

**CONSTITUTION
OF
THE SONS OF THE AMERICAN LEGION
DETACHMENT OF NORTH CAROLINA
(Revised February 15, 2003)
by Resolution FY03-1-MW**

Preamble

Proud possessors of a priceless heritage, we, male descendants of veterans of World War I, World War II, the Korean War, and the periods of the Vietnam Hostilities, associate our selves together as “Sons of The American Legion” for the following purposes:

To uphold and defend the constitution of the United States of America; to maintain law and order; to foster and perpetuate a true spirit of Americanism; to preserve the memories of our former members and the associations of our members and our forefathers in the great wars; to inculcate a sense of individual obligation to the community; state, and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote the peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which the American Legion stands; and to assist in carrying on for God and Country.

ARTICLE I

Section 1. The name of this organization shall be “The Sons of The American Legion, Detachment of North Carolina”.

ARTICLE II

Section 1. The Sons of The American Legion, Detachment of North Carolina, is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Sons Of The American Legion, Detachment of North Carolina, shall be absolutely non-political and shall not be used for the dissemination of patrician principles nor for the promotion of the candidacy of any person seeking public office on preferment.

Section 3. The Sons of The American Legion, Detachment of North Carolina, shall be absolutely non-sectarian.

Section 4. Each member shall perform his full duty as a citizen according to his own conscience and understanding.

ARTICLE III

Section 1. The Sons of The American Legion in the Department of North Carolina shall be organized as a Detachment of and subordinate body to the National Organization of Sons of The American Legion.

Section 2. The Sons of The American Legion in the Detachment of North Carolina shall be organized in Squadrons under the jurisdiction of the local Posts of The American Legion and shall bear the name of the Posts as follows: “The Sons of The American Legion Squadron of _____ Post No. _____ Department of North Carolina.

Section 3. The Department Headquarters of The American Legion, Department of North Carolina, shall have jurisdiction over all Squadrons of The Sons of The American Legion organized by any Post of The American Legion in this Department.

Section 4. All Squadrons of The Sons of The American Legion in the Detachment of North Carolina shall be governed by such rules and regulations as may be prescribed by the National Committee of The Sons of The American Legion as approved by the National Executive Committee of The American Legion and by such further rules and regulations as may be prescribed by the Executive Committee of the American Legion Department of North Carolina, not inconsistent with those prescribed by the National Organization and of the Department of North Carolina Sons of The American Legion Committee.

Section 5. The Detachment shall be organized under such rules and regulations as may be prescribed by the Department of North Carolina, Americanism Commission, subject to the approval of the Department Executive Committee.

ARTICLE IV

Section 1. Any male descendants, adopted sons and stepsons of members of The American Legion and such descendants of Male and female veterans who died in service during the periods of the time of eligibility for Legion membership, as defined by the Constitution of the American Legion, or who died subsequent to honorable discharge from such service, shall be eligible for membership in The Sons of The American Legion, Detachment of North Carolina.

ARTICLE V

Department Organization

Section 1. The legislative body of The Sons of The American Legion, Detachment of North Carolina, shall be the members of the Department Committee of The Sons of The American Legion, which shall be known as the "Headquarters Detachment". Their acts before becoming finally effective must be ratified by the Department Executive Committee of The American Legion, Department of North Carolina.

Section 2. The Department Committee shall be comprised of a Chairman and eight (8) additional Legion members appointed by the Department Commander, three to be appointed each year for a three-year term. In addition the Department Adjutant shall serve as Secretary to the Committee.

ARTICLE IV

Squadron Organization

Section 1. Those who desire to form a Squadron of The Sons of The American Legion shall make application to the Post Commander of the local Post of The American Legion in which they reside for application for Charter. Upon approval by the Post Commander the application shall be forwarded to the Commander of the Headquarters Detachment, and upon his approval a Charter shall be issued by the National Commander and the National Adjutant of The American Legion in the manner now prescribed in the issuing of Charters for Posts of The American Legion.

Section 2. The minimum membership for forming a Squadron of the Sons of The American Legion shall be ten.

Section 3. There shall be only one Squadron of The Sons of The American Legion consisting of one or more sections for each Post of The American Legion.

Section 4. The Officers of each Squadron of The Sons of The American Legion shall consist of: Commander, First Vice Commander, Adjutant, Finance Officer, Sergeant-At-Arms, Chaplain and Historian.

