

**UNDERLINED PASSAGES ARE NEW**

**~~PASSAGES THAT ARE STRUCK THROUGH ARE REMOVED~~**



**The 35TH Infantry (Cacti) Regiment Association**

**CONSTITUTION**

Revised 30 July 2005

**ARTICLE I - NAME OF ASSOCIATION**

The name of this organization shall be "The 35TH Infantry (Cacti) Regiment Association".

**ARTICLE II - PURPOSE**

The purpose of this Association shall be to organize the veterans of the 35th Infantry Regiment of the United States Army, in order to foster, encourage and perpetuate the memory of the officers and men who distinguished themselves by their services and sacrifices while with the 35th Infantry (Cacti) Regiment; to promote and cultivate social intercourse and fellowship among their descendents; to perpetuate the memory of the achievements of the 35th Infantry (Cacti) Regiment and it's members; to promote the National Defense; American patriotism and American citizenship; to encourage historical research in relation to Wars; to acquire and preserve the records of the services of the members of the 35th Infantry (Cacti) Regiment as well as documents and relics; to mark the scenes of the activities of the 35th Infantry (Cacti) Regiment with appropriate memorials; to celebrate the anniversaries for the events of our Country's Wars and conflicts; to foster true patriotism; to maintain and extend the institution of American freedom; and at all times to uphold and defend the Constitution of the United States of America.

**ARTICLE III - MEMBERSHIP**

A. Membership in the Cacti Association will be as follows:

1. ~~Active~~-Annual Membership: All persons who served in the United States Army with any unit of the 35th Infantry (Cacti) Regiment at any time, or who are now

retired or on active service, or shall have been honorably discharged there from, shall be eligible for ~~active~~ Annual (M)membership.

2. ~~Paid For~~ Life Membership: Any individual who qualifies for ~~Active~~ Annual (M)membership as described in Article III A.(1.), and pays the required fee as stated in the “paid for life” guidelines.
  3. Memorial Membership: A widow, father, mother, child, brother, or sister of a deceased 35th Infantry (Cacti) Regiment member who would have been eligible for membership in this Association if living, shall be eligible to Memorial Membership and shall be entitled to all privileges of membership except those of voting and holding office.
  4. Honorary Life Membership: An Individual who has in some unique manner provided extraordinary service or assistance or demonstrated support of the 35th Infantry Regiment, or this Association, or fostered Cacti Brotherhood, or in some other unique way helped perpetuate the memory of the 35th Infantry Regiment or this Association shall be eligible for Honorary Life Membership. This Honorary Life Membership ~~Honor~~ may be proposed by any Cacti Member, in good standing, through a written request to the current President. The President shall, in a timely manner, submit and review the request with the current Association Officers and upon a yes vote of at least three of the Officers, the Honorary Life Membership will be awarded and shall be entitled to all privileges of membership except those of voting and holding office.
- B. Dues for Memorial Memberships and Honorary Life Memberships shall be complimentary. All presently living 35TH Infantry Regiment Medal of Honor recipients or former 35th Infantry Regiment personnel who were Prisoners of War will receive a ~~PAID FOR LIFE MEMBERSHIP~~ complimentary Life Membership ~~on a complimentary basis~~. Any future recipients will be evaluated by the Board of Directors, as individuals become eligible. as needed.

#### **ARTICLE IV- ASSOCIATION OFFICERS**

- A. The Membership shall elect one or more Honorary Officers, a President, an Executive Vice-President, 3 Senior Vice Presidents, and 4 Vice Presidents, a Secretary/Treasurer, a Sgt – At – Arms. The election of officers shall take place at an annual business meeting.

