by the Department Executive Committee to The American Legion, and by such rules and regulations as may be prescribed by the sponsoring Post of The American Legion, not inconsistent with those prescribed by the National Organization.

ARTICLE IV ELIGIBILITY

Section 1. All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during the Great Wars as defined by the 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. There shall be no form or class of membership except an active membership.

ARTICLE V OFFICERS

Section 1. The officers of this Squadron which shall be elected at the annual meeting of the Squadron shall be the following: Commander, First Vice Commander, Second Vice Commander, and Finance Officer and Adjutant.

Section 2. The Chairmen of this Squadron, shall be appointed by the newly elected Commander, are Sergeant-at-Arms, Historian and Chaplain. Their appointment is for one year.

ARTICLE VI EXECUTIVE COMMITTEE

Section 1. Between Squadron meetings the administrative power of the Squadron shall be vested in the Squadron Executive Committee which shall consist of all elected officers for the current year, and in addition the immediate Past Commander.

Section 2. The term of office for members of the Executive Committee shall be one year.

ARTICLE VII DUES

Section 1. The annual dues of this Squadron shall be **\$35** for senior members (21 and over), **\$10** for members 18 to 21 and dual members, **\$5** for members (0-17 years old) payable on **October 20th** of each year, for the following year.

Section 2. A member whose dues for the current year have not been paid **by January 1st** shall be classified as delinquent. If dues are not paid on or before **February 1st**, he shall be suspended from all privileges. If he is still under suspension on **June 30th** of each year, his membership in The Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been forfeited may be reinstated to active membership in good standing by a vote of the Squadron and payment of current dues for the year in which reinstatement occurs. Provided, however, that the Squadron's Detachment and the National Organization

may waive the provisions hereof, upon payment of dues for the year in which the reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

Section 3. On or before January 1st, the Executive Committee shall review junior membership for the attainment of age 18 at which time such junior members shall be converted to senior membership and will be eligible for full privileges of membership in The Sons of The American Legion, Squadron #641, attached to the Baden Post #641, Detachment of PA. Dues for any such member will become \$35 annually commencing on the due date for the following year.

ARTICLE VIII AMENDMENTS

Section 1. This Constitution is adopted, subject to the provisions of the National Constitution and the Detachment Constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitutions which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution, to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Squadron meeting by a vote of two-thirds of the members attending such regular meeting; Notification of members shall be seven days in advance via electronic or printed media.

Section 3. The Constitution and Bylaws Committee has the authority to make technical changes for readability without changing the meaning.

BYLAWS

THE SONS OF THE AMERICAN LEGION SQUADRON #641, attached to the Baden Post #641, Department of PA.

ARTICLE 1 MEMBERSHIP

Section 1. Applications for membership shall be made in writing on blanks prescribed therefore by the National Organization.

Section 2. All applications for membership shall be acted upon at the next meeting of the Executive Committee following the making of such application.

Section 3. The Executive Committee shall present each application to the Squadron at its regular meeting with its recommendation for acceptance or rejection. If two-thirds or more Squadron members cast their vote against the acceptance of said applicant, then such applicant shall be recorded as rejected. A rejected applicant shall not again be considered until the expiration of six months from the date of such rejection.

ARTICLE II NOMINATION AND ELECTION OF OFFICERS

Section 1. At the first regular meeting in April, the Commander shall appoint a nominating committee of three members to present a list of one or more candidates for each office required to be elected under the Constitution of the Squadron. The Commander shall appoint the Chairman.

Section 2. The slate of officers shall be provided by the Nominating Committee at the May General Membership meeting. Nominations from the floor may be submitted at this time. A second is required when nominations are from the floor.

Section 3. Elections shall be held at the June General Membership meeting. Nominations will not be accepted at this time.

Section 4. The newly elected officers and members of the Executive Committee shall take office at the first **regular meeting in August.**

ARTICLE III SONS OF THE AMERICAN LEGION ADVISOR

Section 1. The jurisdiction of the Baden Post #641, Department of PA, The American Legion, over this Squadron shall be exercised through a Sons of The American Legion Advisor of said Post selected annually by the Post Executive Committee on nomination by the Post Commander.

