

MASSACHUSETTS NATIONAL GUARD ENLISTED ASSOCIATION

ARTICLE I: NAME

Section 1. NAME

a. The name of this Association shall be the "MASSACHUSETTS NATIONAL GUARD ENLISTED ASSOCIATION", hereinafter referred to as the Association.

ARTICLE II: MISSION

Section 1. PURPOSE

a. The purpose of this association shall be to perpetuate the National Guard, to promote and advance the status, welfare and professionalism of its members; to create a common bond, as a means to promote fellowship; to promote and foster a Legislative program, for the betterment of all members of the Massachusetts National Guard.

Section 2. POWERS

- a. The Association has all the powers necessary, incident or appropriate to the furtherance of its purpose, including but not limited to:
 - (1) Receipt for and collection of dues.
 - (2) Acceptance of contributions.
 - (3) Acquisition of property, both real and personal, by purchase gift-device or lease.
 - (4) Investment and reinvestment of funds.
 - (5) Sale, lease or encumbrance of real or personal property or any parts thereof, and the conveyance by way of trust, mortgage or otherwise.
 - (6) Execution, performance or cancellation and rescission of contracts of any kind.
 - (7) Creation of such trust(s), as may be necessary.
 - (8) Using all funds to promote the purpose, for which the Association was formed.

ARTICLE III: MEMBERSHIP

Section 1. CLASSES OF MEMBERSHIP IN THE ASSOCIATION

- a. ANNUAL
- b. *LIFE*
- c. HONORARY
- d. ASSOCIATE

Section 2. QUALIFICATIONS AND REQUIREMENTS

- a. ANNUAL Membership in this Association may be granted only upon application and payment of the prescribed dues to enlisted personnel of all enlisted pay grades, who are active or retired from a federally- recognized unit of the Army or Air National Guard in the Commonwealth of Massachusetts and they shall be eligible to hold office in this Association. Active membership in this Association shall be terminated upon recognition/appointment as a Commissioned or Warrant Officer.
- b. LIFE Membership shall be made available upon application and payment of the prescribed fees to those Active Members who so elect and they shall be eligible to hold any office in this Association pursuant to any subsequent recognition, appointment as a Commissioned or Warrant Officer.
- c. HONORARY. Membership may be conferred upon:
 - (1) The Governor of the Commonwealth of Massachusetts.
 - (2) The Adjutant General of Massachusetts.
 - (3) To Distinguished Citizens for activities which support and honor the Massachusetts National Guard.
 - (4) To any member of EANGUS or another State Enlisted Association.
 - (5) Any recognized member of the Auxiliary or MNGEA.
- d. ASSOCIATE. Membership may be granted to:
 - (1) Personnel who have retired with twenty or more years of service from any other branch.
 - (2) Personnel of the Massachusetts National Guard, who have become Commissioned or Warrant Officers.
 - (3) Active members of the Armed Forces of the United States.
 - (4) Individuals who become disabled and are no longer eligible for membership in the National Guard and at the time of such happenings are active members of the Association.
 - (5) Citizens for activities which support and honor the Massachusetts National Guard.
- e. ALL HONORARY/ASSOCIATE memberships will be supported by a written request of an Active or Honorary Member of this Association for approval by the majority of the members of the Executive Council.
- f. HONORARY or ASSOCIATE members shall not be eligible to vote or hold any office in the Association.
- g. AREA MEMBERSHIP A member will automatically be assigned to the area in which his/her unit is located unless otherwise requested in writing, to the membership chairman.

Section 3. DUES (Effective June 24, 2014)

- a. ACTIVE/ASSOCIATE MEMBERS ALL GRADES \$25
- b. LIFE MEMBERSHIP Dues shall be Three hundred dollars (\$300.00) for all members regardless of age.
- c. Paid membership in this Association qualifies for concurrent membership in the National Association - EANGUS. All membership fees are made payable to the

MASSACHUSETTS NATIONAL GUARD ENLISTED ASSOCIATION - MNGEA.

- d. ANNUAL Membership is effective from the date of receipt of the annual dues at the Headquarters of the Association for a period of one (1) year.
- e. SPECIAL DUES The MNGEA Board reserves the right to offer a special dues rate to coincide with a specific membership drive. (I. E. 10% off first year dues for a multi year or auto renewable dues)

ARTICLE IV: FISCAL AND BUDGET

Section 1. FISCAL YEAR

a. The fiscal year of the Association commences on January 1st and ends on December 31st of each year.

