

BY-LAWS
NATIONAL GUARD ASSOCIATION of SOUTH DAKOTA
(Revised: February 2020 ** see note on page 8**)

ARTICLE I

DUTIES, POWERS AND TERMS OF THE OFFICERS AND EXECUTIVE COUNCIL

1. President. The President shall preside at all meetings of the Association and shall be Chairperson, Ex Officio, of the Executive Council. The President is charged with the direction of all affairs pertaining to the Association between Annual Conferences; and shall from time to time, as necessary, call meetings of the Executive Council; shall appoint Standing Committees, with the exception of the Resolutions Committee; shall be responsible to ensure that all arrangements have been made for the Annual and all Special Conferences; shall have the authority to incur any reasonable expense that may be necessary to carry on the affairs or purpose of the Association; shall appoint a committee from the Active Members to make an annual audit of finances; and will make a report to the Association at the next Annual Conference.
2. First Vice President. The First Vice President shall perform the duties of the President in case of absence or disability of the President; and in case of the death, resignation or removal from office of the President, the First Vice President shall become President of the Association for the unexpired term. The First Vice President shall also be a member of the Executive Council and Chairperson of the Resolutions Committee.
3. Second Vice President. The Second Vice President shall oversee appointed committees and see that the duties and responsibilities of these committees are discharged satisfactorily and to report regularly to the President on progress throughout the year.
4. Secretary. The Secretary shall keep accurate records of the minutes of all meetings of the Association and of the Executive Council and preserve same in permanent form; shall assume charge of all the records of the Association except the financial records, including those of the Executive Council; and shall be a member of the Executive Council.
5. Treasurer. The Treasurer shall receive, receipt for, and be custodian of all funds of any nature whatsoever due the Association and such contributions as may be made to it and shall deposit same in the name of the Association in a bank or banks or a trust company or trust companies as designated by the Executive Council; is authorized to sign checks in payment of all bills and claims against the Association when such bills and claims have been certified for payment by the President of the Association; shall keep books and records of the accounts and finances of the Association and make same available for an annual audit or special audit by the Audit Committee, which Audit Committee shall submit a report to the regular meeting or to the Executive Council in the case of a Special Audit. The Treasurer shall also make an annual report of the finances of the Association at the regular Annual Conference of the Association. The Treasurer shall be a member of the Executive Council.
6. Immediate Past President. Upon the new President of the Association taking office, the predecessor shall automatically become the Immediate Past President and shall become a member of the Executive Council for one year.
7. Executive Council. The Executive Council shall, during the interval between conferences, carry out the policies adopted by the Association. The Executive Council shall have the authority to call a special meeting of the Executive Council in accordance with Article IX of the Constitution. The Executive Council shall have the authority to designate the time and place of the next Annual Conference when not fixed by the Annual Conference. In the event the time and place fixed for

the Annual Conference is for any reason canceled, the Executive Council shall then fix the time and place for such Annual Conference.

8. Terms of Office. The elected officers listed in Paragraphs 1 through 5 above shall serve a one year term of office coinciding with the fiscal year of the Association. The new President, First Vice President, Second Vice President, Secretary and Treasurer shall officially assume their duties on the 1st of July and relinquish their position on the following June 30th. The incoming president may symbolically assume the duties of the office at the conclusion of the last business session of the Annual Conference. The outgoing President shall, however, continue in office and execute the budget of the Association through the last day of the fiscal year. The term of service for members of the Executive Council will be as provided in ARTICLE VII, below.

ARTICLE II

MEMBERSHIP, TERMS AND DUTIES OF STANDING COMMITTEES

1. Credentials Committee

- a. The Credentials Committee shall be composed of not less than three (3) or more than five (5) Members appointed by the President but will include one (1) MACOM Membership chair. Committee chair will rotate annually between Army and Air reps.
- b. The committee shall examine the credentials and qualifications of all members presenting themselves at any conference and shall determine their eligibility to vote. The committee shall render a report to the Conference consisting of the number of accredited members eligible to vote. To be eligible to vote, one must have paid their dues for the year within which they are voting.
- c. The committee shall also examine the validity of absentee ballots, and determine their eligibility, and include in a report to the Conference.

