

Constitution of Merrill-Mitchell Squadron No. 39,

Detachment of Arizona

Attached to Merrell-Mitchell Post 39,

Gilbert, Arizona

Department of Arizona

ARTICLE I

NAME

Section 1. The name of this organization shall be the Sons of The American Legion Squadron 39, attached to Merrell-Mitchell Post No. 39, Department of Arizona.

ARTICLE II

NATURE

Section 1. The Sons of The American Legion Squadron 39, attached to Merrell-Mitchell Post No. 39, Department of Arizona, 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 or 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 own conscience and understanding, in accord 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 Arizona, under the sponsorship and jurisdiction of the Merrell-Mitchell Post No. 39, Department of Arizona, of 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 Detachment Headquarters, approved by the Department Executive Committee of The American Legion and by such rules and regulations as may be prescribed by its 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 World War I, World War II, the Korean War, the Vietnam War, Lebanon, Grenada, Panama, and the Persian Gulf War, as defined in 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.

## ARTICLE V

### OFFICERS

Section 1. The officers of this Squadron shall be a Commander, First- Vice Commander-Adjutant, Second Vice Commander, Finance Officer, and Executive Committeemen (Members at large) all of whom shall be elected at the regular meeting of the Squadron in May. The Sergeant-at-Arms, Chaplain, and Historian shall be appointed by the newly elected Commander after the election during the regular meeting of the Squadron in May.

Section 2. The Number of Executive Committeemen (Members at large) is determined by Fifty Squadron Members per One executive Committeemen (Members at large).

## 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 the immediate Past Commander.

## ARTICLE VII

### DUES

Section 1. The annual membership dues will be maintained in Standing Rules. The dues shall be payable by December 31<sup>st</sup> of each year, for the following year.

A member whose dues for the current year have not been paid by January 1<sup>st</sup> shall be classed as delinquent. If his dues are paid on or before June 30<sup>th</sup>, he shall be automatically reinstated. If he is still delinquent as of July 1<sup>st</sup>, his membership in the Sons of the American Legion shall be forfeited. A member whose membership has been so forfeited may be reinstated to active membership in good standing by payment of current dues for the year in which reinstatement occurs. Provided however, that the Squadrons, Detachments, 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 military activity.

## ARTICLE VIII

### AMENDMENTS

Section 1. This Constitution is adopted, subject to the provision 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 vote of two-thirds of the members attending such regular meeting; provided, that the proposed amendment shall have been submitted in writing, and read at the immediate preceding Squadron meeting. NOTE: Only current paid members be privileged to participate in the business of a meeting, vote or hold office.

All provisions of the Constitution were accepted and ratified on the 15<sup>th</sup> day of May, 2018.



Mark D. Furrey

Commander

By-Laws of Merrill-Mitchell Squadron No. 39,

Detachment of Arizona

Attached to Merrell-Mitchell Post 39,

Gilbert, Arizona

Department of Arizona

#### ARTICLE I

#### MEMBERSHIP

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

Section 2. The First Vice shall present such application to an elected Post 39 Legion officer or the appointed SAL Advisor to qualify the applicant. If qualified, the First Vice will process the application and issue a membership card.

#### ARTICLE II

#### NOMINATION AND ELECTION OF OFFICERS

Section 1. At the regular meeting in March the first nomination for officers shall take place. Any Squadron member may present the name of another Squadron member for nomination to any office for which such Squadron member has not been nominated and accepted. Upon acceptance by the Squadron and nominated member, the First Vice (adjutant) will enter said nomination in the minutes to be presented to the Squadron at the next two subsequent regular meetings.



Section 2. Those officers shall be declared elected by who have by secret ballot received a majority of the votes of the Squadron members in good standing present at the regular meeting in May. They shall be installed by the proper authority immediately following the election.

Section 3. The newly elected officers and members of the Executive Committee shall take office at the next regular meeting in July.

### ARTICLE III

#### DUTIES OF OFFICERS

Section 1. Commander: Corresponds to the president of an organization, shall be the executive head this Squadron of the Sons of The American Legion, with full power to enforce the provisions of the local Constitution and By-Laws and policies and mandates of the National and of the Department Committees of the Sons of the American Legion and of the Executive Committee of the Squadron.

Section 2. First Vice Commander - Adjutant: Corresponds to the First Vice President-Secretary of an organization, shall act as a representative of the Commander on all matters referred to him and shall specifically be in charge of membership. He shall perform such duties as are usually incident to the office. The Adjutant portion of this position shall be charged with the administrative duties required in carrying out the policies and mandates of the National and of the Department Committees of the Sons of the American Legion and of the Executive Committee of the Squadron.

Section 3. Second Vice Commander: Corresponds to the Second Vice President of an organization, shall likewise act as representative of the Commander, and he shall specifically be in charge of Squadron activities. He shall perform such other duties as are usually incident to the office.