Section 2. BONDING

a. The Executive Council shall, by majority vote, require the bonding of all persons receiving or holding money or property of the Association and shall authorize the expenditures of funds required to pay the premium of any bonds associated with the procedure.

Section 3. FUNDS

- a. All funds derived for LIFE MEMBERSHIP applications in the Association will be deposited as long term investment, into an appropriate Association account periodically.
- b. All other funds of the Association shall be deposited in the name of the Association in a bank or similar institution as approved by the Executive Council. No moneys shall be paid, except by a two-thirds (2/3) vote of the Executive Council, Association members present and voting and the purpose and amount shall be given and read.

Section 4. EXPENDITURE AND FUNDS

a. Invoices, claims and expenditures of the Association shall be certified by the President and paid by warrant drawn on the funds of the Association and executed by the President or Treasurer upon approval of the Executive Council.

Section 5. BUDGET

a. The proposed budget requirements for any fiscal year will be submitted by the Finance Committee to the Executive Council for discussion and approval NLT sixty (60) days prior to the beginning of the next Fiscal Year, as noted in Section 1 of this Article.

Section 6. PRESIDENT'S DISCRETIONARY FUND

a. A discretionary fund shall be established to be used by the President with proper discretion, for the benefit of the Association, without approval of the Executive Council. This fund shall consist of One thousand dollars (\$1,000.00) and may not be used in increments of more than two hundred dollars (\$200.00) without direction of the Executive Council and may be replenished by the Treasurer, when exhausted, but only if so directed by the Executive Council.

Section 7. DELEGATE FUNDING

a. Each delegate chosen by Article VI Section 5, shall be reimbursed by the Association for expenses incurred at the National Conference not to exceed

ARTICLE V: ELECTIVE OFFICERS

Section 1. ELECTIVE OFFICERS

- a. The Executive Officers of the Association shall be the President, Army Vice-President, Air Vice-President, Secretary, Treasurer.
- b. The elective officers of an Area shall be: the President, Vice-Presidents (Army/Air), Secretary/Treasurer.

Section 2. POWERS AND DUTIES OF THE PRESIDENT

a. The President is the presiding officer at each meeting or conference of the Association; a member of the Executive Council and chairman thereof; a member ex-officio of all committees. The President shall direct the affairs of the Association; convene the Executive Council at prescribed times; appoint all standing committees and designate the Chairman and Vice Chairman of each; render an Annual Report to the Association. He/she shall also perform such other duties as are usually performed by the President of an organization and as may be prescribed by the BY LAWS or assigned by the Executive Council of the Association. He/she may assign duties to be performed by the Executive Vice-Presidents, Secretary, Treasurer, which are not inconsistent with the BY LAWS of the Association or with the usual duties performed by such officers of the organization and appoint such Special Committees, as he/she deems necessary and designate the Chairman and Vice Chairman thereof, and should appoint a Parliamentarian.

Section 3. POWERS AND DUTIES OF THE EXECUTIVE VICE-PRESIDENT

a. The Executive Vice-President is a member of the Executive Council and shall perform the duties usually performed by the Executive Vice-President of an organization and such duties as may be prescribed by the BY LAWS or assigned by the President of the Association; perform the duties of the President during the absence of, or incapacitation of "the officer; assume the office, title and pre requisitions of the President in the event of the termination, resignation or removal from the office of that officer, and serve the unexpired term or portion of tenure in the office or until his/her successor is qualified.

Section 4. POWERS AND DUTIES OF THE TREASURER

a. The Treasurer is the custodian of all funds of the Association and is a member of the Executive Council. The Treasurer shall cause a receipt to be issued for all funds received by the Association and pay invoices only by check when approved by the Executive Council; shall perform the duties usually performed by the Treasurer of an organization and such other duties as may be prescribed by the BY LAWS or assigned by the President of the Association; cause to be kept an accurate account of all receipts and disbursements of all monies, securities and other property of the Association; report to the Executive Council on the financial standing of the Association; place all Association funds to the credit of the Association in such depository as may be approved by the Executive Council.

