

# SONS OF THE AMERICAN LEGION

## DETACHMENT OF MISSOURI

### CONSTITUTION

#### PREAMBLE

Proud possessors of a priceless heritage, we male descendants of veterans of the Great Wars, associate ourselves 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 association 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 peace and goodwill 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 the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

#### ARTICLE I

##### NAME

Section 1. The name of this organization shall be Sons of The American Legion, Detachment of Missouri. Known hereafter as Detachment.

Section 2. The Detachment Headquarters shall be located at the site of the Department Headquarters, The American Legion, Department of Missouri.

#### ARTICLE II

##### NATURE

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

Section 2. The Detachment shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person or group seeking public office or preferment.

Section 3. The Detachment shall be absolutely non-sectarian.

Section 4. Each member shall perform his full duty as a citizen according to his own conscience and understanding, in accord with the law.

### ARTICLE III

#### ELIGIBILITY

Section 1. Any male descendent, adopted sons and stepsons of members of The American Legion, and such descendants of veterans who died in service during World War I, World War II, the Korean War, the Vietnam War, Lebanon, Grenada, Panama, and the Persian Gulf War and any other dates, as defined in the Constitution of The American Legion, or who died subsequent to honorable discharge for such service, shall be eligible for membership in the Sons of The American Legion, Detachment of Missouri.

Section 2. There shall be no form or class of membership except active.

Section 3. Membership in Sons of The American Legion is membership in the National Organization of Sons of The American Legion and this Detachment, by affiliation through a Squadron.

Section 4. Applications for membership shall be made in writing on blanks prescribed therefor by the National Organization.

### ARTICLE IV

#### ORGANIZATION

Section 1. This Detachment is organized as a subordinate body of The National Sons of The American Legion and is under the sponsorship and jurisdiction of The Department of Missouri, The American Legion.

Section 2. This Detachment shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, and by such rules and regulations as may be prescribed by the Detachment, and approved by the Department of Missouri Executive Committee of The American Legion and which are not inconsistent with those prescribed by the National Organization.

Section 3. The Detachment is governed by Sons of The American Legion Commission, appointed by The American Legion, Department of Missouri. Known hereafter as the Commission.

Section 4. The Detachment shall hold regularly scheduled conferences at the same time and place as The American Legion, Department of Missouri conferences.

Section 5. Any action taken at Detachment meetings shall be subject to review and approval of the Commission.

### ARTICLE V

#### DETACHMENT ADVISORY COMMISSION

Section 1. The members of the Detachment Advisory Commission shall be the same persons who are appointed by The American Legion, Department of Missouri to its Sons of The American Legion Commission. The Chairman of the Commission is the Detachment Advisor. He chairs all Commission meetings. He may make Commission reports to and from the Department. He is the liaison between the Detachment, and the Department Commander.

Section 2. All actions of the Detachment Advisory Commission are subject to the approval of The American Legion, Department of Missouri, Department Executive Committee.

Section 3. The Department Adjutant of The American Legion, Department of Missouri, (or his appointee) shall be the coordinator of membership for the Detachment. He may send notification of Commission meetings, and any other duly called meetings of the Detachment.

#### ARTICLE VI

##### DETACHMENT OFFICERS

Section 1. The officers of this Detachment shall be a Commander, Vice Commander, Adjutant, Finance Officer, Sergeant-at-Arms, Chaplain, Historian and Judge Advocate. All officers shall be elected at the Annual Meeting. Immediately following his election the Commander may appoint any additional assistants as needed, with Detachment approval.

Section 2. In addition to the above officers, a National Executive Committeeman (NEC) and an Alternate National Executive Committeeman (Alt NEC) shall be elected to represent the Detachment at the National level. These officers are elected for a two-year term during the even numbered years.

#### ARTICLE VII

##### DETACHMENT EXECUTIVE COMMITTEE

Section 1. The administrative authority of the Detachment shall be vested in the Detachment Executive Committee, known hereafter within this Article as the Committee. The voting members of the Committee shall consist of the Commander, Vice Commander, Adjutant, Finance Officer, Judge Advocate, National Executive Committeeman, and the Alternate National Executive Committeeman.

Section 2. Past Detachment Commanders, shall be members of the Committee without vote.

