

DETACHMENT OF MASSACHUSETTS BY LAWS

SONS OF THE AMERICAN LEGION

Constitution and By-Laws

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 associations of our members and forefathers in the Great Wars; to inculcate a sense of individual obligation to the community, state, and nation; 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 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 the "Sons of The American Legion."

Section 2. The Detachment Headquarters of the Sons of The American Legion shall be Located at the site of the Department Headquarters of the American Legion in the city of Boston, Massachusetts.

ARTICLE II
NATURE

Section 1. The Sons of The American Legion 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 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 Sons of The American Legion 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
ORGANIZATION

Section 1. The Sons of The American Legion in the Department of Massachusetts shall be organized as a "Detachment" of, and a subordinate body of, the National Organization of "The Sons of The American Legion."

Section 2. The Sons of The American Legion Squadron shall be organized under the jurisdiction and sponsorship of a local Post of The American Legion and shall bear the name of such sponsoring Post as follows: "Sons of The American Legion Squadron _____ of Post No. _____, Detachment of Massachusetts."

Section 3. The Sons of The American Legion, Detachment of Massachusetts, shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion and/or the Department Executive Committee of The American Legion.

ARTICLE IV
ELIGIBILITY

Section 1. All male descendants, adopted sons and stepsons of members of The American Legion, and such male descendants of veterans who died in service during World War 1, World War 11, the Korean War, the Viet Nam War, Lebanon, Grenada, Panama, and the Persian Gulf Wars during the delimiting periods set forth in Article IV, Section 1, of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from service, shall be eligible for membership in the Sons of The American Legion.

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

Section 1. The legislative body of the Sons of The American Legion shall be the Detachment Convention, to be held annually, with the date and site to be determined by the Detachment Executive Committee. All acts of the

Detachment Convention are subject to ratification by the Department Executive Committee of The American Legion.

Section 2. The Detachment Headquarters of the Sons of The American Legion shall issue a Call to the Detachment Convention to each Squadron not less than sixty (60) days prior to the opening day of the Detachment Convention.

Section 3. In the Detachment Convention each Squadron shall be entitled to one (1) delegate and one (1) additional delegate for each ten (10) members or major fraction thereof, whose current dues have been received by the Detachment Headquarters, thirty (30) days prior to the meeting of said Detachment Convention and one (1) alternate for each delegate.

Section 4. Each duly registered delegate shall be entitled to one (1) vote. The afore mentioned delegate must be present for each vote to be allowed. Alternates for registered delegates shall have all the privileges of registered delegates except that of voting. A registered delegate is one who has received his credentials and has paid such registration fee as may be required.

Section 5. Delegates from five (5) Squadrons shall constitute a quorum.

Section 6. The Detachment Executive Committee of the Sons of The American Legion shall provide a Uniform Code of Procedure for the orderly organization and operation of Detachment Conventions with continuing power of revision, and said Code shall be applicable at all Detachment Conventions unless it is amended, suspended, or repealed by a two thirds vote of the registered delegates at a Detachment Convention. The Detachment Executive Committee of The Sons of The American Legion may establish in the Uniform Code a registration fee to be paid by delegates to a Detachment Convention and may determine the amount of said fee.

Section 7. All Past Detachment Commanders of the Sons of The American Legion shall be delegates to the Detachment Convention with vote to be exercised with their respective Squadrons. The Current Detachment Officers of the Sons of The American Legion shall be delegates to the Detachment Convention with vote to be exercised with their respective Squadrons.

ARTICLE V

DETACHMENT OFFICERS

Section 1. The Detachment Convention shall elect a Detachment Commander, up to Five (5) Detachment Vice Commanders, who shall serve without seniority; a Detachment Chaplain; and a Detachment Historian. A Detachment Adjutant, a Detachment Finance Officer, a National Executive Committeeman and Alternate National Executive Committeeman for a two year term on even numbered years. No person shall be eligible for re-election to the office of Detachment Commander for no more than two consecutive years.

Section 2. Such officers shall serve until the installation following the Detachment Convention. Vacancies in these offices, occurring between Detachment Conventions, shall be filled by election by the Detachment Executive Committee of the Sons of The American Legion. Any member of the Sons of The American Legion, in good standing, shall be eligible for election to such vacancy.