Nominations Committee will have three (3) members, in good standings. This committee will prepare a slate of Officers to be voted on by the membership at the annual business meeting. Term of office is for two (2) years. Therefore, slate should be prepared every two- (2) years. Nominations may be taken from the floor

The President’s Duties:

1. He shall, as he deems necessary or advisable to appoint or remove any chairperson, in the best interest of the Cacti Association.
2. He shall see that the Association books, records, statements are properly supervised.
3. He shall serve as an ex-officio member on all committees except the Nomination Committee.
4. He shall preside at and call all Association Meetings.
5. He shall work with the Association Officers to structure and set up the Annual Business Meeting.
6. He shall compose the letter of invitation to be sent to all members for the Annual Reunion. The letter will be sent out by the Association Secretary/Treasurer via the Cacti Newsletter, email or regular postal mail.
7. He shall conduct a special Memorial Ceremony in memory of all the honored dead of the 35th Infantry Regiment during the banquet at the Annual Reunion.
8. He will appoint members to the Audit, Membership, Memorial, Nomination, Reunion and any special committees as needed.
9. All other Officers both elected and appointed shall report to the President and He shall provide oversight to all areas of the Association.
10. He shall appoint a Service Officer, Legal Advisor and Parliamentarian to serve for the duration of his elected term.

The Executive Vice-President's Duties:

1. During the absence or inability of the President, shall take the place of the President.
2. He shall assist the President in the management of the Association.
3. He shall perform such other duties as may be assigned by the Board of Directors or the President.

The Senior Vice Presidents' Duties:

1. The Senior Vice Presidents (3) will be:
  - a. Senior Vice President Membership
  - b. Senior Vice President WWII & Korea Affairs
  - c. Senior Vice President Public Relations
2. Each Senior Vice President will give a report on their area of responsibility at each Annual Business Meeting and throughout the year in the Cacti Magazine as needed.

The Vice Presidents' Duties:

1. The Vice Presidents (4) will be:
  - a. Vice President Membership and will assist the Senior VP Membership.
  - b. Vice President WWII & Korea Affairs and will assist the Senior VP WWII & Korea Affairs.
  - c. Vice President Special Projects/Historian and will assist the Senior VP Public Relations.
  - d. Vice President Internet Communications and will assist the Senior VP Public Relations.

#### The Secretary/Treasurer's Duties.

1. He shall be in charge of all membership cards, and mail the same, upon payment of dues, to all members.
2. He shall keep all records and be ready for inspection, upon the Presidents request.
3. He shall keep an up-to-date mailing list of members in good standing.
4. He shall keep the minutes of all meetings.
5. He shall give a full financial report at the annual business meeting.
6. He shall be responsible for all Association funds.
7. He shall ensure that deposits of funds are in the name of the Association.
8. He shall open two (2) bank accounts in the Associations Name. One account for General Funds and the other account shall be a Money Market interest bearing type account. Transfer of funds between accounts shall be made as necessary and in the best interest of the Association.
9. He shall pay all bills on behalf of the Association that are approved.
10. He shall as appropriate mail out dues notices to Annual Members.

#### The Sgt. at Arms Duties:

1. He shall maintain order in Association meetings and carry out any requests made by the Association President concerning the meetings.
2. He shall make sure that the meeting room for the annual business meeting is set up so that a table is provided for the presiding officer and he is facing the assembled membership.
3. He shall make sure that an American Flag is at the front of the meeting room for the annual business meeting.
4. He shall lead the membership in the Pledge of Allegiance at the opening of the meeting.

### **ARTICLE V - BOARD OF DIRECTORS**

The Board of Directors shall be composed of the elected Officers as set forth in Article IV, and the immediate past (3) Presidents. Each member shall have one equal vote on business of the Board. Between regular and/or special meetings, the business of the Association shall be transacted by the Board of Directors (called the E-Board) at the call of the President or of a majority of the Board. Meetings may be conducted either in person, via conference call, electronic mail, or other correspondence as deemed appropriate by the President and E-Board. Costs for in person meetings, not to exceed one meeting per year, shall be limited to \$250 paid to each board member in attendance, or actual costs per member, whichever is less. If meetings are held via conference call(s), the expense of the conference call(s) will be paid by the Association and documented in the annual financial report. Since the E-Board has been elected by the membership, it has the authority to make decisions in the interests of the membership, provided that a quorum of at least two-thirds of the E-Board is in attendance to vote. It is the

responsibility of the President and the Secretary/Treasurer to insure that detailed minutes of the E-Board meetings are kept and read at the next Annual Reunion. As a general rule, decisions made in E-Board meetings should be limited to those of an emergency or time sensitive nature and not items that could wait for action at the next Annual Reunion. However, the E-Board has the sole authority to decide which items it acts upon outside the Annual Reunion business meetings. The E-Board will recommend sites/dates of the annual reunions to the Reunion Advisory Committee.