Section 5. The Commander of the Post of The American Legion with which the Squadron is affiliated shall appoint a Committee of three or more Post members, to be known as "The Supervisory Committee", who shall supervise the activities of the Squadron.

Section 6. All officers and members of the Executive Committee of each Squadron shall be elected annually for a term of one year by the members of the Squadron subject to final approval by the Supervisory Committee of the local Legion Post with which the Squadron is affiliated.

ARTICLE VII

Finances

Section 1. The revenue of The Sons of The American Legion shall be derived from annual membership dues and from such other sources as may be approved by the National Executive Committee and by the Department Executive Committee of The American Legion.

Section 2. The revenue of The Sons of The American Legion shall be derived from annual membership dues and from such other sources as may be approved by the National Executive Committee of The American Legion.

Section 3. The amount of annual Squadron dues, in addition to National and Detachment dues, shall be determined by the Squadron.

Section 4. The annual national dues shall be collected by each Squadron and transmitted through the Headquarters Detachment to the National Treasurer of The American Legion. The annual Detachment dues shall be collected by each Squadron and transmitted direct to the Headquarters Detachment.

Section 5. Annual dues shall be payable October 20 of each year.

SECTION VIII

Discipline

Section 1. The Headquarters Detachment may suspend or revoke the Charter of any Squadron of The Sons of The American Legion, which violates this Constitution.

ARTICLE IX

Amendments

Section 1. This Constitution may be amended by the Department Executive Committee of the American Legion by two-thirds vote of the membership present and any duly called meeting thereof comprising at least a quorum.

Section 2. No such Amendment shall conflict or be inconsistent with the National Constitution and By-Laws of The Sons of The American Legion.

Section 3. In the event of any inconsistency at any time between the provisions of the National Constitution and By-Laws of the Detachment Constitution, the National provisions shall govern.

ARTICLE X

Detachment Executive Committee

Section 1. A Detachment Convention shall be held annually for the purpose of electing Detachment officers and for such other purposes as may be necessary.

Section 2. Representation at the Detachment Convention shall be by delegates elected by the Squadrons on the basis of one delegate for each Squadron of ten members or less - 11 to 20 members, two delegates - 21 to 30 members, three delegates - 31 to 40 members, four delegates - and so forth.

Section 3. Each Delegate shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate shall be cast by the majority of the registered delegates present from his squadron. Alternates for delegates shall have all the privileges of registered delegates except that of voting.

Section 4. Voting at the Convention shall be by roll call of squadrons arranged in numerical order of squadron numbers.

Section 5. All actions of the Detachment Convention are subject to ratification and approval of the Executive Committee of The American Legion, Department of North Carolina.

ARTICLE XI

Detachment Executive Committee

Section 1. The Detachment Executive Committee of The Sons of The American Legion shall meet at least twice each year. It shall meet immediately preceding the Detachment Convention to approve the agenda for the Detachment Convention, and immediately following the Detachment Convention to approve the Detachment Commander's appointments. Between Detachment Conventions, the administrative power shall be vested in the Detachment Executive Committee of The Sons of The American Legion, the membership of which shall be composed of the Detachment Commander, who shall serve as chairman of the Committee, Detachment Vice Commanders, Detachment Chaplain, Detachment Sgt-At-Arms, National Executive Committeeman, Alternate National Executive Committeeman, the past Detachment Commanders and the Detachment Adjutant, who shall serve as the Secretary of the Committee.

Actions of the Detachment Executive Committee of The Sons of The American Legion shall be subject to ratification by the Headquarters Detachment and the Executive Committee of the American Legion, Department of North Carolina.

Section 2. The Detachment Executive Committee of The Sons of The American Legion without meeting may transact business by mail, telegraph or telephone on matters of urgency not involving new policy and on which action cannot be delayed until the next regular meeting. Fifteen (15) days shall be allowed for the return, by mail or telegraph or telephone, of the votes thereon by the Detachment Adjutant. The Detachment Adjutant shall notify the Detachment Commander of the results of the vote taken. The Detachment Executive Committee may also meet on the call of the Detachment Commander of The Sons of The American Legion, or the Headquarters Detachment, or on the written request of the least five (5) squadrons, at any time during the year for sufficient reason to it appearing.