Section 5. POWERS AND DUTIES OF THE SECRETARY

a. The Secretary is the recording officer of the Association and the Executive

Council; responsible for the records of the Association and the Executive Council; a member of the Executive Council. He/she shall perform the duties usually performed by the Secretary of an organization and such duties as may be prescribed or assigned by the President of the Association.

Section 6. POWERS AND DUTIES OF THE ARMY/AIR VICE- PRESIDENTS

a. They shall be members of the Executive Council and act with the President, Immediate Past President, Executive Vice-President, Secretary, and Treasurer on any expenditures and business that may come before the Association or Executive Council.

ARTICLE VI: VOTING

Section 1. VOTES

a. All members of the Executive Council are allowed one (1) vote at any meeting of the Executive Council.

Section 2. VOTING FOR OFFICERS

a. Voting for Officers shall be by Australian ballot.

Section 3. METHODS OF VOTING

a. Except as otherwise provided in these BY LAWS, the method of voting by an Annual or Special Conference is determined by the presiding officer, but a written ballot may not be taken. Voting at an Annual or Special Conference may be by Proxy, presented in writing and notarized and handed to the presiding officer by the authorized member.

Section 4. VOTES BY MEMBERS

- a. Active members present at an Annual or Special Conference are allowed one
- (1) vote per member present, unless otherwise authorized by these BY LAWS.

Section 5. DELEGATE

- a. Delegates to the Annual, General and or Special Conference of the Enlisted Association of the National Guard of the United States (EANGUS) shall consist of:
 - (1) The President and Immediate Past President.
 - (2) Army/Air Vice-Presidents.
 - (3) The election of the remaining authorized delegates and alternates shall be conducted at the nearest Annual State Conference in point of time preceding the EANGUS Annual Convention and nominations shall be made annually, at the annual State Conference.
 - (4) Election shall be by *Australian ballot* and those having the greatest number of votes, in a number equal to the authorized representation, minus one (1) delegate (Immediate Past President) as well as each additional delegate, authorized in accordance with sub paragraph (2) above, shall be designated delegates and a like number having the next greatest number of votes shall be Alternates. All delegates to the EANGUS Annual Convention shall vote in accordance with ARTICLE VI of the BY LAWS of EANGUS.

ARTICLE VII: APPOINTIVE OFFICERS

Section 1. WHO

a. The Appointive Officer of the Association shall be the Assistant Secretary and all Standing Committee Chairmen.

Section 2. POWERS AND DUTIES OF THE ASSISTANT SECRETARY

a. The Assistant Secretary shall be appointed by the President and approved by the Executive Council; assist the Secretary in his/her duties and perform his/her duties in the absence of the Secretary; not be a member of the Executive Council unless elected thereto under the procedures prescribed in the BY LAWS of this Association.

Section 3. POWERS AND DUTIES OF COMMITTEE CHAIRMEN

- a. Committee chairmen shall be appointed by the President and approved by the Executive Council. They shall serve at the call of the President and perform all duties incident to their respective offices, as directed by the President; not be members of the Executive Council, unless elected .thereto under procedures prescribed by the BY LAWS of the Association.
- b. The Chairman is the presiding officer at each meeting of the Committee; convenes the committee at prescribed times; renders an annual report to the Association. He/she shall perform such other duties as are usually performed by a chairman of a committee and as may be prescribed by the BY LAWS or assigned by the Executive Council of the Association. He/she assigns duties to be performed by members of the committee, which are not inconsistent with the BY LAWS of the Association nor with the usual duties performed by such members of the committee.

ARTICLE VIII: EXECUTIVE COUNCIL

Section 1. WHO

a. The Executive Council of the Association shall consist of the President, Immediate Past President, Army Vice-President, Air Vice-President, Secretary, Treasurer.

.Section 2. POWERS AND DUTIES OF THE EXECUTIVE COUNCIL

- a. The Executive Council shall sit as the governing body of the Association in accordance with the BY LAWS of this Association; establish the facilities and related criteria for the Annual Conference, solicit invitations for time and place for such conference and establish the time and place for such conference. The Executive Council shall in the event of a vacancy in the office of the Army Vice-President, Air Vice-President, Secretary, or Treasurer resulting from the termination of tenure or the assumption of the office of President by the Vice-President (Army or Air) whomever is in the same tenure cycle as the current Presidential position, appoint from the Association, by **majority vote**, a successor to the vacant office to serve the unexpired term of tenure;
 - (1) The Executive Council shall issue the call for a scheduled Annual or Special Conference of the Association in the event the President of the Association fails or refuses to do so.