## **ARTICLE VI - TERM OF OFFICE**

The Officers and Board of Directors of the Association shall be elected to serve for a term of two years, or until their successor is duly elected and assumes office. In the event of the death or resignation of the President, the Executive Vice President shall succeed him. The Senior Vice Presidents shall succeed the Executive Vice President, if necessary, in order of Senior VP Membership, Senior VP WWII & Korea Affairs, and Senior VP Public Relations. Should additional successions be necessary the remaining Officers will meet in the most expeditious fashion and elect a President by majority vote.

## **ARTICLE VII – DUES**

A. The annual dues of the 35th Infantry (Cacti) Regiment Association will be set at the annual business meeting.

~~B. For the year 2001 and until changed the annual dues shall be \$20.00. Annual Membership Dues shall be \$25.00, due and payable by 30 January of the year of membership. Dues received after the annual membership reunion will be credited to the following years Dues. If dues are not paid by April 1st, the member may be dropped from the rolls. Annual Membership Dues for active duty personnel shall be \$20.00 per year.~~

~~C. Paid for Life Memberships are suspended. No further Life Membership applications will be accepted until the E-Board lifts the suspension. All previously issued Life Memberships shall remain in full force and effect.~~

~~C. Dues are payable each year on January 1st. If dues are not paid by April 1st, the member may be dropped from the rolls.~~

~~D. Paid for Life Membership Guidelines:—~~

~~1. — All persons who are eligible to be an Active Member may apply for “Paid For Life” Membership. All “Paid for Life” Memberships for 75 years and above which are FREE require the first one (1) year of Annual Membership to be paid.~~

~~2. — Fee Schedules:~~

~~— 00 – 39 yrs. — \$250.00~~

~~— 40 – 44 yrs. — \$235.00~~

<del>45-49 yrs.</del>	<del>\$215.00</del>
<del>50-54 yrs.</del>	<del>\$195.00</del>
<del>55-59 yrs.</del>	<del>\$175.00</del>
<del>60-64 yrs.</del>	<del>\$140.00</del>
<del>65-69 yrs.</del>	<del>\$100.00</del>
<del>70-74 yrs.</del>	<del>\$ 50.00</del>
<del>75 Above</del>	<del>FREE</del>

## **ARTICLE VIII - MEETINGS**

A. Association Meeting: At least one annual business meeting shall be held at the annual reunion.

B. Quorum: The presence of not less than five (5) regular or life members shall be necessary to constitute a quorum for transaction of business, but a lesser number may adjourn to some future time and date.

C. Special Meeting: May be called by the Association President or ten (10) Active or Paid For Life Members of the Association, in good standings. Notice of meeting stating the purpose for which it is called shall be mailed not less than 15 days before the date of the special meeting. No other business shall be transacted, other than what it was called for.

D. Voting: Only Active Annual and Life Members in good standing have the right to vote. At all meetings, all questions shall be determined by majority vote. Voting shall normally be by voice, except that a vote may be by a show of hands upon order of the Chairman of such meeting.

E. Order of Association Business:

Pledge Allegiance

Opening Prayer

Introduction of Members to Meeting

Reading of Minutes of Last Business Meeting

Reading of Finance Report

Report of Officers

Report of Committees

Unfinished Business

New Business

For the good of the Order

Nomination, Election and Installation of Officers

[Held at the appropriate Annual Reunion Business Meeting]

Closing Prayer

F. Conduct of Business: All Association Meetings shall be conducted in accordance with Roberts Rules of Order, Revised.

## **ARTICLE IX - AMENDMENTS**

This constitution may be amended by two thirds (2/3) vote of all active members present and voting at any regular or special meeting of this Association, which the Association President has called, and/or its Officers.