ARTICLE IV MEETINGS

Section 1. The regular meeting of the Squadron shall be held on the **Third Thursday of each month.**

Section 2. General Membership meetings shall only be cancelled or changed by majority vote of the Executive Committee.

Section 3. If meeting date changes, officers and members, shall be notified seven days in advance via electronic or printed media.

Section 4. Special meetings shall be called at majority vote of the Executive Committee or upon the written request of at least 5 Squadron members.

- a. Members shall be notified via electronic or printed media seven days in advance of the special meeting date.
- b. Notice of change shall include purpose of the meeting and no business shall be transacted other than the stated purpose unless those at meeting by two-thirds vote deem it necessary to discuss.

ARTICLE VI QUORUM

Section 1. **Three members plus the presiding officer** shall constitute a quorum for the legal transaction of business at a Squadron general membership meeting.

Section 2. Three members of the Executive Committee shall constitute

a quorum for the legal transaction of business.

ARTICLE VII FINANCES

Section 1. The annual dues for Senior and Junior members shall be determined by vote of the membership upon recommendation of the Squadron Executive Committee. These dues shall include the National and Detachment per capita. The National & Detachment per capita shall be transmitted to Detachment Headquarters.

Section 2. (old section 1) All funds of this Squadron shall be deposited in a bank by the Finance Officer or those individuals on the bank signature card.

Section 3. **All Squadron and Post officials handling Squadron monies shall be properly bonded with a good and solvent and surety company, as surety, to cover double the average amount of monies handled in a single year. Bonding shall be coordinated with The American Legion Post.**

ARTICLE VIII FISCAL YEAR

Section 1. **The fiscal year shall extend from June 1 to May 31.**

ARTICLE IX TRANSFERS

Section 1. Any member presenting membership card of the current year may request a transfer to another Squadron. Upon acceptance by the transferee, the member shall be entitled to active membership in this Squadron. No dues shall be transferred.

Section 2. The Squadron may receive members by transfer from another Squadron at any time during the administrative year. The Executive Committee shall recommend the acceptability of transferred members.

ARTICLE X DISCIPLINE

Section 1. Members may be suspended or expelled under the same procedures provided for the suspension or expulsion of a member of The American Legion.

Section 2. No member or group of members shall subject this Squadron to liabilities without authorization of the Squadron.

ARTICLE XI PARLIAMENTARY AUTHORITY

Section 1. The Squadron organization shall be set forth and governed by National Constitution & Bylaws, Detachment Constitution & Bylaws and Squadron Constitution & Bylaws. All points not covered by those stated above are governed by Robert's Rules of Order, Newly Revised.

ARTICLE XII AMENDMENTS

Section 1. These Bylaws, or any part thereof, shall be amended at a general membership meeting by a 2/3 vote of the members voting by ballot provided the membership has been notified of the reading & voting of the proposed change(s) via email, newspaper and/or website five days in advance.

STANDING RULES



**BADEN
AMERICAN LEGION POST #641
BADEN, PA 15005**

DEPARTMENT OF PA

STANDING RULES

I. Description

- A. Standing Rules are Squadron 641 administrative events that occur at various times during the year.
- B. Standing Rules are NOT Bylaws and may be changed at any General Membership meeting by a majority vote of those in attendance.
- C. Changes shall be provided to the SAL Liaison via the minutes of the meeting.

II. Donations

- A. The following are the annual donations:

Name	Where	Approximate Amount
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- B. Amounts of the donations shall be subject to change by vote at a general membership meeting and recorded in the minutes of that meeting.

C. The Sons are aware of products and utility usage which are paid by the Legion and shall on occasion or at the request of the Legion Second Vice Commander restock the products or asset in the payment of bills.

- D. No SAL Funds are to be expended to any one individual.**

III. REQUESTS FROM THE LEGION

- A. The Legion Commander or the SAL Liaison may request funds from the SAL to assist in payment of Legion bills.