Section 3. All committee members shall furnish proof that he is a member in good standing in the Detachment of Missouri to the Detachment Adjutant immediately upon election to office.

Section 4. The Committee shall fill any vacancy in an office occurring between annual meetings for the remainder of the unexpired term.

Section 5. Any officer may be removed for inefficiency by the Committee, with at least a two-thirds vote to effect such removal. Any officer who absents himself for three or more consecutive meetings that he is expected to attend for the fulfillment of his position may be held sufficient proof of inefficiency warranting such removal.

Section 6. The committee shall hold regularly scheduled meetings at the same time as The American Legion, Department of Missouri Conferences, and at The American Legion Department Convention. Notices of these meetings will be in the American Legion Department's Missouri Legionnaire.

Section 7. The Committee may call a special meeting other than the three regular scheduled meetings with a thirty day notice to all Committee members, and all the members of the Commission.

Section 8. Three voting members of the Committee shall constitute a quorum for the normal transaction of business.

Section 9. The Committee shall meet for organization and such business as may come before it within ten days after the annual election on the call of the Commander. Thereafter the Committee shall meet at the call of the Commander as the Commander may deem necessary. The Commander shall call a meeting of the Committee upon the written request of two members of the Committee.

Section 10. All appointments of the Detachment Commander are subject to approval of the Committee.

Section 11. The committee without meeting may transact business by mail, telegraph, telephone, or any other recordable method of communication, on matters of urgency not involving new policy, and on which action cannot be delayed until the next regular meeting. Thirty days shall be allowed for the

votes cast and recorded by the Detachment Adjutant. The Adjutant then shall notify the Detachment Commander of the votes cast. As early as possible the action voted on shall be forwarded to the Commission for approval.

## ARTICLE VIII

### ELECTION OF OFFICERS

Section 1. The legislative body of the Detachment shall be the Squadron's delegation at an Annual Meeting.

Section 2. Each year at the same time and place as The American Legion, Department of Missouri, shall hold its convention, the Detachment, shall hold its Annual Meeting to be known as its' Annual Convention. Time and place of the Annual Convention will be announced by a call to order mailed to all Squadrons by the Detachment Adjutant.

Section 3. Representation at the Detachment Annual Meeting shall be the Delegates and Alternates, elected by the Squadrons.

Section 4. Each squadron in the Detachment shall have delegates on the following basis:

[a] One (1) delegate for each ten (10) members transmitted to Department by the 100% target date as established the National Organization, or a fraction thereof.

[b] Past Detachment Commanders who are active members shall be entitled to one (1) vote provided they are present at the convention. Their vote will be included with their squadrons.

[c] Alternates may be appointed by Squadron Commanders to fulfill the Delegation allowance.

[d] A listing of Squadron Delegates and Alternates must be provided to the Detachment Adjutant no later than ten (10) days prior to the convention date. Failure to do so, will require Detachment Executive Committee review and approval prior to the Delegates being recognized on the convention floor.

Section 5. To be eligible for Detachment Commander, candidate must have been on the Detachment Executive Committee for at least one year.

Section 6. A quorum shall be considered present when three Detachment Officers and seven members of different Squadrons in attendance, total representation equaling at least ten Squadrons.

Section 7. Installation of Detachment officers shall follow the First Session of the Detachment Annual Meeting, and shall be done according to ritual.

Section 8. All officers shall hold their office from the installation at the Detachment Annual Meeting to the following installation at the next Detachment of Missouri Annual Meeting the following year.

Section 9. Any officer shall be removed from office for cause by a joint meeting of Commission and the Detachment Executive Committee. The vacancy would then be filled by the Joint Committee, subject to the approval of The American Legion, Department of Missouri Executive Committee.

## ARTICLE IX

### DISTRICTS

Section 1. Intermediate organizations, between the Detachment and Squadrons, may be formed to be known as Districts.

Section 2.

(a) Application for formation of a District will be in letter format and given to the American Legion District Commander for processing to the Department Commission.

(b) Each District of the Sons of The American Legion will carry the same numeric designation and area boundaries as The American Legion district in which it is located.

(c) Districts may combine to form one (1) Sons of The American Legion District.

Section 3. The purpose of the district is to act as a liaison group between the Squadrons and the Detachment and to promote the overall programs in their area through common efforts.

