

# **AMERICAN LEGION RIDERS CHAPTER 39 CONSTITUTION AND BY-LAWS**

## **PREAMBLE**

As American Legion Riders of Post 39 Gilbert, we associate ourselves 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 one hundred percent Americanism;

To participate in parades and other ceremonies which are in keeping with the aims and purposes of the American Legion;

To promote motorcycle safety programs and to provide a social atmosphere for American Legion members who share the same interest and to use our association to promote and support the programs of the American Legion.

## **BY-LAWS**

### **I. MEMBERSHIP**

- A.** Full membership requires a member must be a current member in good standing<sup>1</sup> in the American Legion Post 39, the American Legion Auxiliary Post 39, the Sons of the American Legion Post 39, or a post w/o an American Legion Rider [ALR] Chapter, or a Rider from an out of State Post. Members with out of State Posts cannot hold an office but can vote. Each ALR member shall establish and maintain ALR membership by owning, individually or through marriage, a common-law marriage, a life partnership or a long-term relationship, a motorcycle licensed and insured as required by the state of Arizona.
- B.** ALR Chapter 39 allows “supporting members.” Supporting membership does not constitute full membership in the American Legion Riders. Supporting memberships provide recognition to those who show strong support to the individual American Legion Rider Chapter. Supporting members must be members of the American Legion family in good standing. Supporting members cannot be nominated for an officer position, however they do have full voting privileges in all meetings. Supporting members must possess a current paid membership card for their respective Legion family entity.
- C.** ALR Chapter 39 will allow continued full membership for those full members who have given up motorcycle ownership because of age, illness, injury.
- D.** Charter membership is any member who joined prior to the issuance of the permanent Charter and who signed, or whose name appears on the charter application, shall be known as Charter Members. The Charter membership for ALR Chapter 39 has been closed as of August 2006.

- E. Renewals: Members must present current membership from their American Legion entity, pay their annual dues and complete an updated renewal form reflecting any new or changed information only.
- F. Transfers: All members and transfers must provide proof of eligibility, current vehicle registration, proof of endorsement and proof of insurance as required by Arizona state law, as well as be a member in good standing with the Chapter from which they are transferring. Transfers must pay dues at time of transfer approval.
- G. Patches: Patches displayed on Member and Supporter garments must be in compliance with the AZALR and National ALR guidance and directives. No profanity or inappropriate sayings Per Resolution 5.

**II. ALR CHAPTER 39 OFFICERS:** Succession of elected ALR Officers shall be in the same order as presented below. If the immediate successor declines the available position, then the next officer in line will be offered the position. This process will be followed until an officer vacancy remains open. The Director will nominate a candidate for the open position and present the candidate for approval at the next regular general membership meeting. Approval by a majority of full members present at the meeting is required. Appointees will not be included in any succession plan.

Director

Assistant Director

Secretary

Treasurer

Sgt. at Arms

Road Captain

Historian\*

Membership Chairman\*

Chaplain\*

(\* The elected Director of the Chapter appoints these offices and will be approved by general membership)

**A.** To hold office in the ALR Chapter 39, the candidate **MUST** be a current Member in good standing of a Post 39 entity per the Post 39 Legion Constitution & By-Laws Article 6 Section 2 and a full member of ALR Chapter 39. Riders with an out of State Post cannot hold an office

**B.** Duties of Chapter Officers:

- **Director:** Serves as Chief Administrative Officer of ALR Chapter 39 and presides over general meetings. Director is responsible for disseminating information to District Representative, the ALR Chapter 39 general membership, and for relaying information/positions to Department. Director shall perform such other duties as required by ALR Chapter 39 membership and the Post 39 Commander. Reports to the Post 39 Commander and E-Board.
- **Assistance Director:** Assumes the duties of the Director in case of absence or inability to serve. Facilitates committees, as assigned by the Director. Responsible for the ALR 39

kitchen operation and submitting financial reports regarding same to the Director, Treasurer and membership at each monthly ALR 39 general meeting. Authorized to spend ALR funds for the sole purpose of providing meals at Post 39. Reports to Director and membership regarding same.