2. Resolutions Committee. The Resolutions Committee shall consist of the same number of members as is provided by Section I of Article VII of the Constitution. This Committee shall consider all resolutions presented and make its recommendations to the Conference. Nothing contained in this Section shall preclude the submission of resolutions from the floor, except a resolution to amend the Constitution or By-Laws, which resolution must be submitted in accordance with Article XIII of the Constitution. The President will appoint one (1) Army Co-Chair and one (1) Air Co-Chair to the Committee for a three year term on a staggered basis commencing on the 1st of July and ending on the 30th of June. The membership of the Committee shall be appointed to a three (3) year term, commencing on the 1st of July and ending on the 30th of June. The membership shall serve overlapping terms, with 1/3 of the terms expiring each year, and shall be as evenly divided as possible between the organizations authorized membership in the Executive Council under Section 1, Article VII of the Constitution (as above). In the event a member is unable to complete the three (3) year term, a successor from the same organization shall be appointed by the current President to serve the duration of the unexpired term.

3. Time and Place Committee. The Time and Place Committee shall consist of not less than five (5) Active Members of the Association. This Committee shall recommend to the Conference the time and place the next Annual Conference for its consideration.

4. Legislative Committee. The Legislative Committee shall consist of not less than three (3) or more than five (5) Active Members of the Association and shall be appointed for a term of two (2) years. This Committee shall keep informed on all matters relating to proposed legislation affecting the National Guard especially that referred to it by the Association. It shall make a report at the Annual Conference of the Association.

5. Audit Committee. The Audit Committee of this Association shall consist of at least three (3) Active Members of the Association elected by the Executive Council at its first meeting after each Annual meeting. The Audit Committee shall audit the accounts of the Association annually and more frequently if so ordered by the Executive Council. At least two (2) members of the Audit Committee shall verify all balances, and certify in writing on the books of the accountable Officers of the correctness of the accounts when found in good order. The Audit Committee shall report to the Association at the Annual Meeting and to the Executive Council whenever ordered.

6. Nominating Committee. The Nominating Committee shall consist of one (1) Active Member from each group entitled to representation on the Executive Council. This Committee shall select from the Active Membership candidates for the offices of the Association as set forth in Article V of the Constitution. The Nominating Committee will make a report to the Association at the Annual Conference.

7. Honors & Awards Committee. The Honors and Awards Committee shall consist of at least five (5) members of the Association, appointed by the President with consideration being given to unit representation. This Committee shall administer the awards program of the Executive Council which is empowered to adopt the rules and regulations and to change or modify any existing honors or awards programs and to expend necessary moneys to carry out the same.

8. Junior Officers Committee. The term "Junior Officers" shall include all Company Grade Officers of the Army and Air National Guard. The Junior Officers Committee shall consist of three (3) members of the Army National Guard and two (2) members of the Air National Guard. Committee members will be elected from their respective Army or Air National Guard Junior Officer Membership, during the Junior Officers' Caucus of the Annual Association Conference. Term of office will be three (3) years with terms rotating on a staggered basis. Individuals elected to fill a vacant position will serve only for the remainder of that unexpired term. Members of the Junior Officers Committee may be elected to succeed themselves for a maximum of two (2) consecutive terms. Committee members will be required to resign from the Committee upon promotion to the grade of O-4. Upon resignation of a Committee Member, the President of the Association shall appoint a Junior Officer from the respective Army or Air National Guard Junior Officer Membership to serve only until the next Junior Officer Caucus at the Association's Annual Conference. The Senior Army National Guard Committee member, as determined by tenure on the Committee will assume the position of Committee Chair at the close of the Annual Conference in even numbered years. The Senior Air National Guard Committee member, as determined by tenure on the Committee, will assume the position of Committee Chair at the close of the Annual Conference in odd numbered years. The current Chair of the Junior Officers Committee will also serve as the Junior Officer Representative to the Executive Council. This Committee will advise the President and Executive Council, and will report to the general membership at each Annual Conference of the Association, on matters of particular concern to the Junior Officers of the Association.