- (2) The Executive Council shall perform such additional duties and exercise such additional powers as are specifically granted in or required by the BY LAWS of the Association.
- (3) The Executive Council may order an audit required by the BY LAWS of the Association; by **majority vote**, refuse admission to any applicant for membership and by **majority vote**, remove from office any officer of the Association in accordance with the BY LAWS of the Association.

Section 3. POWERS AND DUTIES OF THE IMMEDIATE PAST PRESIDENT

a. The Immediate Past President is a member of the Executive Council and shall act in an advisory capacity to the President and the Executive Council. He/she may not succeed to any other office by reason of absence, incapacity, death, resignation or removal from office of such officer unless elected thereto under procedures prescribed in the BY LAWS of the Association.

ARTICLE IX: COMPENSATION OF OFFICERS

Section 1. COMPENSATION

a. No Officer of the Association or its Executive Council shall be employed by this Association and receive any compensation for services rendered.

ARTICLE X:

Section 1. THE ASSOCIATION

a. Ten (8) members shall be a quorum of the Association.

Section 2, The Executive Council

a. Three members of the Executive Council shall be deemed a quorum

ARTICLE XI: STANDING COMMITTEES AND SPECIAL COMMITTEES

Section 1. APPOINTMENT

a. The President of the Association shall at his/her installation appoint the following standing committees to serve for two (2) years or until their successors are appointed.

Section 2. AUDIT COMMITTEE

a. An Audit Committee of three (3) shall audit the books of the Association in the month previous to the Annual Conference and submit an Annual Report to the Association at the Annual Conference; audit the books of the Association upon request of the Executive Council in accordance with the BY LAWS.

Section 3. BY LAWS AND RESOLUTIONS COMMITTEE

a. A By Laws and Resolutions Committee of five (5) shall receive all
recommendations for amendments, consider and phrase same to avoid conflict
with the National BY LAWS of the Enlisted Association of the National Guard of

the United States and receive, consider, draft and phrase all resolutions that may be referred to it by the Association.

Section 4. FINANCE AND BUDGET COMMITTEE

- a. The Finance and Budget Committee will be chaired by the Treasurer and be comprised of at least two (2) additional members as deemed necessary by the President.
- b. Committee on Fund Raising shall develop and monitor programs designed to raise funds to offset this Association's operating expenses, with the exception of the Dues structure; render an Annual report to the Association.
- c. The Committee on Insurance shall develop and monitor insurance programs adopted by the members of the Association and render an Annual Report to the Association.
- d. The Merchandising Committee shall develop and monitor merchandising programs to benefit the financial posture of the Association and render an Annual Report to the Association.

Section 5. COMMITTEE ON LEGISLATION

a. The Committee on Legislation consists of that number of members of the Association appointed by the President to serve at the Presidents pleasure. The Committee shall receive, draft and phrase all proposed legislation; provide legislators with information regarding the Army and Air National Guard of the United States; monitor and oppose legislation detrimental to the purpose of the Association; develop and recommend to the Executive Council the Legislative policy of the Association; render an Annual Report to the Association.

Section 6. MEMBERSHIP COMMITTEE

a. A Membership Committee shall receive and examine the applications of all persons desiring membership and arrange and conduct all plans for the maintenance and increase of the membership. It shall report to the Executive Council all applications with its recommendations. The member shall be the Membership Chairman, Life Membership Chairman and the Continuity Committee Chairman.

Section 7. COMMITTEE ON PUBLICATIONS

- a. The Committee on Publications consists of that number of members of the Association appointed by the President to serve at the President's pleasure. The Committee on Publications shall develop and recommend Executive Council policies that will promote the general welfare of the official publications; render a report to the Association. It will be supported by the Chairman of the Awards Committee and the Chairman of the Public Relations Committee.
- b. The Awards Committee shall develop and recommend appropriate Awards and ceremonies for approval of the Association. The committee will make recommendations for all awards to be presented including the Best Warrior Competition winners. The MANG NCO of the Year will be awarded the MSG Daniel J. D'Agostino Memorial NCO of the Year Award.
- c. The Public Relations Committee shall develop and recommend Executive Council policies which will establish and maintain good will with members of Congress, Officials, Departments and Agencies of the Federal Government, the Commonwealth of Massachusetts and the public. Study and report to the

Executive Council and make recommendations to correct publicity or conditions adverse to the Association and its purposes.