## **ASSOCIATION BY-LAWS**

### **ARTICLE I - COMMITTEES**

#### **A. The Association will have**

1. Audit Committee will have three (3) members, in good standing. Audit will take place just prior to the annual business meeting.
2. Reunion Advisory Committee shall be chaired by a Past President appointed by the President. The committee members will be appointed by the chairperson, with recommendations from the E-Board. The committee will take the recommendations of the E-Board for future reunion sites/dates and actively seek reunion sites and hosts for reunions two years into the future. The committee will report at the annual business meeting regarding the site/date of the next annual reunion and tentative sites/dates of the reunion following the next annual reunion.
3. Nominations Committee will have three (3) members, in good standings. This committee will prepare a slate of Officers to be voted on by the membership at the annual business meeting. Term of office is for two (2) years. Therefore, slate should be prepared every two- (2) years. Nominations may be taken from the floor.
4. Membership Committee will have at least three (3) members, in good standings, to seek new members and will continue the efforts in finding other 35<sup>th</sup> Infantry Regiment veterans. This committee will be chaired by the Senior Vice President Membership. This committee will give a report at the annual business meeting.
5. Memorial Committee will be chaired by one of the Association's Past Presidents at least (3) members, in good standing, to seek out and preserve the history of 35<sup>th</sup> Infantry Regiment and continue efforts to complete a list of the veterans that gave their lives while serving with the 35<sup>th</sup> Infantry Regiment.

6. Scholarship Committee will be chaired by the Senior Vice President Public Relations. The committee will have at least (3) members who are Association members in good standing. The Committee will advise on the fund from which a scholarship(s) will be awarded, as prescribed by the Rules and Regulations, which may be adopted by the Board of Directors from time to time. Any scholarship must be awarded to a paid up active member or the child (to include stepchildren), grandchildren or great grandchildren of an active member of the Association whose dues are current for the year of application. This committee will also advise on an Assistance Fund, which may be established. The Assistance Fund will be used to help paralyzed or disabled veterans and homeless veterans. Any disbursements from this fund will be according to Rules and Regulations, which may be adopted by the Board of Directors from time to time.
  
7. Internet Communications Advisory Committee shall be chaired by the Vice President Internet Communications and shall have at least (3) additional members to include a Past President and the Secretary/Treasurer and it will be responsible for policy decisions regarding the Association's Web Site. All policy will be properly presented to the E-Board for review.

B. The President may appoint Special Committees for other purposes, as he deems necessary.

## **ARTICLE II – PUBLICATIONS**

The Association will prepare the "Cacti" Newsletter at least (2) times per year as funds allow. Newsletter will indicate any suggested by-law changes, meeting notices, etc. at least one (1) month before the annual business meeting if possible. The Editor/Publisher of the "Cacti" shall be appointed by the President and approved by the E-Board. ~~the Secretary/Treasurer who shall be responsible for content and administration of the "Cacti"~~. Prior to publication each issue will be reviewed by the President for advisory comments.

## **ARTICLE III – MEMORIAL CEREMONY**

At least once each year there shall be a special Memorial Ceremony in memory of the honored Dead of the 35<sup>th</sup> Infantry (Cacti) Regiment, observed by the Association at its Annual Reunion, either at the Annual Business Meeting or the Annual Dinner Banquet.

## **ARTICLE IV - AMENDMENTS**

These Association by-laws may be amended by two thirds (2/3) vote of all active members present and voting at any regular or special meeting of this Association, which the Association President has called, and/or its Officers.

#### **ARTICLE V – PARLIAMENTARY AUTHORITY**

Robert Rules of Order, newly revised, shall govern in all cases not specifically covered by this Association's Constitution and By-Laws.

#### **ARTICLE VI - EXPULSIONS and REMOVAL FROM OFFICE**

**A. Membership Expulsions:** - Any Officer or Member of this Association may, upon a three fourths (3/4) vote for impeachment by the E-Board, be suspended from membership for misconduct or dishonesty involving the Association. Any such member may be expelled from the Association by a two thirds (2/3) vote of the General Membership assembled at the annual meeting.

**B. Removal from Office:** - An Elected Officer may be removed from office, upon a three fourths (3/4) vote by the E-Board, for failure to perform the duties prescribed for the office, conduct unbecoming an officer, conviction of a felony, dishonorable separation from active military service, dishonesty or conduct prejudicial to the Association.

**C. Appeals:** - In all cases involving Impeachment, Suspension, Expulsion, or Removal from Membership or from Office, the accused will have the right to be heard in their own defense before the E-Board. They shall have the opportunity to present their own testimony or that of others before the E-Board.