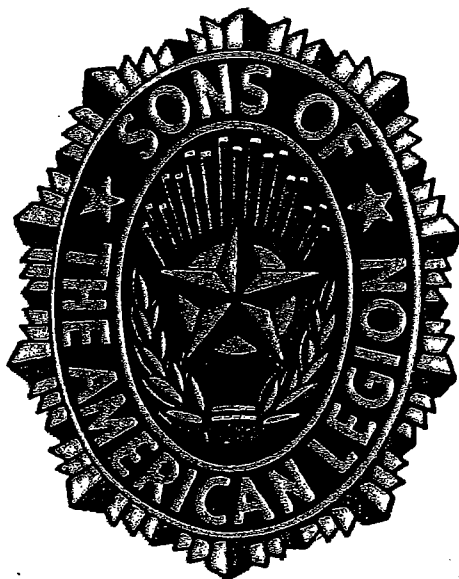


FAIRBORN SQUADRON 526

SONS OF THE AMERICAN LEGION



CONSTITUTION AND BY-LAWS

Approved 11 MAY 04
Date

Thomas J. Keiter
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Commander Squadron 526

John M. Dugan
John Dugan
Commander Post 526

David M. Rust
David Rust
SAL Squadron Advisor



**Sons of The American Legion
Detachment of Ohio
Judge Advocate**

July 28, 2004

Mike,

I have reviewed the constitution and by-laws of Squadron #526. Please forward these comments on to them. The document is in good order and I found no problems. The only errors that I found were spelling and they are marked #1 and #2.

Extend my congratulations to Squadron #526 for all of the work they put into this.

Sincerely,

**Dan Sagraves
Judge Advocate**

Constitution for the Sons of the American Legion, Squadron #526, attached to the Dignam-Whitmore Post #526, Department of Ohio. The American Legion.

PREAMBLE

Proud possessors of a priceless heritage, we, male descendents 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 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 1

NAME

Section 1. The name of this organization shall be The Sons of the American Legion, Squadron #526, attached to the Dignam-Whitmore Post #526, Department of Ohio.

ARTICLE II

NATURE

Section 1. The Sons of the American Legion, Squadron #526, attached to the Dignam-Whitmore Post #526, Department of Ohio, 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 Ohio, and under the sponsorship and jurisdiction of the Dignam-Whitmore Post #526, Department of Ohio, 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.

Section 2. The officers of this squadron, which shall be appointed by the newly elected Commander, and who will serve the following term of office, shall be a Sergeant-At-Arms, Historian, Chaplain and Adjutant.

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 elective officers for the current year, and in addition the immediate Past Commander.

ARTICLE VII

DUES

Section 1. The annual dues of this squadron shall be \$20.00 for senior members and \$10.00 for junior members and dual members, payable on October 20th of each year, for the following year.

A member whose dues for the current year have not been paid by January shall be classified as delinquent. If dues are paid on or before February 1st, he shall be automatically reinstated. If he is still delinquent after 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 2. On or before January 1st, the Executive committee shall review junior membership for the attainment of age 21 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 #526, attached to the Dignam-Whitmore Post #526, Department of Ohio. Dues for any such member will become \$20.00 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 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; provided further, that written notice shall have given to all members at least five 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 Constitution is to be voted upon.

By-Laws of The Sons of the American Legion, Squadron #526, attached to the Dignam-Whitmore Post #526, Department of Ohio.

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. 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 February, the Commander shall appoint a nominating committee of three members who will, acting together with and under the advice of the Sons of the American Legion Advisor of the Post, present to the regular meeting in March, a list of one or more candidates for each office required to be elected under the Constitution of the Squadron.

Section 2. At the conclusion of the report of the nominating committee, any Squadron member for nomination to any office for which such Squadron member is not nominated by the nominating committee, and upon said nomination being seconded, the same shall be considered as though contained in the report of the nominating committee after said report has been accepted and adopted by the Squadron.