- **Secretary:** Responsible for taking meeting minutes and handling all correspondence as deemed necessary by the Director.
- **Treasurer:** Responsible for all finances of ALR Chapter 39 including disbursing funds as directed by the general membership. Provide a detailed financial report at each regular meeting and provide a copy to the Post 39 Finance Officer on a monthly basis. There must be at least two signatures on any ALR bank account required to transact business. One signer shall be the ALR 39 Treasurer and the other shall be either the Post 39 Commander or Post 39 Finance Officer. The ALR 39 Director or Assistance Director may be a third authorized signer on said account.
- **Sgt. at Arms:** Responsible for preserving order at the meetings of the ALR Chapter 39 and for proper care and posting of Chapter colors. Also acts as a liaison to all Chapter members and guests and such other duties as may be directed by the Director.
- **Road Captain:** Responsible for organizing runs/rides of the Chapter, including determining dates, times, routes, and meeting places. Road Captain also gives safety instruction to those taking part in the Chapter sponsored run/ride activity including signed documentation of liability of waiver forms prior to the commencement of the activity. Road Captain may appoint Assistant Ride Captains or take other measures Road Captain may feel necessary to help ensure the safety of the group during the ride/run. Road Captain will provide graphics and information for all run/ride activities to be forwarded to Department AZALR Director for dissemination.
- **Historian:** Keeps all documented records of all activities performed by the Chapter.
- **Membership Chairman:** Responsible for verification of eligibility and status of all riders within the Chapter and issues new cards to members or renewing members. Transfers all monies received from dues to the ALR Chapter 39 Treasurer and provides a monthly report to the Director and general membership. The Membership chairman will also be responsible for facilitating the annual elections.
- **Chaplain:** Performs pre and post meeting prayer and other Chaplain duties at Chapter events requested by the Director.

### III. ELECTIONS

- A. Elections will be held at the May meeting prior to the Department Convention.
- B. Nominations will not be less than 60 days prior to the Department Convention.
- C. Candidates must be present at the nominating meeting to accept the nomination. Exception: persons nominated that are unable to attend meetings prior to the election, can submit a letter, text or email to the Director indicating acceptance of the nomination prior to the April Meeting.
- D. Write-in votes will be accepted and if the write-in is elected, they must be present at the May meeting to accept the position and be installed.

#### **IV. MEETINGS**

- A.** Regular general membership meetings will be held on the 4<sup>th</sup> Sunday of every month at 12:00 p.m. at the Gilbert American Legion Post 39. A majority of the elected officers present will constitute a quorum. Exception: Unless the 4<sup>th</sup> Sunday of any month falls within a few days of a holiday or a ride/event that the majority of Officers will be attending. That monthly meeting may be moved to another Sunday of said month pursuant to approved vote by 2/3 of Members present at meeting where the change is requested, and subsequent to House Committee approval.
- B.** Meeting attendance will be open to all ALR, Legion Family Members. American Post 39 family and invited guests, are not precluded from attending/participating in meetings via live streaming or other electronic means.

#### **V. EXPULSIONS, SUSPENSIONS OR REQUESTS FOR RESIGNATION:**

**Before any member may be asked to resign, is suspended or expelled from ALR Chapter 39 the following is required:**

- A.** The Post 39 Commander must be first consulted and included in the process. Post 39 Commander shall follow the recommendations of the Post 39 E-Board and the American Legion Post 39 By-Laws for such action.
- B.** Charges must be brought against the member by registered letter twenty (20) days prior to the regular general meeting that such action is considered.
- C.** An affirmative vote by a 2/3 majority of members present at a regular ALR 39 general meeting is required.
- D.** A member will be automatically expelled or suspended if such member was expelled or suspended by the membership of the American Legion, Sons of the American Legion or the American Legion Auxiliary.

#### **VI. LOCATION:**

ALR Chapter 39 is located in Gilbert, Arizona.

#### **VII. GOVERNING RULES**

ALR Chapter 39 of the AZALR has adopted a set of standing rules to govern its membership or at the Chapter's discretion amend these By-Laws. These standing rules, or By-Law amendments, shall be no less stringent than those contained in the By-Laws nor can they be in any conflict with the National Constitution and By-Laws of the American Legion (<http://www.legion.org/riders/resources> documents Sample American Legion Riders constitution and By-Laws, AZALR Department By-laws <https://azlegion.org/constitution-bylaws/> or that of the Sponsoring Post.

