



By-Laws

Sons of The American Legion Squadron 209 Detachment of Colorado

Article I

Membership

Section 1: Application for membership will be submitted to the Squadron Adjutant on the appropriate membership application form as prescribed by the National Organization. Dues for one year will be submitted with each membership application.

Section 2: Evidence of eligibility will be submitted with the application form or within a reasonable time frame thereafter. Should eligibility documentation not be provided within a reasonable time frame as determined by the Squadron Adjutant, the membership and membership privileges of the applicant will be suspended and/or revoked until such documentation is provided. Dues submitted with the application are non-refundable.

Section 3: Annual Squadron dues will be established by the Squadron Executive Committee and ratified by two-thirds (2/3) majority vote at the first available Squadron membership meeting after dues amount have been determined. All applicable Detachment and National dues will be deducted and transmitted accordingly from dues paid by Squadron members each year.

Section 4: Permanent or Paid up for life (PUFL) dues will be in accordance with the PUFL dues formula as established by the Detachment of Colorado Permanent Membership plan.

Section 5: Upon approval by two-thirds (2/3) of the membership present at any scheduled meeting, the Squadron may honor an esteemed member with an honorary Life Membership, which will commit the Squadron to pay the Detachment and National per-capita dues annually for the life of the member or to purchase a Permanent membership under the Detachment Permanent Membership Plan. The choice of options shall be that which is more likely to be fiscally advantageous.

Article II

Nominations and Elections

Section 1: The Squadron membership shall elect the following officers on an annual basis at the regular meeting in April of each calendar year: Commander; Senior Vice Commander; Junior Vice Commander; Adjutant; Chaplain; Sergeant-at-Arms; Historian; and Finance Officer.



Election votes shall be cast by private ballots, which will be tallied and ratified by at least two members, one of which must be a current Squadron Executive Committee member. Each elected office will have at least one official ballot cast in the event the position is unopposed. After the election, all ballots cast shall be placed in a sealed and attested enveloped and be archived for a minimum of two years. If a position is unopposed, voice acclamation for the position will be an acceptable vote.

Section 2: Holding more than one elected office concurrently is discouraged. A person holding an elected office may be appointed as and serve in an appointed officer position on a concurrent basis. Holding an elected office and an appointed office concurrently does not entitle said officer to two votes on the Executive Committee.

Section 3: Nominations for elected offices will be submitted during the last scheduled meeting preceding the April meeting. Persons being nominated for an elected office must be present to accept the nomination or submit their intentions to seek or accept nomination for elected office to the Adjutant prior to this meeting. A printed copy of an electronic mail is acceptable.

Section 4: The election of a candidate or nominee shall be determined by a majority (exceeding 50%) of ballots cast.

Section 5: Newly elected officers shall be installed into office at a time determined appropriate by the Squadron and will assume duties at the first regular meeting following the Detachment Convention.

Article III

Duties of Officers

Section 1: Commander: The Commander is the Chief Executive Officer of the Squadron. The Commander has full power to enforce the Constitution, By-Laws and other regulations governing the organization. The Commander serves as the chair for all Squadron and Executive Committee meetings. The Commander serves as an ambassador representing the Squadron to the Post, higher level organizations and the community. The Commander is responsible for the conduct of all Squadron business, financial transaction and ensuring the Squadron fulfills its sacred obligation to the Post, higher level organizations, the community, State and Nation, and complies with the intended spirit of the organization as fashioned in the Preamble to the National Constitution of the Sons of The American Legion. The Commander shall cause to be formed any committee and will appoint committee chairmen as deemed necessary to fulfill the missions and obligations of the Squadron. The Commander serves as an ex-officio, non-voting member on any and all committees and will only have a vote in Squadrons or Executive Committee meetings when a tie-breaker vote is required.

Section 2: Senior Vice Commander: The Senior Vice Commander is the second in command of the Squadron and will fulfill the duties of the Commander when so directed by the Commander or in the Commander's absence. The primary responsibility of the Senior Vice



Commander is developing, recruiting and retention of members. The Senior Vice Commander also serves as an ambassador in the community and should be well versed in the programs, goals and objectives of The American Legion and be able to articulate them to prospective members. He will fulfill other duties as directed by the Commander.

Section 3: Junior Vice Commander: The Junior Vice Commander is the 3rd in command and shall fulfill the duties of the Commander in the absence of the Commander and Senior Vice Commander or at the call of the Commander. The Junior Vice Commander is the activities chairman and assists the Commander in all Squadron activities. He is responsible for preparation of the meeting hall, the planning and conduct of the Squadron's social activities and events and should pay particular attention to patriotic events and observances. The Junior Vice Commander bears the responsibility of maintaining strict observance on all political, religious and civic matters as well as adherence to proper protocol during meetings and the mentoring of new and youthful members.

