



HOWARD F. SCHWARTZ SQUADRON 408
Sons of the American Legion
Detachment of New Jersey

CONSTITUTION

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 association 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 good will 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 a 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 the organization shall be “Howard F. Schwartz Squadron 408” Sons of the American Legion, Detachment of New Jersey.

Section 2. The Squadron Headquarters shall be the same as the Headquarters of Howard F. Schwartz Post 408, American Legion, Department of New Jersey.

ARTICLE II

Nature

Section 1. Squadron 408, Sons of the American Legion, is a Non-Profit Civilian Organization. Membership therein does not affect nor increase liability for military or police status.

Section 2. Squadron 408 Sons of the American Legion, shall be absolutely nonpolitical, and shall not be used for the dissemination of partisan principles nor the promotion of the candidacy of any person or group seeking public or preferment. No candidate for, or incumbent of, a remunerative elective public office shall hold any elective or any appointive remunerative office in Squadron 408, Sons of the American Legion

Section 3. Squadron 408, Sons of the American Legion, shall be absolutely nonsectarian.

Section 4. Each member shall perform his duty as a citizen according to his own conscience and understanding, in accordance with the Law and the Squadron By-Laws and Constitution.

Section 5. Politics, Religion and Labor Disputes shall not be introduced during the business assembly of this Squadron at any time.

ARTICLE III
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 delimiting periods for American Legion eligibility set forth by the American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in Squadron 408, Sons of the American Legion.

Section 2. There shall be no form or class of membership except an active membership.

Section 3. No person can be a member of more than one Squadron of the Sons of the American Legion at the same time.

Section 4. No one can become a member of this Squadron if he is legally expelled from another Squadron of the Sons of the American Legion.

ARTICLE IV
Meetings

Section 1. The meeting place of this Squadron shall be designated by the membership of the Squadron on any given Friday evening.

Section 2. Five active members shall constitute a quorum.

Section 3. Special meetings shall be called by the Squadron Commander, or upon written request, submitted by no less than Five (5) active members of the Squadron, and a Five (5) days written notice shall be given before such meeting can convene.

Section 4. Emergencies can be determined and declared by the Commander, or the Squadron Vice Commanders. In the event that an emergency meeting is called by a Squadron Vice Commander, the Squadron Commander must be notified. The Squadron Commander will have the authority to validate the emergency. Both the Squadron Commander and the Squadron Vice Commander will then have the power to act on the said emergency.

ARTICLE V
Finances

Section 1. The revenue of Squadron 408, Sons of the American Legion, Detachment of New Jersey shall be derived from annual membership dues collected from the Squadron members and such other revenues as may be approved by the Squadron Executive Committee. The annual membership dues shall include the Detachment and County Per Capita Taxes.

Section 2. Disbursement of Squadron Funds shall be done by the Annual Budget, comprised by the Squadron Executive Committee.

ARTICLE VI
Voting

Section 1. There shall be **NO** voting by proxy.

Section 2. A two-thirds vote of the active members present shall be necessary to repeal or receive any action, resolution, or motion adopted at a previous meeting.

Section 3. Members who are in arrears in their annual dues cannot be considered active or in good standing, and shall be ineligible to vote or hold office. Membership is annual with the year being from January 1 to December 31. Dues are payable as early as October 20 in advance and cover the upcoming calendar year. If dues are not paid by January 1 of the calendar year, the member is to be automatically suspended until he has paid up his annual dues. If the member has not paid up his annual dues by the beginning of the Annual Detachment Convention, the member will be notified by the Squadron Adjutant of his membership termination, to which the member is dropped from the rolls of the Squadron by Constitutional mandate and the membership is forfeited.

ARTICLE VII
Officers

Section 1. Elected Officers

The elected Officers of this Squadron shall be the Commander, Vice Commander(s), Adjutant, Finance Officer, Sergeant-at-Arms and Historian.

Section 2. Appointed Officers

The appointed Officers of this Squadron shall be the Chaplain and the Judge Advocate. The Commander may appoint assistants to the various elected and appointed Officers.

Section 3. Nominations of Officers shall be held during the **August** meeting of the **Calendar Year**. All elected Officers shall be elected by a majority vote of the active members present at the election.

Section 4. These Candidates shall be elected during the **September** meeting of the **Calendar Year**, and shall be installed during the month of **October**. The appointed Officers shall be installed at the same time as the elected Officers.

ARTICLE VIII
Finance Committee

Section 1. The Squadron Finance Committee shall be appointed by the Squadron Commander.

Section 2. The revenue of the Squadron shall be derived from the annual membership dues of the Squadron and such other sources as may be approved by the membership during assembly.

Section 3. The amount of Squadron dues shall be determined by the Squadron membership during a regular assembly.

Section 4. The Squadron Finance Officer shall serve as the Chairman of the Finance Committee and shall receive all funds via the Squadron Adjutant and shall be responsible for the proper accountability of such funds that he has received, and the proper disbursement of said Squadron Funds.

Section 5. The Squadron Finance Committee shall receive in writing from all Squadron Committees a proposed annual budget within thirty (30) days after the close of the Annual Detachment Convention.

Section 6. After the Finance Committee have reviewed the individual Committee budgets, the Squadron Finance Committee shall prepare a Squadron Budget. The prepared Squadron budget shall be presented to the Squadron Executive Committee for review and acceptance.

ARTICLE IX Squadron Organization

Section 1. The Squadron shall be comprised of the members of the Sons of the American Legion.

Section 2. The Squadron shall have the authority to create intermediate Groups within the Squadron for the purpose of promoting the programs of the Sons of the American Legion. Such intermediate Groups shall conform to the framework within the Sons of the American Legion.

Section 3. The Squadron Executive Committee shall define the powers of such intermediate Groups, but in no event shall such powers invade the prerogatives now vested in the Squadron, the Detachment or the National Organization.

Section 4 The Squadron Executive Committee shall consist of the Elected and Appointed Officers.

ARTICLE X Protocol and Procedures

Section 1. All official meetings of the Squadron and Squadron Committees must convene at the place designated for the Squadron general assembly: the Howard F. Schwartz Post 408.

Section 2. All Squadron Committees must submit in writing the date/day and time of their meeting to the Squadron Adjutant for proper posting.

Section 3. All Squadron Committees must turn in to the Squadron Adjutant written reports of their meetings and/or works and present the same to the Squadron membership at the next Squadron meeting.

Section 4. **NO** Squadron member can enter a Committee meeting without the expressed consent, or invitation, from the Committee Chairman, with the exception of the Squadron Commander, who is ex-officio of all Squadron Committees.

ARTICLE XI
Amendments

Section 1. This Constitution may be amended at any **January** meeting, of any Calendar year, by a **Two-Thirds** Majority vote by the active members present. Provided, such amendment (s) have been submitted in writing and read at the **November** and **December** monthly meetings previous to the January meeting, at which time the proposed amendment (s) are to be voted on.

Section 2. It is hereby authorized, that this Constitution may be amended by a **Two-Thirds** majority vote of the active membership present at this Squadrons monthly **January** meeting.

**We Certify That This Constitution was
Voted On And Adopted By
The Membership Of This Squadron**

On _____

Joseph Byrne Sr.
Squadron Commander

Michael Conklin
Squadron Adjutant