Section 4. Sons of The American Legion Districts may elect officers from and among their members. Titles, duties and terms of office shall generally conform to those of the Squadron organizations.

## ARTICLE X

### SQUADRONS

Section 1. The Squadrons of the Sons of The American Legion, in the Detachment of Missouri, shall be organized under the jurisdiction of the local Posts of The American Legion, and shall bear the name of such Post as follows: Sons of The American Legion, (post name), Squadron (post number), District (district number), Detachment of Missouri. Each Squadron exists through sponsorship of the individual post of The American Legion and is subject to such rules, regulations and supervision as shall be created by the sponsoring post not in conflict with rules and regulations established by the National Executive Committee.

Section 2. Through the Detachment, The Department of Missouri, shall have jurisdiction over all squadrons located within the state.

Section 3. All the squadrons of the Sons of The American Legion, in the Detachment of Missouri, shall be governed by such rule and regulations as may be prescribed by the National Committee of the Sons of The American Legion as approved National Executive Committee of The American Legion, and by such further rules and regulations as may be prescribed by the Department Executive Committee of The American Legion, Department of Missouri, and which shall not be inconsistent with those prescribed by the National Organization.

Section 4. Application to form a squadron of the Sons of The American Legion shall be to a Post Commander of The American Legion in the area in which the Squadron will exist. Upon the Post Commanders approval, the application shall be forwarded to the Department Adjutant for final approval, and submitted to the National Adjutant and The National Commander of The American Legion in the same manner as for issuance of charters of Posts in The American Legion.

Section 5. The minimum number of members for forming a Squadron on the Sons of The American Legion shall be ten (10).

Section 6. There shall be only one (1) Squadron per Post.

Section 7. Each Squadron shall elect officers at a regular meeting not less than thirty (30) days prior to the Detachment Annual Meeting and report these officers to the Detachment Adjutant at least twenty (20) days prior to said Convention. Installation of said officers shall be held within sixty (60) days of the Detachment Convention.

Section 8. Each Squadron shall be the judge of its' own membership, subject to the restriction of this Constitution and By-Laws.

Section 9. The amount of annual Squadrons dues shall be determined by the Squadron and the sponsoring American Legion Post. These dues, which will include the Detachment and National dues, shall be collected by the Squadrons. The Squadron shall be responsible for forwarding the appropriate dues to Detachment Headquarters for filing and forwarding to National Headquarters.

## ARTICLE XI

### FINANCES

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

Section 2. The amount of such annual Detachment dues shall be fixed by the Sons of The American Legion, Detachment of Missouri, and the National dues shall be fixed by the National Organization, and shall become due and payable on October 20 of each year for the succeeding calendar year, and be considered delinquent by December 31.

Section 3. The annual dues collected by the Detachment shall be forwarded to the National Organization based upon the current per capita with the remaining monies kept in an appropriate account maintained by The American Legion, Department of Missouri. The American Legion, Department of Missouri, shall distribute the funds of the Detachment upon the direction of the Detachment Advisor within the scope of an approved budget.

Section 4. All officials handling Sons of The American Legion money should be properly bonded to cover double the average amount of monies handled in a single year.

Section 5. A member whose dues, for the current year, have not been paid by January first shall be classed as delinquent. If his dues are paid on, or before, February first, he shall be automatically reinstated. If he is still delinquent after February first, he shall be suspended from all privileges. If he is still under suspension on June thirteenth of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been forfeited, may be reinstated to active membership in good standing by vote of the Squadron and payment of dues for the year in which reinstatement occurs. Provided, however, that the Squadrons, Detachments, and the National Organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented the payment of dues by reason of military service.

#### ARTICLE XI

##### DISCIPLINE

Section 1. The American Legion, Department of Missouri, may suspend or revoke the charter of any Squadron of the Sons of The American Legion in the Department of Missouri, which violates its Constitution and By-Laws, or take such other disciplinary measures as may be for the benefit of the Squadron, District, or the Detachment as a whole. Any action taken is subject to the review of the Department Executive Committee, through the Commission.

#### ARTICLE XII

##### AMENDMENTS

Section 1. This Constitution is adopted, subject to the provisions of the Constitution of the National Organization of which this Detachment is a subordinate member. Any amendment to the National Constitution, which is in conflict with any provision hereof, shall be regarded as automatically repealed or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This Constitution may be amended at the Annual Convention by a vote of two-thirds (2/3) of the delegates attending, provided the proposed amendment(s) have been submitted in writing sixty (60) days prior to the opening of such Annual Meeting.

