

This Constitution dated 4 June 2020 shall supersede all others

**Spouses of Joint Base McGuire-Dix-Lakehurst Organization
JBMDL, NEW JERSEY
CONSTITUTION**

ARTICLE I

NAME, PURPOSE, AND AUTHORITY

1. The name of the organization shall be the Spouses of Joint Base McGuire-Dix-Lakehurst Organization. It shall hereafter be referred to as the SOJBMDL.
2. The purpose of this organization is to bring together members of kindred interest in order to enhance the quality of life and afford greater opportunity for charitable works, sociability, sponsorship of welfare projects and participation in such activities and projects as the SOJBMDL may choose or sponsor on the installation and supporting civilian community.

ARTICLE II

GENERAL PROVISIONS

1. The SOJBMDL is a private organization operating on Joint Base McGuire-Dix-Lakehurst (JBMDL) pursuant to AFI 34-223. The organization shall be self-sustaining, independent and non-profit and is not an instrumentality of the United States government. It operates on JBMDL only at the discretion of the JBMDL installation commander. Operation is contingent on compliance with the requirements and conditions of all Air Force policies and regulations.
2. The President will ensure that all members are aware that financial liability incurred by the organization may ultimately result in individuals' personal financial responsibility if the organization fails to meet its obligations, even though the fund may have been re-designated or dissolved.
3. The SOJBMDL Thrift Shop is a subsidiary of the SOJBMDL, therefore governed by the authority of the SOJBMDL Board as an opportunity to raise funds for welfare(philanthropy) and scholarship projects and operations.

4. The SOJBMDL Cinderella's Closet is a subsidiary of the SOJBMDL, therefore governed by the authority of the SOJBMDL Board. Per the discretion of the original ~700 dress donation by the Women's Club of Little Silver, SOJBMDL Cinderella's Closet is to not generate revenue by selling inventory. Should inventory be released from Cinderella's Closet, it must be free of charge or by donation. Furthermore, any funds raised by Cinderella's Closet (i.e. specific fundraising events for Cinderella's Closet or by excess in the "pay it forward" donation folder) should be put back into Cinderella's Closet by means of dress cleanings, dress/accessory repairs, purchasing of additional inventory for Cinderella's Closet, etc.
5. The SOJBMDL is not responsible for personal property lost, stolen or damaged in connection with SOJBMDL events.

ARTICLE III MEMBERSHIP OR PATRONAGE

1. Membership in the SOJBMDL shall be voluntary. Those persons who meet the eligibility requirements and have paid their dues shall constitute the membership of the SOJBMDL. Classifications, responsibilities, rights and privileges shall be defined in the Bylaws.
2. The membership may be 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.
3. Membership denial and related action based upon race, religion, color, sex, gender affiliation, sexual orientation, age, national origin, branch of service, or activation status is prohibited.
4. Eligibility for membership for those assigned to or receiving support from JBMDL is as follows:
 - a. Spouses of commissioned officers, warrant officers, non-commissioned officers and junior enlisted personnel on active duty or members of the Guard or Reserve components of the Armed Forces.

- b. Spouses of commissioned officers, warrant officers, non-commissioned officers and junior enlisted personnel retired from active duty or members of the Guard or Reserve components of the Armed Forces.
 - c. Widow/ers of active duty or retired commissioned officers, warrant officers, non-commissioned officers and junior enlisted personnel of the Armed Forces.
 - d. Additional membership eligibility may be granted at the discretion of the President.
5. Eligible individuals may apply for membership by completing the application and paying the dues.
6. Dues are paid annually and may be prorated at the SOJBMDL Board's discretion for members joining on or after 1 January at half the annual rate. No transferability or refunds are available.
7. Commencing as a new board begins on 1 June and ending 30 June of the following year. The term of continuing general membership is 1 July and ending 30 June of the following year.
8. Membership in the organization can be terminated by resignation or by notification/disciplinary action by the SOJBMDL Board.
9. Membership can be reinstated by application in writing to the SOJBMDL Board for consideration.
10. Members currently on active duty, in the Reserves, or government civilian employees or contractors must also comply with all aspects of the Joint Ethics Regulations, DoD Reg. 5500.7-R. This regulation prohibits any federal employee from acting as an officer in a private organization if the position requires them to represent the organization before the federal agency, to include the Armed Forces.

ARTICLE IV OFFICERS AND GOVERNING BODY

1. The SOJBMDL Board will consist of the Executive Board and the individual committee chairs and is the governing body of the organization. The Board shall carry out the

purpose and objectives of the SOJBMDL by approving the transaction of its routine business in accordance with the approved Constitution and established policies. The Board shall make and enforce such Bylaws as are necessary for the governing of the SOJBMDL.