B. The SAL (by vote at a 2016 membership meeting) shall receive from the above (A) in writing with an attached bill for consideration of payment by the SAL.

- C. The amount shall be voted on at a general membership meeting.

D. If the request is in between general membership meetings, a phone vote to all elected officers and those members who attended the previous month's general membership meeting shall be taken and shall be recorded for attachment to the next general membership meeting minutes.

VI. ELECTIONS

A. Each Officer, Committee Chairman and Committee member shall be a member of Squadron #641.

B. In order to participate in the election of Squadron Officers, a member shall have paid his current fiscal year dues, be a member in good standing, and shall present his membership card at the time of elections to the First Vice Commander.

C. Elections shall be by secret ballot and candidate with the majority of votes shall be the winner. If there is but one candidate for the office, the Commander shall declare said candidate the winner.

D. If the election of an office ends with a tie:

1. the vote shall first be taken again by secret ballot

2. if the vote after the second time remains tied, the winner will be determined by a toss of the coin

VII. OUT OF CYCLE NOTIFICATIONS & VOTING

A. When a vote is needed outside the regular general membership meeting time, all Executive Committee members and members who attended the last general membership meeting will be called and their vote taken.

B. This is to be noted as to who was called, when they were called and how they voted. This annotation will be attached to the next general membership minutes.

C. When notifications shall be made and recorded by the Adjutant.

VIII. DUTIES OF OFFICERS

A. **COMMANDER:** The duties of the Commander shall be: to preside at all meetings of the Squadron and Executive Committee; to properly

implement the National, Detachment & Squadron Constitutions and Bylaws; to appoint Chairmen as deemed necessary; and keep communications open to The American Legion Commander, The American Legion Auxiliary President and other veterans or community organizations.

B. FIRST VICE COMMANDER: The First Vice Commander shall be Membership. It is his responsibility to secure, retain and increase membership. He shall maintain a roster of names, telephone numbers, email addresses and postal addresses of the membership. He shall call/email all “Life Members” at the beginning of the membership year, to validate their status. Should the Commander be unavailable to fulfill his duties, the First Vice Commander shall assume such duties.

C. SECOND VICE COMMANDER: The duty of the Second Vice Commander shall be to promote and coordinate Squadron fundraisers and activities. He shall be responsible for ordering any supplies necessary for fundraisers and activities. Should the Commander and First Vice Commander be unavailable to fulfill their duties, the Second Vice Commander shall assume such duties.

D. ADJUTANT: The duties of the Adjutant shall be: to record the proceedings of the Squadron’s general membership and executive committee meetings; to receive and answer all official mail under the direction of the Commander; to send out notices of special meetings & activities; and to work in conjunction with the First Vice Commander to maintain records of membership. Should the other 3 elected officers be unavailable to fulfill their duties, the Adjutant shall assume such duties.

- E. FINANCE OFFICER:** The duties of the Finance Officer are to:
- a) Receive and account for all money belonging to the Squadron.
 - b) Prepare a proposed budget using the information from the previous year for Executive Committee approval. This proposed budget should be presented at the first Executive Committee meeting after installation.
 - c) The Finance Officer shall provide a report at each general membership and Executive Committee meeting.
 - d) The following 3 individuals shall be on the Bank Signature Card (in order of responsible signature): Finance Officer, American Legion**

Liaison, Adjutant, Commander

- e) **The Finance Officer shall be the primary signer of all checks. Two other signatures are necessary. Signatures on check should follow sequence of signature card.**
- f) **The Finance Officer shall pay all expenditures as authorized by the membership and approved by the Post SAL Advisor heretofore referred to the Article 1, Section 4, of the National Bylaws.**
- g) **All requests for expenditures shall be in writing and approved by vote of the membership.**
- h) **Out of cycle expenditure requests, shall be voted on by those officers and members who attended the previous monthly meeting. The vote shall be taken by electronic or printed media and must be recorded in the next month's minutes.**
- i) **The Finance Officer shall provide the finance book to the audit committee in May. The audit committee shall consist of 2 members as appointed by the Commander. The Finance Officer & Adjutant shall be available at the audit. The audit must be completed by Installation of Officers.**

IX. DUTIES OF CHAIRMEN

A. SERGEANT-AT-ARMS: The Sergeant-At-Arms shall be charged with the responsibilities of preserving order at all Squadron meetings. He shall be given custody of the Squadron colors. He shall perform other duties as requested by the Commander.