Section 3. Approved amendments shall subsequently be submitted without delay to the Commission for consideration and modification and/or approval and thence onto the Department of Missouri Executive Committee for final approval prior to any implementing action on the part of the Detachment.

## BY-LAWS

### ARTICLE I

#### OFFICERS DUTIES AND RESPONSIBILITIES

Section 1. Commander: The Commander shall be the Executive Head of the Sons of The American Legion, Detachment of Missouri, and will have full authority to enforce the provisions of the Detachment Constitution and By-Laws and the policies and mandates of the National Executive Committee of The American Legion, Department Executive Committee, the Commission, and of the Detachment Executive Committee. In fulfillment of his role as Detachment Commander, he shall also be responsible for promoting of the Sons of The American Legion programs with squadrons and assisting in the formulation of new Squadrons by enlisting the aid of the Detachment Vice Commander.

Section 2. Vice Commander: The Vice Commander shall be responsible for membership within the Detachment. He shall directly represent the Detachment Commander on all matters referred to him and shall, upon request, preside over meetings. He shall act as the Commander in the absence of the Commander.

Section 3. National Executive Committeeman (NEC) & Alternate National Executive Committeeman (Alt NEC): The NEC shall represent the Detachment in a dignified manner on the National Executive Committee through attendance and participation at all National Executive Committee Meetings and the National Convention. The NEC shall report to the Detachment Executive Committee on all important matters that come out of those meetings. The NEC shall attend all Detachment meetings. The NEC shall be the escort of any and all National Dignitaries that may visit during any function within the Detachment. The Alt NEC will fulfill the aforementioned responsibilities only in the absence and/or request of the NEC.

Section 4. Adjutant: The Adjutant shall be charged with the administrative duties required in carrying out the policies and mandates of The American Legion and of the Detachment Executive Committee.

Section 5. Finance Officer: The Finance Officer shall be direct custodian of the fund books of the Detachment. He shall prepare a budget for the ensuing year, subject to the approval of the Detachment Executive Committee and the Commission.

Section 6. Sergeant-at-Arms: The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Detachment meetings and he shall be given custody of the Detachment colors between such meetings. He shall perform other such duties which are usual and customary to this office.

Section 7. Chaplain: The Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be prescribed by the National Membership and Post Activities Committee of The American Legion. He shall organize and conduct the memorial service at the Detachment Annual Meeting, if required.

Section 8. Historian: The Historian shall collect from year to year all records and data of value and interest to the Detachment of Missouri and shall compile a complete history of years activities during his term of office. In addition, he shall develop a procedure for District and Squadron Historians to follow in publishing their respective yearbooks.

Section 9. Judge Advocate: The Judge Advocate shall provide professional advice in conduct of all official meetings of the Detachment. He shall be the guardian of the Constitution and ByLaws.

### ARTICLE II

#### SQUADRON AND DISTRICT CONSTITUTION AND BY-LAWS

Each Squadron and District may adopt a Constitution and By-Laws. In the formation of such there shall be no conflict with the national Constitution and By-Laws, nor this Constitution and By-Laws governing the Sons of The American Legion.

### ARTICLE III

#### RULES OF ORDER

The procedure at all Squadron, District and Detachment meetings shall be governed by Roberts Rules of Order (Revised).

### ARTICLE IV

#### AMENDMENTS

Section 1. These By-Laws are adopted, subject to the provisions of the By-Laws of the National Organization of which this Detachment is a subordinate member. Any amendment to the National By-Laws, which is in conflict with any provision hereof, shall be regarded as automatically repealing or modifying the provision of these By-Laws to the extent of such conflict.

Section 2. These By-Laws may be amended at the Annual Meeting of this Detachment by a vote of two-thirds (2/3) of the delegates attending, provided that the proposed amendments have been submitted in writing sixty (60) days prior to the opening such Annual Meeting.

Section 3. Approved amendments shall subsequently be submitted without delay to The American Legion, Department of Missouri, Sons of The American Legion Commission for such consideration and modification and/or approval and thence on to the Department Executive Committee for final approval prior to any implementing on the part of the Detachment of Missouri, Sons of The American Legion.