Section 3. The Detachment Commander by, and with the approval of the Detachment Executive Committee of the Sons of The American Legion, shall appoint a Detachment Judge Advocate, Assistant Detachment Adjutants, a Detachment Sergeant-at-Arms and Such Assistant Sergeant-at-Arms as are deemed necessary and/or desirable. Such officers shall serve at the pleasure of the appointing power.

Section 4. The Sons of The American Legion, Detachment of Massachusetts, shall recognize an individual or individuals designated by the Department Commander of The American Legion as Department Advisor or Advisors to the Sons of The American Legion, and they shall be ex-officio members of all committees or commissions of the Detachment of Massachusetts, Sons of The American Legion.

Section 5. In fulfilling their duties and responsibilities the Detachment Officers of the Sons of The American Legion shall be responsible to the Department Executive Committee of The American Legion, or to a subordinate body it designated.

ARTICLE VI

DETACHMENT EXECUTIVE COMMITTEE

Section 1. The Detachment Executive Committee of the Sons of The American Legion shall meet at least five (5) times each year. It shall meet immediately preceding the Detachment Convention to establish the agenda for that 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, Detachment Vice Commanders, Detachment Adjutant, Detachment Finance Officer, Detachment Chaplain, Detachment Historian, the immediate Past Detachment Commander, and one (1) Detachment Executive Committeeman and one (1) Alternate Detachment Executive Committeeman from each District, to be selected as such District shall determine. The Alternate Detachment Executive Committeeman may act only in the absence of the Detachment Executive Committeeman from his District. All Past Detachment Commanders shall be non-voting members of the Detachment Executive Committee. Actions of the Detachment Executive committee of the Sons of The American Legion shall be subject to ratification by the Department Executive Committee of The American Legion.

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 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 on written request of at least five (5) Squadrons, at any time during the year for sufficient reason to it appearing.

SONS OF THE AMERICAN LEGION

Detachment of Massachusetts

Detachment By-Laws

ARTICLE I

DUTIES OF OFFICERS

Section 1. Commander. The Sons of The American Legion Commander is the executive head of the organization at his level with the full power to carry out mandates and policies of the Sons of The American Legion as approved by The American Legion. He shall perform such other duties as are usually incident to the office.

Section 2. Vice Commander. The Vice Commander or Vice Commanders shall act as representative of the Commander on all matters referred to them by him, and shall, on his request, preside over meetings and perform such other duties as are usually incident to the office.

Section 3. Adjutant. The Adjutant shall be charged with the usual duties of an adjutant. As Adjutant, he is the administrative officer of the policies and mandates of the organization. He shall perform such other duties as are usually incident to the office.

Section 4. Finance Officer. The Finance Officer shall be charged with the usual duties of a finance officer. As Finance Officer, he shall be the custodian of the funds of the organization. He shall make reports on the condition of the treasury at each regular meeting, and when called for by the Commander or Executive Committee; provided, however, that all disbursements shall first be approved at the appropriate level of The American Legion. He shall perform such other duties as are usually incident to the office.

Section 5. Sergeant-at -Arms. The Sergeant-at-Arms shall be charged with the responsibility of preserving order at all meetings and shall be given the custody and responsibility of the colors of the organization. He shall perform such other duties as are usually incident to the office.

Section 6. Chaplain. The Chaplain shall perform such divine and non-sectarian service as shall be necessary adhering to the ceremonial rituals as may be prescribed.

Section 7. 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 shall compile during his term of office a complete history of the year's activities.

Section 8. National Executive Committeeman. The National Executive Committeeman shall represent the Detachment of Massachusetts at all National Executive Committee meetings and shall have the power to vote in the best interest of the Detachment and the Sons of The American Legion at said meetings. He shall report to the Detachment Executive Committee of any pending information on the National level.

Section 9. Alternate National Executive Committeeman. The Alternate National Committeeman shall represent the Detachment of Massachusetts, in the absence of the National Executive Committeeman, at all National Executive Committee meetings. He shall also have the power to vote in the absence of the National Executive Committeeman.

Section 10. All officers of the Sons of The American Legion in the performance of their duties shall be governed by The American Legion at the appropriate level. All actions of the Sons of The American Legion at the Squadron, District, and Detachment level, shall be subject to review and ratification at the appropriate level of The American Legion.

