

## SAMPLE CONSTITUTION

### ARTICLE 1 - NAME AND AUTHORITY

The name of the organization shall be \_\_\_\_\_. It is a Private Organization (PO) and will operate on Joint Base McGuire-Dix-Lakehurst (JB MDL) pursuant to AFI 34-223. The organization shall be self-sustaining and is not an instrumentality of the United States government. It operates on Joint Base McGuire-Dix-Lakehurst only with the consent of the installation commander. Operation is contingent on compliance with the requirements and conditions of all applicable Air Force regulations. **(MANDATORY)**

### ARTICLE II – PURPOSE

The purpose of \_\_\_\_\_ is to function as a social and professional organization established to enhance the quality of life, increase professionalism, and care which enhance the morale of the Joint Base McGuire-Dix-Lakehurst community. **(Recommend this paragraph be short and concise, but include all facts as those not included could later be considered not within the purviews of the organization).**

### ARTICLE III - MEMBERSHIP OR PATRONAGE

- a. The membership may be jointly and severally liable under the laws of the State of New Jersey for organizational debts or liabilities in the event the organization's assets are insufficient to discharge liabilities.
- b. Membership and related action based upon age, race, religion, color, national origin, disability, ethnic group, or gender is prohibited. **(MANDATORY)**
- c. Membership in \_\_\_\_\_ is open primarily to members of the Joint Base McGuire-Dix-Lakehurst DOD family such as Active duty, military dependents, retired military, DOD civilian and retired DOD civilian members of the Joint Base McGuire-Dix-Lakehurst community.
- d. Individuals may apply for membership by **(here explain application process or other affirmative action required for membership)**.
- e. If a civilian member assigned to your respective PO is no longer affiliated with the organization please notify 87 SFS/S5 at DSN 562-2443 or CIV 609-562-2443 to take appropriate action to ensure installation access is appropriately addressed, to include termination of access rights and turn-in of DBIDS card, if necessary. Continuing members is based upon an **(annual, season)** enrollment commencing\_\_\_\_\_.
- f. Membership in the organization can be terminated by resignation or by notification/disciplinary action by\_\_\_\_\_, failure to pay dues, etc.
- g. Membership can be reinstated by application in writing to \_\_\_\_\_ for consideration.

### ARTICLE IV - OFFICERS AND GOVERNING BODY

- a. The officers of \_\_\_\_\_ shall consist of President, Vice President, Secretary, Treasurer and (other officers optional). The duties of the officers are

outlined in the private organizations bylaws. **(If no by-laws, list the duties and responsibilities of each officer here.)**

- b. The Executive Board shall consist of the officers plus \_\_\_\_\_, and the President shall preside over all official meetings of the general membership or the Board.

#### **ARTICLE V - MEETINGS AND ELECTIONS**

- a. General membership meetings will be held not less frequently than (semi-annually, quarterly, annually, etc.) **(MANDATORY)**
- b. An annual meeting will be held for the election of officers. Procedures for nominations and the elections are outlined in para/article of the bylaws; **or explain procedure used in this paragraph if no bylaws.**
- c. A quorum for all official meetings is \_\_\_\_\_ % at Board meetings and \_\_\_\_\_ % at general membership meetings. (OPTIONAL: The presiding officer will not vote except in case of a tie).

#### **ARTICLE VI- EXECUTIVE BOARD/COUNCIL/OFFICER ADDED REQUIREMENTS**

- a. The president shall be responsible to ensure the club's constitution and authorization is reviewed annually and is consistent with Air Force policies as amended.
- b. The president/treasurer shall establish a system for the protection of club assets and ensure liabilities do not exceed its income.
- c. Members do not have proprietary rights in the club's assets and income will not accrue to individuals except through wages or salaries for employees of the private organization.
- d. The secretary will forward one copy of all official minutes and financial reports, along with a current list of officers, phone numbers, and addresses to 87 FSS/FSR.
- e. Liability insurance providing coverage against personal injury and property damage and indemnifying the U.S. Government and Joint Base McGuire-Dix-Lakehurst will be purchased unless a waiver of any insurance signed by the installation commander or his delegate is appended hereto. Regardless of any waiver so attached, insurance will be purchased whenever a special event is scheduled which may increase the liability risk of the organization or installation. (A request for waiver should be a separate document. The request may accompany the constitution when it is sent forward for approval. When the waiver is approved, the approval will be amended to the constitution and returned (with the approved constitution) to the organization. If the waiver is not approved, the constitution will not be approved until proof of adequate insurance is provided.)
- f. The president will ensure that all members are aware that financial liability incurred by the organization may ultimately result in individual's personal financial responsibility if the organization fails to meet its obligation, even though the fund may have been re-designated or dissolved.