B. CHAPLAIN: The Chaplain shall such divine and non-sectarian service as may be necessary, adhering to such ceremonial rituals as may be prescribed by the National Membership. The Chaplain shall offer prayer at the opening and closing of each meeting.

C. HISTORIAN: The Historian shall collect from year to year all records and dates of value and interest to The Sons of the American Legion and shall compile during his term of office a complete history of current year's activities. Worksheets provided by the Detachment shall be made available to assist the Historian in keeping records.

X. EXECUTIVE COMMITTEE

A. The Executive Committee shall meet ten days after installation to:

- a. Plan the annual business**
- b. Approve a proposed budget**
- c. Determine dates for their quarterly meetings**

B. The Executive Committee should meet at a minimum every three months to evaluate their business plan.

C. The Commander may call an Executive Committee meeting at his discretion, but the Executive Committee members must be notified via phone call or email 48 hours prior.

D. The Squadron Executive Committee shall fill any vacancy in the membership of the committee occurring between annual Squadron meetings for the remainder of the unexpired term.

E. An officer or executive committeeman who has three unexcused absences shall be removed from office. In order to determine excused/unexcused the Commander and/or Adjutant shall be notified of any absence prior to the meetings.

G. In the absence of the elected officers (Commander, 1st Vice, 2nd Vice and Adjutant), a Past SAL Commander or Advisor will conduct the meeting.

XI. STANDING COMMITTEES

A. Standing Committees, as deemed beneficial to the Squadron, shall be appointed by the Squadron Commander for approval by the Executive Committee.

XII. MISCELLANEOUS BUSINESS

A. INITIATION – New members may be initiated into the Squadron, singularly or in a group. Initiation shall be twice a year. The date of the initiation shall to be determined by the Executive Committee. The initiation shall be conducted by the First Vice Commander.

B. INSTALLATION

- a. Installation may be held separately or in conjunction with the Legion.**
- b. The formal installation date is to be determined by the SAL Commander.**
- c. A formal Installation shall not be later than 31 August of the new officers' year.**
- d. The Commander-elect shall select the installing officer.**
- e. All equipment and paperwork shall be transferred to the Appropriate officer or chairman by September 1 or in accordance with prior arrangements**

C. CONVENTIONS

- a. Any paid member in good standing may be a delegate or alternate to the Detachment Convention.**
- b. Delegates and alternates shall be elected by majority vote at the June general membership meeting by secret ballot. Should there only be one person per slot, a voice vote may be taken.**
- c. Alternates shall have priority in order of their election.**
- d. If funds are available, the registration fee for the Detachment Convention may be paid. This will be voted on at the June meeting.**
- e. If funds are available, per diem and mileage may be paid. The amount to be determined at the June meeting.**
- f. Those members attending the Detachment Convention shall provide a report in writing to be presented at the next general membership meeting after the Convention.**

D. SAL VOLUNTEER OF THE YEAR

- a. This is not limited to SAL members. Any individual that has gone above and beyond assisting the Sons in any fundraiser or activity is eligible.**
- b. Any SAL member may nominate a candidate in writing.**
- c. The Commander or the presiding officer at the May meeting shall select a committee of 2 should there be more than one candidate.**
- d. The Volunteer will be recognized at Installation of officers.**

- e. The Volunteer will receive a Certificate of Recognition and gift not exceeding \$50.

XII. DUTY OF COMPLIANCE

It shall be the duty of this Squadron to be in compliance with: all local, state and federal laws; all rules and regulations as have been duly adopted by the delegates of the National Convention or the National Executive Committee or the Ohio Detachment of the American Legion. Any provision of any governing document of this Squadron in conflict with the foregoing authorities shall be void.