Section 4. Finance Officer: Shall be custodian of the funds of the Squadron. He will be charged with receiving and disbursing the funds of the Squadron and shall make reports upon the condition of the Squadron treasury when called for by the Commander or Executive Committee; provided however, that all disbursements shall first be approved by the Squadron membership. He shall perform such other duties as are usually incident to the office.

Section 5. Sergeant-at-Arms: Shall be charged with the responsibility of preserving order at all Squadron meetings and shall be given custody of the Squadron Colors. He shall perform such other duties as are usually incident to the office.

Section 6. Chaplain: Shall perform such divine and non-sectarian service as may be necessary, adhering to such ceremonial rituals as may be prescribed by the National membership and Post Activities Committee of The American Legion.

Section 7. Historian: Shall collect from year to year all records and data of value and interest to the Sons of the American Legion, and shall compile during his term of office a complete history of the year's activities.

## ARTICLE IV

### EXECUTIVE COMMITTEE

Section 1. The Squadron Executive Committee shall fill any vacancy in the membership of the committee occurring between the June regular Squadron meetings for the remainder of the unexpired term.

Section 2. The Executive Committee may remove any officer or executive committeeman for inefficiency; Example: Three unexcused meetings in a row. A two-thirds vote of said committee being necessary to effect such removal. An officer or executive committeeman who absents himself for three or more consecutive Squadron or Executive Committee meetings, can, on due investigation, by the Executive Committee be held to be sufficient proof of inefficiency, warranting such removal.

## ARTICLE V

### POST SUPERVISORY COMMITTEE

Section 1. The jurisdiction of Merrell-Mitchell Post 39, Department of Arizona, The American Legion, over this Squadron shall be exercised through a committee of three or more members of said Post appointed annually by the Post Executive Committee on nomination of the Post Commander.

## ARTICLE VI

### STANDING COMMITTEES

Section 1. Upon Nomination of the Squadron Commander, the Executive Committee shall regularly appoint such standing committees, as it shall deem advisable for the benefit of the membership of the Squadron as a whole.

## Article VII

### MEETINGS

Section 1. The regular meetings of this Squadron shall be held the second Sunday of each calendar month.

Section 2. Every member shall furnish to the Adjutant his address, to which all notices and documents may be sent, and the same shall be held to have been duly sent to or served upon a member is mailed to such address so furnished. In default of an address having been furnished by a Squadron member, any notice or documents will be held to have been duly served upon such member five days after the same shall have been deposited in the local post office addressed to such member at such post office address.

Section 3. The Executive Committee shall meet for organization and such business as may come before it within ten days after the regular election of the Commander. Thereafter the Executive Committee shall meet at the call of the Commander at least every three months and as often as said Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon the written request of five members of the committee.

ARTICLE VIII

QUORUM

Section 1. A majority of the elected offices shall constitute a quorum at any meeting of the Squadron.

ARTICLE IX

FINANCES

Section 1. The Finance Officer shall deposit all funds of this Squadron in a bank. Withdrawals shall only be made upon draft or check signed by the Finance Office and approval by vote of the general membership.

ARTICLE X

RULES OF ORDER

Section 1. The Squadron 39 Constitution and By-Laws shall govern the procedure of all Squadron meetings. Roberts' Rules of Order is to be used only as subsidiary procedural reference.

ARTICLE XI

AMENDMENTS

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

Section 2. These By-Laws may be amended at any regular Squadron meeting by two-thirds of the members attending such regular meeting, provided that the proposed amendment shall have been submitted in writing at the immediate preceding Squadron meeting, and provided further, that written notice shall have been given to all members at least 5 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon.

Section 3. As pursuant to the By-Laws of The American legion Post 39 Gilbert, Arizona there shall be NO SMOKING or ALCOHOL permitted at ANY meeting of the Sons of the American Legion Squadron 39 of Gilbert, Arizona.

All provision of the By-Laws to the Constitution were accepted and ratified on the 15<sup>th</sup> day of May, 2018

Mark D. Furrey

Commander



By-Laws Committee:

Pat McAnulty – Finance Officer



Brad Heck – First Vice Commander

Julio Beatrice – Legion Adviser to Squadron

Standing Rules

- 1) Standing Rules can be instituted by a majority vote of members present at any regular Squadron meeting
- 2) Standing Rules cannot be in conflict with a provision of the Squadron Constitution or By-Laws.
- 3) Dues for the upcoming year will be decided at the May meeting of the Squadron.

Current Revision of Standing Rules dated this 15<sup>th</sup> day of May, 2018.

Merrell-Mitchell Post 39,

Department of Arizona

Gilbert, Arizona



Chris Ellis

Commander