## ARTICLE VII – FINANCES

- a. The president and/or treasurer will appoint a public accountant to conduct an audit when annual gross revenue exceeds \$100,000. Gross annual revenues of \$250,000 or more will have an audit performed by a Certified Public Accountant (CPA) paid with PO funds and will be conducted annually.
- b. All funds will be deposited in the \_\_\_\_\_ account and a financial statement will be reported and recorded in the official minutes of meetings in a timely manner.
- c. All expenditures will be made by check except for small petty cash requirements. Checks amounting up to \$100 may be signed by the treasurer, and checks exceeding \$100.00 must be countersigned by the president or vice president. Checks may be signed by the President.
- d. The \_\_\_\_\_ shall be financed primarily through membership dues, fees, fundraising events, service charges, and donations. All fundraisers will be approved by the installation commander through the 87th Force Support Squadron Commander. Fundraisers are limited to three per calendar quarter.
- e. The \_\_\_\_\_ will not engage in activities which compete with those of any Services Division activity, NAFI, or Air Force Exchange operation on Joint Base McGuire-Dix-Lakehurst, except as provided in AFI 34-223. **(MANDATORY)**
- f. The \_\_\_\_\_ will not engage in on base resale activities (including bake sales, car washes, etc.) unless specific written authorization is obtained from the installation commander, through the 87th Force Support Squadron. **(MANDATORY)**
- g. The \_\_\_\_\_ will comply with all local, state, and federal laws. **(MANDATORY)**

## ARTICLE VIII-DISSOLUTION CLAUSE

In case of dissolution of the organization, all funds in the treasury will be used to satisfy any outstanding debts, liabilities or obligations. Funds remaining in the treasury will be redistributed within the command to a PO with a similar purpose or to youth activities or contributed to on off-base charity so long as they reflect favorable upon the PO and the Air Force. Any residual assets not disposed of pursuant to the above will be treated as a gift to the Air Force and disposed of IAW AFI 51-601. A final financial report will be sent to the Commander, 87th FSS for review and inclusion in the FSS read file.

## ARTICLE IX – AMENDMENTS

Amendments to this constitution may be submitted by any member in good standing (describe how to submit amendments, ex: in writing to the president). At the earliest possible date, the proposed amendment will be presented to the general membership with at least \_\_\_\_\_ days advance notice to the general membership meeting. To pass, the amendment must obtain a majority vote of the members present and approval of the installation commander through the 87th Force Support Squadron prior to adoption.

## **SAMPLE BY-LAWS**

### **BY-LAWS**

#### **Article 1 - DUTIES OF OFFICERS**

- a. The president shall preside over the meetings of the general membership and executive committee, appoint committee chairpersons for all committees approved by the executive committee, call all meetings of the executive council.
- b. The vice president shall act as parliamentarian using Robert's Rules of Order as a guide; he/she shall assume the duties of the president if the president is unavailable. **(MANDATORY)**
- c. The secretary shall record and distribute the minutes of all meetings, and prepare any required ballots or mail-out notices, etc. Furnish copies of minutes and financial reports to the 87th Force Support Squadron in a timely manner.
- d. The treasurer shall maintain records of all financial transactions, financial status of the organization, and provide a report at each meeting, obtain tax-exempt status from IRS (if applicable), etc.
- e. Any other officers.

#### **ARTICLE II - ELECTIONS AND VOTING**

The executive committee shall be elected for a \_\_\_\_\_ year term by a majority vote at a general membership meeting. Terms of office shall run from \_\_\_\_ through \_\_\_\_ of the following year. The vice president shall fill a vacancy of the presidency. Any other vacant office with an unexpired term of 3 months or less may be filled by appointment of the executive committee. Vacant offices (other than president) with unexpired terms of more than three months shall be filled by election at a nomination will always be accepted from the floor. Any executive committee member who fails to fulfill his/her duties and responsibilities can be removed from office by a majority vote to the executive committee. (etc).

#### **ARTICLE III- DUE-FEES-ACTIVITIES**

List dues-fees rules here if required. All activities must support the objectives of the \_\_\_\_\_ as outlined in Article II of the Constitution and approved by the \_\_\_\_\_ (etc).

#### **ARTICLE IV - STANDING COMMITTEES**

The executive committee shall consist of the elected officers and at least three members-at-large. Also list other committees of the PO, i.e., audit committee composed of three members appointed by the president, whose duty shall be to audit the treasurer's account.

## **ARTICLE V- INSURANCE COVERAGE**

The \_\_\_\_\_ agrees to hold harmless and indemnify the United States, Department of Defense and any of its agents or sub-units for claims arising from any of the organizations' activities. Liability insurance providing coverage against personal injury is appended hereto unless a waiver has been granted by the Installation Commander (or delegate). Additional liability insurance will be purchased by the \_\_\_\_\_ whenever a special event is scheduled if the installation commander (or delegate) determines that the activity/event may increase the liability risk of the organization.

(NOTE: Insurance will be purchased unless a waiver is attached/appended to the constitution and bylaws. Request for waiver will be a separate document. The request may accompany the constitution when it is sent forward for approval. If the waiver is approved, the approval appended to the constitution and returned (with the approved constitution) to the organization. If the waiver is not approved, the constitution/bylaws will not be approved until proof of adequate insurance is provided.)