



4-17-2012

Constitution of Squadron 354, attached to Buena Park Post 354 Department of California

Preamble

Proud possessors of a priceless heritage, we male descendants of 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 I – NAME

Section 1. The name of this organization shall be: The Sons of The American Legion Squadron, attached to Buena Park Post #354, **Department of California.**

ARTICLE II – NATURE

Section 1. The Sons of The American Legion Squadron, attached to Buena Park Post No. 354, Department of California, 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 own conscience and understanding, in accord with the law.



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ARTICLE III – ORGANIZATION

Section 1. *This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of California, and under the sponsorship and jurisdiction of Buena Park Post No. 354, Department of California, 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 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, Second Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Chaplain and Historian, all of whom shall be elected at the annual meeting of the Squadron.*

Section 2. *All other Past Squadron Commanders shall be members of the Squadron Executive Committee without vote.*

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 three immediate Past Commanders.*

Section 2. *All other Past Squadron Commanders shall be members of the Squadron Executive Committee without vote.*



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ARTICLE VII - DUTIES

Section 1. The annual membership of this Squadron shall be \$20.00; dual members \$15.00; under 21 years of age \$10.00 payable on July 1st of each year, for the following year.

A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February first, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Squadron and 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 active military service.

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 their 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, and provided further, that written notice shall have been given to all members at least five days in advance of the date which such amendment is to be voted upon, notifying said members at such meeting a proposal to amend the Constitution is to be voted upon.

NOTE: Only members in good standing will be privileged to participate in the business of a meeting, vote or hold office.



BY-LAWS

of Squadron 354,

attached to Buena Park Post 354

Department of California

ARTICLE I – MEMBERSHIP

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

Section 2. All applications shall be presented to the membership at the next regular meeting after receipt and verification of said application. The application shall be accepted or rejected by a majority vote of the members present and voting. If the majority of Squadron members cast their vote against the acceptance of such applicant, then such applicant shall be recorded as rejected.

Section 3. There shall be no form or class of membership except as active membership.

ATRICLE II - NOMINATIONS AND ELECTIONS OF OFFICERS

Section 1. At the regular meeting in March of each calendar year, the Commander shall announce that nominations for new officers will be held at the next regular meetings in April and May of the same calendar year.

Section 2. Nominations of the new officers shall be held at the regular meeting in April.

Section 3. Elections of the new officers shall be held at the regular meeting in May. All elected officers shall be elected by a secret ballot by a majority vote of the members present and voting.

Section 4. The elected officers of the Squadron shall be: Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Judge Advocate, Chaplain and Historian and an Executive Committee. The Executive Committee shall consist of the Commander, 1st Vice-Commander, 2nd Vice-Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Judge Advocate, Chaplain and Historian and three elected members of said committee.

Section 5. Installation of the newly elected officers shall be the same time in June as the Post Officers and Auxiliary Officers of the same calendar year as their election. The date of the installation shall be set by the incoming Post Commander. The new officers shall take office immediately following the installation.

Section 6. A ballot counting committee shall be no later than June 1st of the same calendar year as their election. The date of the installation shall be set by the incoming Post Commander prior to the election of the new officers. The new officers shall take office immediately following the installation.



BY-LAWS

of Squadron 354,

attached to Buena Park Post 354

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ARTICLE III - DUTIES OF THE OFFICERS

Section 1. The Commander, who corresponds to the President of an organization, shall be the executive head of the Squadron, with the full power to enforce the provisions of the local Constitutions and By-laws and 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 2. The First Vice-Commander, who corresponds to the First Vice-President of an organization, shall act as a representative of the Commander on all matters referred to and shall specifically be in charge of membership. He shall perform such other duties as are usually incident to the office.

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

Section 4. The Adjutant, who corresponds to the Secretary of an organization, shall be charged with 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 the Squadron.

Section 5. The Finance Officer shall be the custodian of the funds of the Squadron. He shall 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 the Executive Committee; provided, however, that all disbursements shall first be approved by the general membership of this Squadron. He shall perform such other duties as are usually incident to the office.

Section 6. The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Squadron meetings and he shall be the custodian of the Squadron Colors. He shall perform such other duties as are usually incident to the office.

Section 7. 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 and Post Activities Committee of the American Legion.

Section 8. The Historian shall collect from year to year all records and data 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 years activities.



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Section 9. The Judge Advocate shall be an advisor to the Squadron Officers on the construction and interpretation of the Squadron's Constitution and By-laws and to perform such other duties as are usually incident to the office.