Section 11. Detachment Executive Committeeman. The Detachment Executive Committeeman shall represent his District at all Detachment Executive Committee meetings and shall have the power to vote in the best interest of his District at said meetings. He shall report to the District Executive Committee of any pending information on the Detachment level.

Section 12. Alternate Detachment Executive Committeeman. The Alternate Executive Committeeman shall represent his District, in the absence of the Detachment Executive Committeeman, at all Detachment Executive Committee meetings. He shall also have the power to vote in the absence of the Detachment Executive Committeeman.

ARTICLE II

SQUADRON AND DISTRICT CONSTITUTION AND BY-LAWS

Section 1. Each Squadron and District may adopt a Constitution and By-Laws.

Section 2. In the formation of the Constitution and By-Laws referred to in Section I hereof, there shall be no conflict with the National Constitution and By-Laws governing the Sons of The American Legion.

ARTICLE III
STANDING COMMITTEES

Section 1. Standing Committees shall be appointed by the Commander with the approval of the Detachment Executive Committee. The number of Committees formed shall be whatever is deemed necessary by the Detachment Executive Committee.

ARTICLE IV
MEETINGS

Section 1. The Detachment Executive Committee shall meet at least five (5) times annually. The times and dates shall be determined by the Detachment Executive Committee.

ARTICLE V
QUORUM

Section 1. Five (5) members of the Detachment Executive Committee and one (1) Department Advisor shall constitute a quorum for the legal transaction of business.

ARTICLE VI
RULES OF ORDER

Section 1. The procedure at all Detachment Executive Committee meetings shall be governed by Roberts' Rules of Order.

ARTICLE VII
NOMINATION AND ELECTION OF OFFICERS

Section 1. The Commander shall appoint a Convention Committee who shall accept nominations for the offices that are written in Article VI, Section I of the Constitution of the Detachment of Massachusetts, Sons of The American Legion. The afore mentioned nominations must be in sixty (60) days prior to the Detachment Convention.

Section 2. The election of officers shall take place at the Detachment Convention. A majority plus one delegate votes is required to be declared the winner. In case of an unopposed office, only one (1) vote is required for a winner to be declared.

ARTICLE VIII
EXECUTIVE COMMITTEE

Section 1. The Constitution of a Squadron or District may create an Executive Committee and define the powers and composition thereof.

ARTICLE IX
MEMBERSHIP

Section 1. Membership in the Sons of The American Legion is membership in the National Organization of the Sons of The American Legion by affiliation with a Squadron.

Section 2. Each Squadron shall be the judge of its own membership, subject to the restrictions of this Constitution and By-Laws.

Section 3. Members may be suspended under the same procedures provided for the suspension or expulsion of a member of The American Legion.

ARTICLE X
REVOCATION OF A CHARTER

Section 1. A Squadron of District charter may be revoked by the Detachment Executive Committee with a unanimous vote of said committee. If a unanimous vote is obtained the revocation must be approved by the Department Executive Committee.

ARTICLE XI
MEMBERSHIP AND ARREARS IN DUES

Section 1. Application for Squadron membership shall be verified by the designated officials of the sponsoring Post of The American Legion having jurisdiction over the Squadron.

Section 2. Members in arrears four (4) months in payment of dues shall be classified as delinquent. Any member who has not paid his dues for six (6) months shall automatically be suspended from all privileges, and failure to pay dues for one (1) year shall automatically be suspended and cause forfeiture of membership in the Sons of The American Legion. Any delinquent or suspended member may be reinstated to active membership in good standing by a majority vote of the Squadron upon payment of all dues in arrears, in addition to the payment of dues for the current year in which the reinstatement occurs, and any member whose membership has been forfeited for non-payment of dues for one (1) year may be reinstated by a majority vote of the Squadron upon payment by such member of one (1) year's dues in arrears in addition to the payment of dues for the current year in which such reinstatement occurs.

ARTICLE XII
AMENDMENTS

Section 1. These By-Laws may be amended by any Detachment Convention by the affirmative vote of two-thirds (2/3) of the registered delegates thereat, subject to ratification by the Department Executive Committee of The American Legion.

-Revised as of June 12 2005 (DC 1-05)

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