2. The Executive Board shall consist of the elected officers, Parliamentarian, Honorary President, Honorary Vice President, and the Advisor(s).
3. The President, Parliamentarian and Advisor(s) will be non-voting members of the Executive Board. The President may vote in the event of a tie.
4. All Parliamentary procedures not covered by the SOJBMDL Constitution and Bylaws shall be governed by Robert's Rules of Order (Revised Edition).

ARTICLE V BOARD/OFFICER ADDED REQUIREMENTS

1. The President shall be responsible to ensure SOJBMDL's Constitution and authorization is reviewed annually and is consistent with applicable installation policies.
2. The President/Financial Officer shall establish a system for the protection of SOJBMDL assets and ensure liabilities do not exceed its income.
3. Members do not have proprietary rights in the SOJBMDL's assets. Income will not accrue to individuals except through wages or salaries for employees of the private organization.
4. The Administrative Coordinator will forward one copy of all official minutes and financial reports yearly with private organizations renewal and as requested, along with a current list of officers, phone numbers, and addresses to the 87th Force Support Squadron Commander or the designated representative.
5. Liability insurance providing coverage against personal injury and property damage and indemnifying the U.S. Government and JBMDL 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.

**ARTICLE VI
ELECTIONS AND APPOINTMENTS**

1. The President, 1st and 2nd Vice Presidents, Administrative Coordinator, and Financial Officer shall be elected annually by the last general membership meeting of the board year:
 - a. By ballot or e-vote if there are two or more nominees for any given office.
 - b. By hand vote if there is a single slate and the quorum is met, or by e-vote if a quorum is not met.
2. Individuals nominated for an elective office must be qualified, active members, and have given consent before nominations are made. Honorary members may not serve an elected position.
3. At the time the slate is presented, nominations shall be accepted from the floor, with consent from the nominee. Nominations will then be closed.
4. The Nominating Committee shall determine appropriate times and procedures for election.
5. The term of office and duties of each elected officer shall be 1 June through 30 June of the following year, as provided in the Bylaws.

**ARTICLE VII
MEETINGS AND QUORUMS**

1. The Board shall meet monthly at the discretion of the President and at such times as necessary. General membership meetings shall be held no less frequently than semi-annually each year, unless stipulated by the President, with Board Approval. General membership meetings shall be combined with monthly socials.
2. Meetings of the general membership require at least seven days advance notice. Special meetings may be held at the discretion of the Board.
3. Election of officers will be held at a general membership meeting or by electronic vote. Procedures for nominations and the elections are outlined in this Constitution and the Bylaws.

4. The SOJBMDL Executive Board will meet prior to the general board meeting as needed. All SOJBMDL Board membership shall be duly notified of all meetings.
5. At all meetings, the will of the active membership shall be binding on the Board.
6. Quorums:
 - a. At Board meetings, a quorum shall be a simple majority (more than half) of the voting members. Unfilled positions and any member who must recuse from a vote will not be counted when determining the number of voting members for the quorum.
 - b. At General Membership Meetings, a quorum shall be 1/5 of the voting membership to include Advisors.
 - c. All voting will be conducted in accordance with Robert's Rules of Order (Revised Edition).

ARTICLE VIII ADOPTIONS AND AMENDMENTS

1. The Constitution and Bylaws shall be reviewed at a minimum annually by the Constitution and Bylaws Committee and bi-annually by the Board. Proposed changes will be presented to the Board for approval. A copy of the proposed amendments approved by the Board will be forwarded to the general membership for vote. The Constitution shall be effective upon adoption by Board approval, and the majority vote of the membership at a General Membership meeting.
2. Amendments:
 - a. Amendments to this Constitution may be submitted in writing by any member in good standing, by contacting the Parliamentarian or President. An amendment must be approved by the Board and membership notified prior to final vote. At the earliest possible date, the proposed amendment will be presented to the general membership with at least three days advance notice to the general membership meeting.
 - b. Amendments shall be presented to the general membership at a monthly or special meeting and approved by a simple majority of a quorum of members at the meeting. A phone/electronic vote can be taken in lieu of the vote from the membership meeting.

- c. All voting must comply with Joint Ethics DOD Reg. 5500.7-R.

ARTICLE IX FINANCES

1. All funds will be deposited in the appropriate SOJBMDL account and a financial statement will be reported and recorded in the official minutes of meetings in a timely manner.
2. No part of the net earnings shall be used to the benefit of, or be distributable to its members, trustees, officers, or other private persons with the exception of approved scholarship disbursements or when the organization's point of contact is an individual.
 - a. Funds designated "Random Acts of Kindness" can be used to make indiscriminate Commissary gift card donations to individuals as desired by a majority vote of the board, with notification to the general membership.
3. Any unbudgeted expenditures of less than \$500 require the approval of a simple majority of the SOJBMDL Board and over \$500 requires a simple majority vote of the general membership.
4. Operational Funds
 - a. Operational funds are incurred through membership dues, fees, fundraising events, service charges, donations, and a distribution from the Thrift Store. All fundraisers will be approved through the 87th Force Support Squadron Commander.
 - b. The SOJBMDL operates the Cinderella's Closet. It is a non-profit operational activity.
 - c. The Financial Officer , or if necessary, the 1st Vice President, shall receive all dues collected by the Membership Chair and all other monies due the SOJBMDL.
5. Welfare(Philanthropic) funds
 - a. The SOJBMDL operates the Thrift Shop as a welfare activity, in accordance with the Internal Revenue Regulation 501 (c) (4).
 - i. Substantially, all work performed in operating the Thrift Shop is without membership compensation.