9. Warrant Officer Committee. The term "Warrant Officers" shall include all Warrant Officers of the Army National Guard. The Warrant Officers Committee shall consist of six (6) members of the Army National Guard. Committee members will be elected from their respective Army National Guard Warrant Officer membership, during the Warrant Officer's Caucus of the Annual Conference of the Association. Committee will consist of 2 members from the 196th MEB, 2 from the 109th RSG and 2 from the JFHQ/RTI. The State Command Chief Warrant Officer will serve as an advisor to this Committee. Term of office will be three (3) years with terms rotating on a staggered basis. Individuals elected to fill a vacant position will serve only for the remainder of that unexpired term. Members of the Warrant Officers Committee may be elected to succeed themselves for a maximum of two (2) consecutive terms. Upon resignation of a Committee Member, the President of the Association shall appoint a Warrant Officer from the respective Army National Guard Warrant Officer membership to serve only until the next Warrant Officer's Caucus at the Annual Conference of the Association. The Senior Army National Guard Committee member, as determined by tenure on the Committee will assume the position of

Committee Chair at the close of the Annual Conference of the Association. The current Chair of the Warrant Officers Committee will also serve as the Warrant Officer Representative to the Executive Council. This Committee will advise the President and Executive Council, and will report to the general membership at each Annual Conference of the Association, on matters of particular concern to the Warrant Officers of the Association.

10. Retired Officer Committee. The Retired Officer Committee shall be composed of not less than four (4) Active Members of the Association. This Committee shall review and promote membership and participation in the Association. The Senior National Guard Committee Member, as determined by tenure on the Committee will assume the position as Committee Chair at the close of the Annual Conference of the Association. The current Chair of the Retired Officers Committee will also serve as the Retired Officer Representative on the Executive Council, and will report to the general membership at each Annual Conference of the association, on matters of particular concern to the Retired Officers of the association.

11. Membership Committee. The Membership Committee will consist of representatives from each of the units in the State, not to exceed thirteen (13) in number and one (1) Retired Officer who is an Active or Life Member, either Army or Air National Guard. This Committee shall promote and assist with membership, collection of dues and participation in the Association.

12. Terms of appointments. All appointments to either the chair or membership of the standing committees shall be for one (1) year, and, until the chair or membership of said standing committee is replaced by the President of the Association, as nominated by their respective chain of command, except for the Credentials Committee and the Resolutions Committee whose terms are provided in Paragraph 1 and 2, above respectively. The terms of appointment shall start on the 1st of July, which coincides with the fiscal year of the Association. The incoming President of the Association shall announce the committee appointments, effective 1 July, at the Annual Conference specified under ARTICLE IX of the Constitution each year.

ARTICLE III

MEETINGS

1. The Membership shall be notified of any meeting to be held by the Association which notice shall be sent to each member of the Association at least ten (10) days before the meeting. Such notification may be mailed (by request), faxed or e-mailed. In event of a special meeting, the said notices shall also set forth the particular business to be placed before said special meeting.

ARTICLE IV

DUES

1. The annual dues for Active Members of the Association shall be "Twenty percent" (20%) of one day's base pay, based on the then-current military pay charts, and adjusted on January 1st each year based on current base pay, using the following years of service is:

(1) 0-1: < 2 years	(7) 0-7,8:	26 years
(2) 0-2: 3 years	(8) WO1:	2 years
(3) 0-3: 10 years	(9) CW2:	4 years
(4) 0-4: 16 years	(10) CW3:	10 years
(5) 0-5: 20 years	(11) CW4:	18 years
(6) 0-6: 26 years	(12) CW5:	24 years