Section 8. TIME AND PLACE COMMITTEE

- a. The Time and Place Committee shall establish guidelines and receive all bids to the Association for an Annual or Special Conference, and submit its recommendation to the Executive Council and render an Annual Report.
- b. The Conference Committee shall consist of a Chairman who will be a member of the Time and Place Committee and will host the Conference with guidelines as established.

Section 9. ELECTION COMMITTEE

a. The Election Committee shall consist of five (3) members who shall be appointed by the President at least sixty (60) days prior to the date of the Annual Conference at which biennial election will be conducted. It shall prepare a list of nominees; print the necessary ballots; count all ballots cast and report the results to the Association at the Annual Conference.

Section 10. COMMITTEE STRUCTURE

a. All committees may increase their membership with the approval of the President of the Association and shall report to the Association and Executive Council when directed.

Section 11. REPORTS

a. All reports of committees to the Association and Executive Council shall be in writing.

ARTICLE XII: ELECTION, TENURE AND TERMINATION OF TENURE OF OFFICERS

Section 1. NOMINATIONS

a. Nominations to the elective offices of this Association shall be made biennially in accordance with the schedule in Section 2 of this Article. Members interested in being elected to office in the Association will acquire nomination forms from the Secretary of the Association, obtain not less than twenty (20) signatures from eligible voters as described in the BY LAWS of the Association and file same with the Secretary not later than thirty (30) days prior to the date of the Annual Conference. The Secretary will notify all nominees, in writing, of their qualification, not later than twenty (20) days prior to the date of the Annual Conference. No member shall accept a nomination to more than one (1) office of the Association. Nominations may be made by any active member of this Association. If in the event that no nominations are received in writing for a particular office, that office and only that office will be opened up for nominations from the floor.

Section 2. ELECTION

a. The President (even year), Executive Army Vice-President(odd year), Air Vice-President (even year), Secretary (odd year) and

Treasurer (odd year) of the Association shall be elected biennially by *Australian Ballot*, by a **majority vote**, at the Annual Conference of the Association. In the event that a nominee for office f the Association fails to receive a **majority vote**; the succeeding votes shall be taken on the two (2) nominees who receive the highest number on the first vote. It shall be further allowed to utilize absentee ballots. Absentee ballots shall be requested from and returned to the Election Committee by the individual member concerned. The ballots shall be identified by the Association member's name, member's association number and member's signature. These ballots shall be brought to the Annual Conference by the Elections Committee to be verified.

Section 3. TENURE

a. The President, Air/Army Vice-President, Secretary, Treasurer, shall be installed in office on the last day of the Annual Conference by which they are elected. Unless terminated or removed from office, as provided in these BY LAWS, these officers shall hold office for a term of two (2) years or until a Successor in office is duly qualified. The immediate Past President shall be installed in office on the day his/her successor in that office of President is qualified and installed in that office; shall hold office until he/she is no longer the immediate past president; shall not hold any other office in the Association unless elected thereto at an Annual Conference. Prior to the Annual Conference, the newly elected Executive Council shall convene to approve the President's appointments of the Assistant Secretary and all Standing Committee Chairman, for the terms of two (2) years unless terminated or removed from office, as provided in these BY LAWS.

Section 4. TERMINATION OF TENURE

a. Tenure in office is terminated by death, resignation or a temporary/permanent relocation in excess of six (6) months, which shall be tendered to the Executive Council of the Association, or removal from office by a two thirds (2/3) vote of the Executive Council, when it is determined that an officer is unable to fulfill the duties of his/her office due to physical or mental disability, for inefficiency, for conduct detrimental to the Association or for other sufficient causes.

ARTICLE XIII: MEETINGS OR CONFERENCE

Section 1. MEETING OR CONFERENCE

a. Both an Annual Meeting and an Annual General Conference shall be held each year in the city and on the dates determined on the meeting floor of a previous meeting and/or conference. In the event that no bids are received for the following Meeting and or Conference, such place will be determined by a majority vote of the Executive Council. The Unit or Units in the city where the Meeting and/or Conference is to be held will be known as the host unit(s) for the Annual Meeting and/or Conference.