- b. The Welfare Fund revenue shall be derived from activities not limited to SOJBMDL members and their immediate families, to include disbursements from the SOJBMDL Thrift Shop.
 - i. The Thrift Shop generates funds from commissions received from consignments and items sold as Thrift Shop property. The net profits are deposited in the Welfare fund for charitable disbursements as approved by the Board and when appropriate by the general membership.
 - ii. The net earnings of the Thrift Shop shall be maintained in SOJBMDL's Welfare fund, which shall be devoted to charitable purposes less the 20% distributed to the Operational Fund.
 - iii. Audits will be conducted by a public accountant 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 Private Organization funds and will be conducted annually.
6. All expenditures will be made by check except for small petty cash requirements. Checks amounting up to \$500.00 may be signed by the Financial Officer or President. Checks exceeding \$500.00 must be countersigned by a Financial Officer, President or Vice President with the exception of line items in the Welfare budget. These checks only need be signed by the Financial Officer up to the amount voted on and approved by the Board.
7. The SOJBMDL may participate in base-wide fundraising opportunities (i.e., the Airshow and Open House). All fundraisers require written approval obtained from the installation commander through the 87th Force Support Squadron Commander.
 - a. The SOJBMDL will engage in a maximum of three fundraising opportunities per quarter. (see AFI 34-223)
8. The SOJBMDL will not engage in activities which compete with those of any Services Division activity, NAFI, or the Exchange operation on JBMDL, except as provided in AFI 34-223.
9. The SOJBMDL will comply with all local, state and federal laws.
 - a. In accordance with New Jersey Raffles Licensing Law, Board members can not benefit or receive reward from the operations of Trivia Night events. Therefore, SOJBMDL Board members cannot participate in Trivia Night activities and raffles.

10. The SOJBMDL is a self-sustaining group of private individuals and not an instrumentality of the United States Government. In no event is the United States Government held liable, in fact or spirit, for any indebtedness incurred by the SOJBMDL.

ARTICLE X INSURANCE AND LIABILITIES

1. The SOJBMDL shall have adequate insurance to provide liability coverage against personal injury or property damage claims that may arise from their activities. The 87th Mission Support Group Commander determines the insurance needs, based upon advice from the staff judge advocate and the 87th Force Support Squadron Commander.
2. The Thrift Shop Manager and Thrift Shop Bookkeeper shall be bonded. The Executive Board of the SOJBMDL is currently bonded through the organization's insurance policy.
3. The 87th Mission Support Commander is authorized to waive or increase the insurance requirement if the commander determines that the SOJBMDL has an extremely low liability exposure.
4. A member of the SOJBMDL may not obligate the organization without prior Board approval. The obligation should be for the sole use and benefit of the SOJBMDL. If such benefit is solely for the use and benefit of the member, the member himself/herself will be held liable to the SOJBMDL.
5. Fiscal policies, in accordance with Air Force Instructions (AFI 34-223), will include that completed annual financial statements to be delivered to a CPA by outgoing board, preferred by June, no later than August. The incoming board shall be responsible for the completion of all necessary tax and filings from the CPA. The related fees shall be paid through the Operational budget.

ARTICLE XI DISSOLUTION OR MERGER 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 installation to a Private Organization with a similar purpose or to youth activities or contributed to an off-base charity so long as they reflect favorably upon the Private Organization and the Armed Forces. Dissolution shall not be contrary to applicable provision of the Internal

Revenue Codes. Any residual assets not disposed of pursuant to the above will be treated as a gift to the Air Force and disposed of in accordance with AFI 51-601. A final financial report will be sent to the Commander, 87th Force Support Squadron for review and inclusion in the Force Support Squadron read file. Upon dissolution of the Thrift Shop, any residual funds, excluding 20% given to the SOJBMDL operational fund, shall be distributed as set forth as stated above.

**ARTICLE XII
DECLARATION OF INVALIDITY**

In the event an article of this Constitution or a portion thereof is declared invalid, the remaining unaffected provisions of such articles or portions thereof shall remain in full force and effect.

Date of Approval 4 June 2020

President, SOJBMDL _____

Printed Name _____

1st Vice President: Director of Philanthropic Outreach, SOJBMDL _____

Printed Name _____

2nd Vice President: Director of Events and Marketing, SOJBMDL _____

Printed Name _____

Administrative Coordinator, SOJBMDL _____

Printed Name _____