2. Active Life Membership. Any Active Member of the National Guard Association of South Dakota may purchase an Active Life Membership in the NGASD. The cost for the Active Life Membership will be the lesser amount but not less than \$50.00, arrived at through one of the following two formulas:

$$\frac{\text{Years to age below (Off-53 WO-60)}}{\text{Dues at current rank}} \times \frac{\text{Dues at current rank}}{\text{Dues at current rank}} + \$10.00 = \text{Amount of Active Life Membership}$$

$$\frac{\text{Amount of the 2LT state dues for the current dues year}}{\text{retirement letter}} \times \frac{20}{\text{retirement letter}} = \text{Amount of Active Life Membership}$$

3. Any member eligible for or currently in a retired status as of the date of this amendment shall continue to be eligible to purchase an Active Life Membership with the payment of \$25.00 to the Association.

4. All funds derived from the payment of dues for the Active Life Membership will be placed in an interest bearing account, with an annual disbursement as determined by the Executive Council being withdrawn and placed into the Association's General Fund Account. Said annual disbursement may be 100% of the interest and up to one-twentieth (1/20) of the principal portion of the balance.

5. NGASD dues shall be in addition to the dues of the National Guard Association of the United States which may from time to time be adopted by that Association.

6. All members must have paid their Annual dues or Active Life Membership dues to qualify them to propose any matter to the Association; to discuss any issue of the Association; or to vote at any meeting, except that Honorary Life Members and Honorary Members are exempt from the payment of any dues.

7. The fiscal year of the Association shall begin on July 1 and all accounts shall be cleared and balanced to and including June 13th. Dues shall be paid on a calendar year (1 January - 31 December) basis, or part thereof.

8. The annual dues for Associate Membership of the Association shall be \$10.00. No annual or other dues shall be required of or paid by an inactive Associate Member.

ARTICLE V

VOICE OF MEMBERSHIP

The voting rights of this Association are vested exclusively in the Active and Active Life Membership. Honorary Life Members and Associate members may propose resolutions, amendments to the Constitution and By-Laws and take part in any discussions at any meeting, but they do not have the right to cast a vote in any matter. Honorary Members have no voting rights and may participate in discussions only by invitation of the presiding officer or at the pleasure of the Conference.

ARTICLE VI

ORDER OF BUSINESS

1. The order of business at meetings of the Association and all meetings of the Executive Council shall be as governed by Robert's Rules of Order, and said rules shall govern on all points of procedure of parliamentary law, except as specifically modified in the By-Laws or Constitution.
2. The order of business and program for each meeting of the Association and of the Executive Council shall be as arranged for by the President.

ARTICLE VII

ADMINISTRATION

1. Units of the South Dakota National Guard shall be entitled to representation of the Executive Council provided that at least 75% of the Officers and Warrant Officers of the unit eligible to become members of the Association are valid members, thereof. Unit representation on the Executive Council shall be as follows:

NUMBER OF MEMBERS ORGANIZATION REPRESENTED

2	JFHQs with assigned and attached units.
3	South Dakota Air National Guard, assigned and attached units
3	109 th Regional Support Group with assigned and attached units
4	196 th Maneuver Enhancement Brigade with assigned/attached units
1	196 th RTI with assigned and attached units
1	Warrant Officer Committee Chair
1	Junior Officer Committee Chair
1	Retired Officer Committee Chair

2. The term of membership on the Executive Council for representatives of the units entitled in Paragraph 1 above shall be three (3) years. The term of office shall coincide with the fiscal year of the Association, commencing on the 1st of July following his/her election to the Council, and ending on the 30th of June of the third year. The terms of service between the thirteen (13) entities above shall overlap, with 1/3 expiring each year, and shall be as evenly divided as possible between the units. In the event that a member cannot full-fill the term, for what ever reason (to include transfer), the Commander of the unit represented shall appoint a new representative for the remainder of the unexpired term. The Executive Director of the Association shall notify the Commanders of those units whose representative's terms are expiring not less than thirty (30) days prior to the Annual Conference. The Commanders shall certify to the Association at the Annual Conference who was elected to the new term on the Executive Council. The President serving at the time of adoption of this amendment shall be charged with aligning the overlapping terms between the units, and shall be empowered to extend the terms of some members to the end date of the next fiscal year.