Section 4: Adjutant: The Adjutant serves as the record keeper of the Squadron. The Adjutant is the closest aide and advisor to the Commander. He is responsible for the accurate recording, reporting and safeguarding of minutes for all meetings. The Adjutant is responsible to conduct the administrative affairs of the Squadron in a timely manner. He is responsible for receiving and reporting all incoming correspondence as well as preparing and dispatching outgoing correspondence. The Adjutant is responsible to keep the Commander informed on all events affecting the affairs of the Squadron. The Adjutant will receive, review and appropriately act upon all new membership applications and renewals and ensure proper documentations and monies are transmitted to the Detachment.

Section 5: Finance Officer: The Finance Officer is the keeper of the monies of the Squadron. The Finance Officer must be someone of high integrity and be completely trustworthy. He is responsible for proper accounting and deposit of all received funds as well as the disbursement of funds as authorized by the Squadron. The Finance Officer will cause all monies received to be promptly deposited in a local federally insured financial institution. The Finance Officer must at all times show fiduciary responsibility and good judgment as he is the key advisor to the Commander and the Squadron on the financial well-being, obligations and stability of the Squadron.

Section 6: Chaplain: The Chaplain is responsible for the spiritual well-being of the Squadron. He should be in close confidence with the Commander and other members of the Squadron and should attend all Squadron meetings. The Chaplain is responsible to advise the Commander on any member or member's family that is in spiritual, medical, emotional or financial distress and suggest or provide a remedy for relief. The Chaplain should be intimately familiar with the relief and aide programs and resources available through The American Legion and within the community. The Chaplain is responsible for offerings to the Almighty at the beginning and closing of all meetings and presiding over memorial services.

Section 7: Historian: The Historian is the eyes and ears of the Commander and the Squadron. With him lies the solemn obligation of capturing and preserving the actions and activities of the



Squadron so that they may be transmitted to posterity as a record of the accomplishment the Squadron achieves in its efforts to serve The American Legion, the community, State and Nation. The historian should keep written and photographic records of events for the year and at the direction of the Commander prepare and maintain a Squadron Year Book.

Section 8: Sergeant-at-Arms: The Sergeant-at-Arms is the sentinel of the meeting hall. With him is charged the security and order of all meetings so that no outside or internal harm or undue influence shall come upon the proper conduct of Squadron business and affairs and that proper protocol is followed. The Sergeant-at-Arms is responsible to ensure all members attending meetings are current in their dues and are in possession of current and valid membership verification. He is responsible for identifying and introducing new members and presenting any guests that may be in attendance. The Sergeant-at-Arms is the bearer and keeper of the Colors of our Nation and the organizations and shall see that no disrespect falls upon them and that they are properly stored and secured when not on proper display.

Section 9: Executive Committeeman: The Squadron Executive Committeeman is a voting member of the Squadron Executive Committee, which is entrusted with the government and management of the Squadron. It shall be his responsibility to represent the interests of the general membership to the Executive Committee.

Section 10: If for any reason an officer position becomes vacated, the Executive Committee will accept nominations to fill the position and shall elect a replacement to fill the remainder of the term by majority vote.

Section 11: Any officer may be removed from office by a two-thirds (2/3) vote of the remainder of the Executive Committee for inefficiency, repeated or continuous absence, which if determined by the Executive Committee is detrimental to the office and/or the Squadron, misconduct, breach of trust or other just causes as may be presented to the Executive Committee by the membership and after due process.

Article IV

Meetings

Section 1: The Squadron will normally meet for the purpose of conducting Squadron business, on a monthly basis at a time and location designated by the Commander or uncontested consensus of the membership.

Section 2: Five members in good standing of which two must be officers shall constitute a quorum for the legal conduct of Squadron business.

Section 3: The Executive Committee will meet as required or at the call of the Commander to conduct necessary business. Three voting officers present shall constitute a quorum of the Executive Committee.



Section 4: Upon the written request of five or more members in good standing, or three members of the Executive Committee, or at the direction of the Post Executive Committee, the Commander shall call a special meeting of the Squadron to be held within five days of receipt of such request. Electronic Mail transmission is considered to be a valid written request.

Section 5: Under unusual or extreme circumstances that require urgent and immediate action, the Executive Committee is authorized to take action on Squadron affairs and business through telephonic or electronic communication. The requirement for quorum of the Executive Committee will apply.

Section 6: All meetings will be conducted in accordance with the Squadron Constitution, and these By-Laws. Situations not covered in these documents will be governed by procedures as outlined in Robert's Rules of Order (newly revised). Those attending meetings will maintain proper decorum and conduct. The Sergeant-at-Arms will escort individuals who appear to be intoxicated or are unruly from the meeting.