BY-LAWS
THE SONS OF THE AMERICAN
DETACHMENT OF NORTH CAROLINA

ARTICLE I

Duties of Detachment Officers

Section 1. Detachment Commander: The Detachment Commander shall be elected by the Detachment Convention of The Sons of The American Legion. He shall be the executive head of The Sons of The American Legion, Detachment of North Carolina, with full power to enforce the provisions of the Detachment Constitution and By-Laws and the will of the Detachment Committee. He shall be chairman of the Detachment Headquarters. He shall appoint all necessary committees subject to the ratification of the Detachment Headquarters, and shall perform such other duties as are usual and incident to the office.

Section 2. Detachment Vice Commanders: Two Detachment Vice Commanders shall be elected at the annual Convention, a 1st Vice Commander and a 2nd Vice Commander, with the 1st Vice Commander being responsible for Membership of the Detachment and the 2nd Vice Commander being responsible for the Programs of the Detachment. The Detachment Vice Commanders shall act as representatives of the Detachment Commander on all matters referred to them by him, and shall, at his request preside over the meetings of the Detachment, and perform such others duties as are usually incident to the office.

Section 3. Detachment Adjutant: The Detachment Adjutant shall be appointed by the Detachment Commander and shall with the assistance of The American Legion, Department of North Carolina, give notice of all meetings of the Detachment Headquarters, shall conduct the correspondence and keep the records of the Detachment Organization, including lists of names, serial numbers and addresses of all Squadrons in the Detachment and lists of members, officers, and committeemen, and shall keep the minutes of all Detachment meetings; shall notify the Detachment officers and committeemen of their appointment and, subject to the direction and control of the Detachment Headquarters and the Department Commander, shall have general charge and supervision of Detachment Headquarters and shall perform such other duties as are usually incident to his office.

Section 4. Detachment Treasurer: The Detachment Treasurer shall be the Department Adjutant of the American Legion, Department of North Carolina. The Detachment Treasurer shall be the custodian of the funds of the Detachment Organization. He shall sign all checks disbursing the funds of the Detachment Headquarters as directed by the Detachment Headquarters, and shall make reports upon condition of the Detachment when called up by the Detachment Commander. The Detachment Treasurer shall furnish a surety company bond as prescribed for Department Officers of the American Legion. He shall have advisory and supervisory powers over the Squadron treasurers, and shall perform such other duties as are usually incident to the office.

Section 5. Detachment Chaplain: The Detachment Chaplain shall be elected by the Detachment Convention. The Detachment Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by National and Detachment Headquarters from time to time. He shall also act in an advisory and supervisory capacity over Squadron chaplains and perform such other duties as are usually incident to the office.

Section 6. Detachment Historian: The Detachment Historian shall be elected by the Detachment Convention. The Detachment Historian shall collect from year to year all records and data available for the Detachment Headquarters and shall complete during his term of office the complete history of the year's activities. He also shall have advisory and supervisory powers over the Squadron Historians and perform such other duties as are usually incident to the office.

Section 7. National Executive Committeeman: The National Executive Committeeman shall be elected at Detachment Convention every 2 years. The National Executive Committeeman shall perform such duties as required of him by the National Constitution. He shall be the official representative of the Detachment of

North Carolina on the National Executive Committee of The Sons of The American Legion. He shall serve as a member of the Detachment of North Carolina Executive Committee during his term of office.

Section 8. Alternate National Executive Committeeman: The Alternate National Executive Committeeman shall be elected every two years at Detachment Convention. The Alternate National Executive Committeeman shall assume the duties of the National Executive Committeeman, should he not be able to perform his duties. He shall serve as a member of the Detachment of North Carolina Executive Committee during his term of office.

ARTICLE II

Delegates to National Convention

Section 1. The Delegates to the National Convention shall include the outgoing Commander, the incoming Commander, and the incoming Adjutant; and incoming NECman.

Section 2. Additional Delegates shall be elected by the Detachment Executive Committee from the outgoing and incoming Detachment Officers.

Section 3. Alternates shall be elected by the Detachment Executive Committee from a list of members nominated at the Annual Spring Conference.

Section 4. The outgoing Commander shall act as chairman of the Delegation, and in his absence, the chairman shall be elected by the Delegates attending the National Convention.