~~Section 10. The Service Officer shall be responsible for providing service and to bring to the attention of the Squadron members and their families or survivors who seek assistance, the rights and benefits granted them by law. He is to advise and counsel the claimant and assist in preparation of forms and in securing the necessary supporting evidence to be forwarded to the Department Service Officer.~~

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 members of this Squadron, a two-thirds vote of the members, present and voting, being necessary to effect such removal. An officer or Executive Committeeman who absents himself from three or more consecutive Squadron or Executive Committee meetings can, on due investigation, by the members, be held to be sufficient proof of inefficiency, warranting such removal.

ARTICLE V - POST SUPERVISORY COMMITTEE

Section 1. The jurisdiction of Buena Park Post #354, Department of California, The American Legion, over this Squadron shall be exercised through a committee of **one (1)** or more members of said Post appointed annually by the Post Executive Committee on nomination of the Post Commander.

Section 2. The Post Supervisory Committee shall serve solely as an advisory board to this Squadron.

ARTICLE VI - STANDING COMMITTEES

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



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of Squadron 354,

attached to Buena Park Post 354

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ARTICLE VII - MEETINGS

Section 1. The regular meetings of this Squadron shall be on the second Sunday of each month at 3:00 PM and at a place so designated by the Commander, providing the membership is notified at least fourteen days in advance of said location if said location is not the Buena Park Post #354.

Section 2. Special meetings may be called by the Commander or by the Executive Committee, and may be called by the written request of two-thirds of the active members. No special meeting shall be called unless announced by the Commander at the regular meeting preceding or unless notice be mailed to each member stating: date, time, place and subject matter, five (5) working days prior to said special meeting. No other matter may be discussed at said special meeting.

Section 3. The Squadron, at any meeting, may consider and pass upon any matters irrespective of whether such matters have been previously considered by the Executive Committee.

Section 4. No member shall take part in any Squadron meeting or election unless he is a member in good standing according to the National Organization.

Section 5. No member shall be represented or shall vote by proxy. There shall be no voting by absentee ballot.

Section 6. Every member shall furnish to the Adjutant his address and telephone number, to which all notices and documents may be sent, and the same shall be held to have been duly sent or served upon a member 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 been duly served upon such member five (5) days after the same shall have been deposited in the local post office to such member at such post office address.

Section 7. The Executive Committee shall meet for organization and such business as may come before it within ten (10) days after the annual election and installation of new officers on the call of the Commander. Thereafter, the Executive Committee shall meet the second **Sunday** of every month at 2:30 PM or at the call of the Commander as often as the Commander may deem necessary. The Commander shall call a meeting of the Executive Committee upon written request of five (5) members of said committee.

ARTICLE VIII - QUORUM

Section 1. A quorum at all regular meetings shall consist of **six** members and at least one officer of this Squadron. A quorum at the Executive Committee meetings shall consist of three members of said committee.



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of Squadron 354,

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ARTICLE IX - FINANCES

Section 1. All funds of this Squadron shall be deposited in a bank by the Finance Officer. Withdrawals shall only be made upon a draft or check signed by two of the following: Commander, Finance Officer, First Vice-Commander or the Adjutant of this Squadron.

Section 2. All Squadron 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.

Section 3. Audit – Each Squadron shall keep books of account, and shall cause said books to be examined by a committee of three (3) competent persons, none of whom shall be the Commander, Adjutant, Finance Officer or any other person charged with the responsibility of handling Squadron funds. Such examination shall be made within 60 days following installation of Squadron Officers, and for the period of the immediate preceding fiscal year of the Squadron, said fiscal year shall be determined by the Post. Each Squadron shall certify to the Detachment Adjutant prior to September 1st each year that such an examination has been made and file the original thereof with the Detachment Adjutant before said date, with a copy thereof to the District Commander of the District of said Squadron. The Detachment S.A.L. Commander, the S.A.L. Commander, or the S.A.L. Executive Committee may order an audit of the books of account at such other times during the current year as may be deemed advisable.

Failure of the Squadron to meet any of the requirements of this section within said time or any general or special extension thereof, shall be deemed a delinquency and the delegates of such Squadron shall not be entitled to be accredited at the Department Convention.

ARTICLE X - RULES OF ORDER

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

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.



BY-LAWS

of Squadron 354,

attached to Buena Park Post 354

Department of California

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 preceding Squadron meeting.