Section 3. Those officers shall be declared elected who by secret ballot received a majority of the votes of the Squadron members in good standing present at the annual meeting in April.

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

ARTICLE III

DUTIES OF OFFICERS

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

Section 2. FIRST VICE COMMANDER: The First Vice Commander, who corresponds to the First Vice President of an organization, shall act as representative of the Commander on all matters referred to him and shall specifically be in charge of membership. He shall perform such other duties as are usually incident to the office.

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

#2 **Section 4. ADJUTANT:** Then Adjutant, who corresponds to the Secretary of an organization, shall be in charge of 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 of the Executive Committee of this Squadron.

Section 5. FINANCE OFFICER: The Finance Officer shall be the custodian of the funds of the Squadron. He shall be charged with the receiving and disbursing the funds of the Squadron and shall make reports upon the Squadron treasury when called for by the Commander or the Executive Committee; provided, however, that the disbursement shall first be approved by the Post SAL Advisor heretofore referred to in Article I, Section 4, of the National By-Laws. He shall perform other duties as are usually incident to the office.

Section 6. SERGEANT-AT-ARMS: The Sergeant-At-Arms shall be charged with the responsibility of preserving order at all Squadron meetings and he shall be given custody of the Squadron colors. He shall perform other duties as are usually incident to the office.

Section 7. CHAPLAIN: The 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.

Section 8. 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 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 annual Squadron meetings for the remainder of the unexpired term.

Section 2. Any officer or executive committeeman may be removed for inefficiency by the Executive Committee, 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 sufficient proof of inefficiency, warranting such removal.

ARTICLE V

POST SONS OF THE AMERICAN LEGION ADVISOR

Section 1. The jurisdiction of the Dignam-Whitmore Post #526, Department of Ohio, 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 of the Post Commander.

ARTICE VI

STANDING COMMITTEES

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

ARTICE VII

MEETINGS

Section 1. The annual election of this Squadron shall be held at the regular meeting the first Tuesday of April of each year.

Section 2. The regular stated meeting of this Squadron shall be held on the second Sunday of each and every month.

Section 3. Special meetings shall be called upon a majority vote of the Executive Committee or upon the written request of at least 5 Squadron members.

Section 4. Every member shall furnish to the Adjutant his complete address including telephone number, to which all notices and documents may be sent, and the same shall be held to have duly sent to or served upon if 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 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 addressed.

Section 5. Squadron members shall be notified by telephone, mail or post bulletin board seventy-two hours prior to any special meeting and holding the annual meeting.

Section 6. The notice of special meetings shall state the object and purpose thereof, and no business shall be transacted at such special meetings except such business as is contained in the notice therefore.

Section 7. The Executive Committee shall meet for organization and such business as may come before it within ten days after the annual election on the call of the Commander. Thereafter, the Executive Committee shall meet at the call of the Commander at least every three months and as often as the Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon written request of five members.

ARTICLE VIII

QUORUM

Section 1. Three members, besides a qualified presiding officer shall constitute a quorum at any meeting of the Squadron.

Section 2. Three members of the Executive Committee shall constitute a quorum for the legal transaction of business.

ARTICLE IX

FINANCES

Section 1. All funds of this Squadron shall be deposited in a bank by the Finance Officer or the Commander. Withdrawals shall only be made upon a draft or check signed by the Finance Officer and the Post SAL Advisor.

Section 2. All Squadron and Post officials handling Squadron monies shall be properly bonded with a good and solvent bonding and surety company, as surety, to cover double the average amount of monies handled in a single year.

ARTICLE X

RULES OF ORDER

Section 1. The procedure at all meetings shall be governed Robert's Rules of Order.

ARTICLE X1

AMENDMENTS

Section 1. These By-Laws are adopted, subject to the provisions of the National By-Laws and the Detachment By-Laws, of which the Squadron is a subordinate member. Any 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 a 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 proceeding Squadron meeting, and provided further, that written notice shall have given to all members at least five 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.