Section 5. The incoming Adjutant shall act as secretary of the Delegation.

Section 6. The Chairman of the Delegation shall render a report of the National Convention to the next Detachment Executive Committee following the Convention.

Section 7. Delegates and Alternates shall be elected by the Detachment Executive Committee meeting immediately following the Annual Detachment Convention.

Section 8. The Chairman of the delegates shall have the power to appoint delegates and alternates to fill the delegate strength of the delegation in the absence of a full slate of delegates and alternates. Alternates must be requested to serve as delegates in the order of their election before any other members may be appointed as delegates.

ARTICLE III

Squadron Officers

Section 1. Commander: The Commander who corresponds to the President shall be the executive head of the Squadron of The American Legion with full power to enforce the provisions of the local Constitution and By-Laws of The Sons of The American Legion and the policies and mandates of the National and of the Department Committees of The Sons of the American Legion and of the Executive Committee of the Squadron.

Section 2. First vice Commander: The first Vice Commander, who corresponds to the First Vice President of an organization, shall act as representative of the Commander on all matters referred by him and shall specifically be in charge of membership. He shall perform such other duties as are usually incident to the office.

Section 3. Second Vice Commander: The Second Vice Commander, who corresponds to the Second Vice President shall likewise act as a representative of the Commander on all matters referred by him and shall specifically be in charge of membership. He shall perform such other duties as are usually incident to the office.

Section 4. Adjutant: The Adjutant, who corresponds to the Secretary of an organization, shall be charged with the administrative duties required in carrying out policies and mandates of the National Department Committees on Sons of The American Legion and of the Executive Committee of the Squadron.

Section 5. Finance Officer: The Finance officer shall be the custodian of the funds of the Squadron. He shall be charged with receiving and disbursing funds of the Squadron and shall make reports upon the condition of the Squadron Treasury when called for by the Commander or Executive Committee. He shall perform such other duties as are usually incident to the office.

Section 6. Sergeant-At-Arms: The Sergeant-At-Arms shall be charged with the responsibility of preserving order at all Squadron meetings and he shall be given the custody of the Squadron Colors. He shall perform such other duties as are usually incident to the office.

Section 7. Chaplain: The Chaplain shall perform such divine and non-sectarian service as may be necessary, adhering to such ceremonial rituals as may be prescribed by the National Committee to The Sons of The American Legion.

Section 8. Historian: The Historian shall collect from year to year all records and data of value and interest to The Sons of The American Legion and The American Legion, and shall complete during his term of office a complete history of the year's activities.

Section 9. Executive Committee: Between Squadron meetings the administrative power of the Squadron shall be vested in the Executive Committee.

ARTICLE IV

Meetings

Section 1. Meetings of each Squadron shall be held not less than once a month.

Section 2. All Squadron meetings shall be conducted in accordance with the ritual of the organization.

Section 3. Only such activities shall be sponsored by the local Squadron as shall be for the benefit of the membership of the organization as a whole.

ARTICLE V

Executive Committee

Section 1. The Executive Committee of the Squadron shall consist of all elective officers for the current year and, in addition, they shall serve on the Executive Committee for the five immediate Past Commanders when and after they have concluded their tenure of office.

ARTICLE VI

Squadron Constitution and By-Laws

Section 1. Each Squadron shall adopt a Constitution and By-Laws by a majority vote of the members present at a meeting duly called for that purpose. Such Constitution and By-Laws and any subsequent amendments thereto, shall not be effective until approved both by the Supervisory Committee of the American Legion Post and by the Headquarters Detachment.

Section 2. In the formation of Constitution and By-Laws governing the Squadron there shall be no conflict with the National and the Detachment Constitution and By-Laws governing The Sons of The American Legion.

ARTICLE VII

Amendments

Section 1. These By-Laws may be amended by the Department Executive Committee of The American Legion by a two-thirds vote of the members present at any duly called meeting thereof comprising at least a quorum.

Section 2. No such amendment shall conflict or be inconsistent with the National Constitution and By-Laws of The Sons of The American Legion.

Section 3. In the event of any inconsistency at any time between the provisions of the National Constitution and By-Laws and of the Detachment By-Laws, the National provisions shall govern.

(There should be something referencing - for 30 days prior notice before changing Squadron's constitution.)