Section 2. REGULAR MEETING

a. A Regular meeting of the Executive Council will be held once per month. This meeting can be electronic (WEBEX) or in person. The rules of Article X: Quorum. Section 1 and 2 apply for Electronic meetings.

Section 3. SPECIAL MEETINGS

a. Special meetings of the Executive Council may be called by the President; on written request of six members of the Executive Council; or on the written request of twenty-five (25) active members of the Association by petition to the Executive Council.

ARTICLE XIV: NOTICES

Section 1. NOTICES OF ANNUAL MEETING/CONFERENCE

a. Whenever notice of the Annual Meeting and/or Conference is required, it shall be sufficient that such notice be sent in the member's name to the Unit of the Massachusetts National Guard to which he/she belongs.

Section 2. NOTICE OF EXECUTIVE COUNCIL MEETING

a. Notice of meetings of the Executive Council shall be written at least forty-eight (48) hours before the hour of the meeting.

Section 3. SPECIAL MEETING

a. The purpose of a Special Meeting shall be stated in the notice.

ARTICLE XV: MOBILIZATION

Section 1. PARTIAL MOBILIZATION

a. This article may be invoked by a **majority vote** of the Executive Council of the Association in the event of War or National Emergency proclaimed by the President of the United States or declared by the Congress of the United States involving partial mobilization of the Massachusetts National Guard. When invoked, this Article shall take precedence over any conflicting provisions of the BY LAWS of the Association.

Section 2. TENURE AND FILLING VACANCIES IN PARTIAL MOBILIZATION

a. On and after the date of invocation of this Article, the tenure in office of each officer of the Association is, if so determined by a majority vote of the Executive Council of the Association, extended for the duration of the War or National Emergency and for six (6) months thereafter or until the Executive Council by a majority vote determined that this Article shall no longer remain in effect. In the event of a vacancy of the office of President of the Association and there is at that time no Executive Vice-President of the Association to succeed thereto, the Executive Council shall elect to the office of President by a majority vote a member of the existing Executive Council. In the event of a vacancy in the office of Executive Vice-President, Secretary, Treasurer, the Executive Council shall elect to the vacant office(s), by a **majority vote**, a member(s) of the Executive Council. In the event of a vacancy on the Executive Council, it shall elect by **majority vote** members of the Association from the appropriate Areas to the unexpired period of tenure. A member of the Executive Council elected to another officer position in the Association, automatically vacates hi~ original seat on the Executive Council.

Section 3. TOTAL MOBILIZATION

a. In case of total mobilization of the Massachusetts National Guard, the Association shall become inactive; tenure is extended to all officers of the Association for the duration of the War or National Emergency and for six (6) months thereafter, and no business shall be executed, except to meet any obligations which shall have been incurred prior to such mobilization and all remaining funds shall be held in abeyance.

ARTICLE XVI: RULES

Section 1. RULES

a. Robert's Rules of Order shall be the standard for Parliamentary procedures at all meetings of the Association.

Section 2. ROBERT'S RULES

- a. The rules contained in Robert's Rules of Order, as revised, shall govern the Association in all cases except as modified by:
 - (1) The BY LAWS of the Association.
 - (2) Standing or Special Rules established by a General or Special Conference.

ARTICLE XVII: DEFINITIONS

Section 1. DEFINITIONS

- a. Definitions or terms used in these BY LAWS as stated Herein:
 - (1) Association: Massachusetts National Guard Enlisted Association.
 - (2) Unit(s): Any federally recognized National Guard Unit.
 - (3) EANGUS: Enlisted Association of the National Guard of the United States.

ARTICLE XVIII: AMENDMENTS

Section 1. PROPOSALS

a. Amendments to these BY LAWS may be proposed at any meeting in writing, and shall, if accepted by a majority vote, be referred to the Committee on By Laws and Resolutions which shall properly draft and report same at the next scheduled meeting.

Section 2. CHANGES

a. The BY LAWS may be amended at any meeting of the Association only by a two-thirds (2/3) vote of the members present and voting, provided that notice of the proposed amendment was given in the call of the meeting, or three-fourths (3/4) vote of those voting if no notice has been rendered.

"Continue the proud tradition..."

Massachusetts National Guard