3. In the event of a change in the designation of a major unit, the officer representing that unit as it formerly existed shall continue during the prescribed three year term unless recalled as provided by the Constitution.

ARTICLE VIII

DELEGATES TO THE ANNUAL NATIONAL CONFERENCE OF THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES

1. Delegates to the Annual Conference of the NGAUS shall be appointed by the President or a designated representative to the level authorized by the National Guard Association of the United States; the following exceptions shall apply:

a. If in attendance, elected officers will be designated as delegates.

b. The Adjutant General of South Dakota, ex-officio of the Association, or a representative, shall be a delegate to the NGAUS Conference.

2. The President or a representative shall be the Chairperson of the delegation and will appoint a Delegation Secretary.

ARTICLE IX

HONORARY LIFE MEMBERSHIP, HONORARY MEMBERSHIP AND ASSOCIATE MEMBERSHIP

1. Honorary Life Membership. The name of any Honorary Member may be proposed to the Executive Council at any meeting thereof by written notice signed by not less than five (5) Active or Life Members of the Association. A 2/3 vote of the Executive Council shall be required elect such Honorary Member to Honorary Life Member.

2. Honorary Membership. Upon certification by the Adjutant General that an Officer or Warrant Officer who has served honorably in the South Dakota National Guard has been retired, furloughed, or otherwise separated from the Officer Corps, as an Active Member thereof; or other than for temporary periods of inactive service of not to exceed one (1) year; the Secretary shall issue a suitable certificate to such officer; or when directed by the President, to the Governor, a former Governor or former Adjutant General.

3. Associate Membership. The name of any Officer or Warrant Officer, Retired Officer or Warrant Officer, not eligible for Active or Life Membership in the Association, may be proposed to the Executive Council at any meeting thereof. Upon verification of the individual's eligibility for Associate Membership, the Executive Council may, by 2/3 vote; elect the individual to Associate Membership.

4. Enlisted personnel of the South Dakota Army National Guard, South Dakota Air National Guard, and any person that holds a reserve commission or warrant in any branch of the United States Armed Forces may become inactive Associate Members of the National Guard Association of South Dakota for the purpose of participating in group insurance plans, but for no other purpose. Inactive Associate Members are non-voting members and no annual or other

dues shall be required of or paid by an inactive member. Inactive Associate Members may be appointed by the Executive Council of the Association to serve as members of the Group Insurance Committee.

ARTICLE X

AMENDMENTS

1. These By-Laws may be amended by a 2/3 majority vote of the members eligible to vote as provided in Article X of the Constitution at any Annual Conference or at any Special Conference called for that purpose as provided in Article IX of the Constitution, provided that notice and a copy of the proposed amendment shall be sent to each member of the Association at least ten (10) days prior to the date of the meeting at which such amendment is to be offered. Such notification may be mailed (by request), faxed or e-mailed.

ARTICLE XI

GIFTS AND CONTRIBUTIONS


1. The Association may accept gifts and contributions made for a particular purpose, such as a contribution to a building fund, a contribution for the purpose of purchasing a particular item of equipment and so on.

ARTICLE XII

EFFECTIVE DATE OF BY-LAWS

1. These By-Laws shall become effective immediately upon adjournment of the Conference or meeting at which they are adopted.

END OF BY-LAWS


MURRAY M. THOMPSON
COL, SDARNG
President, NGASD


QUENTEN J. JOHNSON
MAJ, SDARNG
Executive Director, NGASD

(Revised February 2020, Pierre, South Dakota – Included an update that was missed in 2017 and the revisions from 2019)