Article V

Finances

Section 1: The Finance Officer will cause all monies received by the Squadron to be deposited in a local federally or collectively insured financial institution.

Section 2: The Finance Officer shall keep an accurate ledger and receipts of all accounts and of all monies received, deposited and disbursed and reconcile said ledgers against the financial institutions account activity statement on a monthly basis. Authorized cash disbursements will be accounted for by signed voucher from the person receiving such funds.

Section 3: The Finance Officer shall present a detailed report on the status of all accounts included monies received, deposited and expended as well as upcoming obligations at each Squadron meeting. He shall make said report, all account ledgers and receipts for expenditures available to any member in good standing, the Post Executive Committee and/or the Post Finance Officer upon request.

Section 4: The Finance Officer shall provide any and all documents pertaining to any and all financial transactions of the Squadron to the Post Executive Committee upon their request.

Section 5: All checks issued in excess of \$100 by the Squadron shall bear the signatures of two members of the Executive Committee who must also be listed as signatories on the affected account. The Post Finance Officer will be a signatory on all banking accounts held by the Squadron and will have oversight of Squadron finances.



Article VI

Committees

Section 1: The Commander shall cause to be formed a Finance Committee to be chaired by the Finance Officer. Members of the Finance Committee will include the Finance Officer, and should also include the immediate past Squadron Commander, Senior Vice Commander, the Post Finance Officer, and no less than one other member as selected by the Commander and approved by the Squadron Executive Committee. The Squadron Advisor as appointed by the Post Commander, will be a non-voting member of the Finance Committee. The Committee will have oversight of the Finance Officer and the financial transactions of the Squadron and will ensure compliance with the provisions set forth in Article V of these By-Laws.

Section 2: The Commander shall cause to be formed any other committee as circumstances may from time to time dictate and appoint a committee chair with the Executive Committee having the authority to approve said chairman.

Section 3: The Executive Committee shall serve as a standing Constitution and By-laws Committee, which will be chaired by the Squadron Commander.

Article VII

Discipline

Section 1: All members of this Squadron shall conduct themselves in a manner consistent with the aims, goals and purposes of The American Legion and good citizenship and shall comply with rules and regulations established by our sponsoring Post including those governing conduct in the Post.

Section 2: Any member of this Squadron who is in violation of established rules of conduct as set forth by our sponsoring Post is subject to disciplinary actions by the governing body which has the authority to establish and enforces such rules.

Section 3: The Squadron reserves the right to impose further disciplinary actions as deemed appropriate up to and including revocation of membership or expulsions from the organizations. Membership revocation and/or expulsion procedures shall follow the guidelines and procedures as set forth in the current edition of the Officer's Guide and Manual of Ceremonies published by The American Legion.

Article VIII

Amendments

Section 1: These By-Laws may be changed or amended in the same manner as prescribed in Article VII of the Constitution.



Article IX

Safety Clause

Section 1: If any Section herein to is found to be in contradiction to the Constitution and/or By-Laws of The American Legion Neal Thomas, Jr. Centennial Post 209, the Detachment of Colorado, the Department of Colorado or the National Organization or any local, state or federal law, that Section shall be ruled null and void. Such determination shall not be deemed to affect the validity of the remainder of the affected Article or Section or these By-Laws.

Section 2: Any subject item regarding procedures, conduct of business, and responsibilities not addressed in these By-Laws will be conducted in accordance with guidelines and procedures established by our sponsoring Post, other higher level organizations, Roberts Rules of Order (newly revised) and current laws in the order stated.

Article X

Repeal and Saving Clause

Section 1: These By-Laws are adopted as the legal procedural document for the conduct of all business and fraternal affairs of the Sons of The American Legion Squadron 209, attached to The American Legion Neal Thomas, Jr. Centennial Post 209, the Detachment of Colorado, the Department of Colorado, as voted on and ratified by two-thirds (2/3) of members present at a regular meeting of Squadron 209 held in Colorado Springs, CO on August 27th, 2019, and approved by majority vote of the Executive Committee, The American Legion Neal Thomas, Jr. Centennial Post 209, the Department of Colorado, convened in Colorado Springs, CO on October 3rd, 2019.

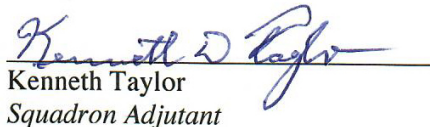
Attested and certified witness thereto:




Eric Testorff
Squadron Commander



Lino Calica
Post Commander



Kenneth Taylor
Squadron Adjutant

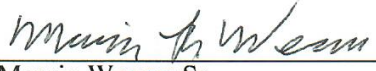


Jerry Hopper
Post Adjutant





Norm Moyer
Squadron Advisor



Marvin Weaver Sr.
Post Judge Advocate