ARTICLE XII - DELEGATES AND REPRESENTATIVES

Section 1. The delegates and alternates to represent this Squadron at the annual Department Conventions shall be elected at the same time as the Squadron officers are elected. They shall be elected by a majority of votes cast by those present and voting.

ARTICLE XIII - LIMITATIONS OF LIABILITIES

Section 1. This Squadron shall not incur, nor cause to be incurred, any liability or obligations whatsoever which shall subject to liability, any other individual, corporation or organization.

ARTICLE IX - TRIALS

Section 1. Members of this Squadron shall be subject to disciplinary action as provided in the Trial Manual of the Department of California as adopted, and as the same may be amended from time-to-time hereafter. A copy of the verdict, certified by the Squadron Commander and the Squadron Adjutant, shall forthwith be forwarded to the Department Adjutant.

ARTICLE XV - RECALL PROVISIONS

Section 1. A petition, signed by ten percent of the membership in good standing requesting the holding of an election for the purpose of recalling an elected officer or a member of the Executive Committee, may be filed at any time with the Adjutant. The Adjutant shall, within five (5) days after receiving said petition, compare the signatures on said petition with the signatures on a valid California identification and a current membership card in this Squadron. The Adjutant shall deliver said petition and his report on the validity of said petition to the Executive Committee at its next meeting. If it shall appear from the report of the Adjutant that ten percent of the members in good standing have signed said petition, the Executive committee shall fix the date for the recall election, which date shall be fixed for a regular meeting of the Squadron to be held not less than two weeks or more than six weeks after the meeting of the Executive committee. If it shall appear that the petition is not valid, based upon the report of the Adjutant, said petition shall be returned to the person who filed said petition to be refiled is desired.



BY-LAWS

of Squadron 354,

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Section 2. Notice of the date, time and place of the holding of the recall election shall be mailed to each member in good standing at his address, as it appears on the Squadron records, at least ten days before the election.

Section 3. If the officer shall be recalled, the Squadron, shall at its next regular meeting, elect a successor to fill the unexpired term. Nominations shall be held the same night as the election. The person shall not be eligible as a candidate for election to fill the vacancy.



Constitution and BY-LAWS of Squadron 354, attached to Buena Park Post 354 Department of California

CERTIFICATION

I CERTIFY THAT THESE By-laws, with all changes and amendments brought up to date are identical in text and as amended at the regular Squadron meeting held at: Buena Park Post #354 located at 8071 Whitaker Avenue in the City of Buena Park, California, 90621 on April 15, 2012 by a vote of all present and voting, and without a dissenting vote.

Signed: Ronald V. Garcia
Squadron Commander

Date: 4/15/12

Signed: Benjamin J. Ziering
Squadron Adjutant

Date: 4/15/12



Sons of the American Legion

Squadron 354

Buena Park, California

Standing Rules

1. Past Commanders (after completing their term) dues will be paid by the Squadron annually.
AKA: Honorary Life Member
2. Members present at the Post, at meeting time, will attend the regularly convened meeting or will not be served at the bar.
3. Convention Delegates will be paid \$100.00 each toward expenses.
4. For members to reinstate continuous years they must pay all past years per capita.
5. If incoming Commander does not have a cover, Squadron will purchase one for him.
6. Commander should represent Squadron 354 at S.A.L. District 29 meetings.
7. Duel members: if a member in good standing, at any American Legion Post, will qualify as a duel member of SONS 354.
8. Minors: when they turn 21 years of age will automatically become a full member. If they pay their dues prior to turning 21 they may pay the reduced dues as a minor, if they pay their dues after their 21st birthday they must pay the full SONS dues.
9. Finance Officer: It has been approved for the Finance Officer to spend up to \$100.00 of SONS monies without prior approval, when there is not a meeting soon enough to get approval.
10. The per-capita tax of \$.50 is to be paid by July 1st. The check mailed to (address) _____ SONS Dist. 29 will mail invoice. Per-capita tax is determined by Convention delegate strength, annually.

WE CERTIFY THAT THESE Standing Rules, with all changes and amendments brought up to date are identical in text and as amended at the regular Squadron meeting held at: Buena Park Post 354 located at 8071 Whitaker Avenue in the City of Buena Park, California, 90621 on April 15, 2012 by a vote of all present and voting, and without a dissenting vote.

Signed: Ronald V. Garcia
Squadron Commander

Date: 4/17/12

Signed: Don Gering
Squadron Adjutant

Date: 4/17/12