- A. The Constitution and By-Laws may be amended at any ALR Chapter 39 meeting by a vote of two-thirds of the full members attending the meeting with the following requirements having been met. The proposed amendment must be submitted in writing and read at the previous ALR Chapter 39 meeting and an email notice sent to all ALR Chapter 39 members at least 20 days prior to the scheduled vote. Any amendment to the Constitution and By-Laws is subject to approval by the Post Executive Committee and the Department of Arizona Judge Advocate.

### **VIII. DISBURSEMENT OF FUNDS**

- A. Disbursement of funds must be authorized by a majority of ALR Chapter 39 membership voting at a regular general membership meeting, with the exception of funds needed for meals provided by ALR Chapter 39. Discretionary disbursements of funds by the President shall not exceed \$100 per emergency incident.
- B. Exception may be made by the Director for flowers to be purchased in the event of death of an ALR 39 member, ALR D12 Officer, ALR Department Officer or a member of their immediate family; funds needed by the ALR 39 Treasurer to purchase patches (for membership) and to purchase necessary banking materials, i.e. checks, checkbook, deposit slips etc to carry out Treasurer duties not to exceed \$500.00 without prior approval. Use of discretionary disbursements must be presented at the following ALR Chapter 39 regular membership meeting when prior approval by membership was not feasible.
- C. ALR Chapter 39 is a non-profit program formed under the auspices of the American Legion, Department of Arizona, and may only disburse funds in a manner that is consistent with all local, state and federal laws regarding non-profit organizations.
- D. At the request of the American Legion Post 39 Finance Office, an audit of the ALR Chapter 39 finances may be conducted at any time without advanced notice. The ALR Treasurer is responsible for submitting annual tax documents to Legion Post 39 Finance Officer as requested.
- E. Upon dissolution of ALR Chapter 39, all monies and assets of the ALR Chapter 39 shall revert to the American Legion Post 39, Department of Arizona.

### **IX. ORDER**

- A. All meetings will be conducted in compliance with the National American Legion Officer's Guide, the Department of Arizona AZALR By-Laws, the Post 39 Constitution and By-Laws and the ALR Chapter 39 Constitution and By-Laws.

### **STANDING RULES**

1. Due to changes applied to this document in Section 1. A. on April 27, 2014, members granted full membership prior to that date are grandfathered (GF) into ALR Chapter 39 as full members as long as the member remains in good standing.
2. Membership year is from January 1<sup>st</sup> through December 31<sup>st</sup>.

3. Committees may be formed in order to conduct approved business as required of ALR Chapter 39 Membership. An appointment of Committee Chairs is the duty of the President. Committees must include at least three full members.
4. In addition to membership requirements in By-Laws I, membership will be formalized by a majority vote of membership present at a regular general membership meeting of ALR Chapter 39.
5. Note<sup>1</sup>: Clarifying the "in good standing" language for those grandfathered. If they allow their membership to expire (not keeping dues CURRENT year to year) they lose the GF status. (Refers to Standing Rule #1). Definition of "good standing" to include renewal of ALR membership no later than March 31st each year or reapply as a new member to be voted in by membership.
6. Any new members MUST meet the stated criteria per Section I A and B of the By-Laws.
7. Members are expected to uphold the honor and values our organization represents. With our ALR 39 Patches displayed, we become a human billboard for our ALR chapter and our Post/Unit. Conduct unbecoming a member of ALR39 as documented by an incident report and/or violations of ALR State of Arizona By-Laws, National American Legion Rules of Conduct, National American Legion Auxiliary Rules of Conduct, laws of the City of Gilbert, state of Arizona and/or city/state where we ride are grounds for disciplinary action, up to and including suspension or expulsion from ALR 39 by our officers and membership.

**2020/2021 By-Laws Committee:**

Debbie Jones & Eric Smith, Co-Chair; Lowell Vahl, Chris Ellis, Greg Mekula, & Laddy Cusick

Approved by unanimous vote at Riders Chapter 39 regular meeting September 26, 2021

Resubmitted for approval on 09/01/2022

Steve Coffman  
Steve Coffman, Director American Legion Riders Post 39

Approved/Ratified by American Legion Post 39 Executive Board meeting on 10/18/22

Mike Bailey  
Mike Bailey, Post-Commander American Legion Post 39