

Detachment of Kansas Sons of The American Legion

CONSTITUTION

Preamble

Proud possessors of a priceless Heritage, we, male descendants of veterans of ALL 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 ALL 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 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 - Name

Section I. The name of this organization shall be The Sons of The American Legion, Detachment of Kansas.

Section II. The Detachment Headquarters of the Detachment of Kansas shall be located at the site of the Department Headquarters, Department of Kansas in the City of Topeka, Kansas.

Article II - Nature

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

Section II. The Sons of The American Legion, Detachment of Kansas 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 III. The Sons of The American Legion, Detachment of Kansas and all Squadrons in the Detachment of Kansas shall be absolutely non-sectarian.

Section IV. 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 I. The local unit of the Sons of The American Legion, Detachment of Kansas is the Squadron. The Detachment of Kansas shall have jurisdiction over all Squadrons in the geographical area of Kansas subject to such limitations as may be described by the Department of Kansas.

Section II. Squadrons of the Sons of The American Legion in the Detachment of Kansas shall be organized under the jurisdiction and sponsorship of a local Post in the Department of Kansas and shall bear the name and number of such sponsoring Post. The Squadron shall maintain its headquarters in the same location as that of the sponsoring Post.

Section III. The Sons of The American Legion, Detachment of Kansas shall be governed by such rules and regulations as may be prescribed by the Executive Committee of the Department of Kansas and the National Executive Committee of The American Legion, and with the National Constitution and Bylaws of The Sons of The American Legion.

Article IV - Eligibility

Section I. 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 I, and December 7, 1941, to date, as set forth in Article IV, Section I of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in The Sons of The American Legion.

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

Article V - Legislative Body

Section I. The Legislative body of The Sons of The American Legion, Detachment of Kansas shall be the Detachment Convention, to be held annually in conjunction with the Department of Kansas, Department Convention. All actions of the Detachment Convention are subject to ratification by the Kansas Department Executive Committee.

Section II. The Department Headquarters of the Department of Kansas shall issue a call to the Detachment Convention to each Squadron not less than 30 days prior to the opening day of the Detachment Convention.

Section III. In the Detachment Convention, each Squadron shall be entitled to one (1) delegate and one (1) delegate for each additional 10 members or major faction thereof, whose current dues have been received by the Department Finance Officer 30 days prior to the Detachment Convention, and one alternate for each delegate.

Section IV. Each duly registered delegate shall be entitled to one (1) vote. The vote of any registered delegate absent and not represented by an alternate shall be cast by the majority of the delegates present from his Squadron. Alternates for registered delegates shall have all of 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.

(A) Each Squadron represented at the Detachment Convention shall be entitled to cast the full registered and accredited voting strength as per the Credentials report adopted by the Convention; Provided, (50) fifty per cent or more of the registered delegates, or alternates representing delegates, are seated on the Convention Floor in order for their vote to be cast with their delegation. Delegates at Large may not be counted when determining the required (50) fifty percent described in this Subsection.

Section V. Delegates representing five (5) Squadrons in the Detachment shall constitute a quorum needed at a Detachment Convention.

Section VI. 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 to 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 the delegates to a Detachment Convention and may determine the amount of said fee.

Section VII. All present members of the Detachment Executive Committee shall be delegates to the Detachment Convention with their vote to be exercised with their respective Squadrons. The Detachment Advisor shall be a delegate to the Detachment Convention with vote to be exercised with his Squadron provided that he is a member of a Squadron in the Detachment of Kansas. A Detachment Advisor who is not a member of the Sons of The American Legion shall have a voice by no vote.

Article VI - Detachment Officers

Section I. The Detachment Conventions shall elect a Detachment Commander, a Detachment Vice Commander, two Detachment Master-at-Arms, a Detachment Adjutant, and a Detachment Finance Officer for a one (1) year term. A National Executive Committeeman and an Alternate National Executive Committeeman shall be elected for a two (2) year term. Such officers shall serve until the adjournment of the succeeding Detachment Convention following their election and thereafter until their successors are chosen. Vacancies in these offices occurring between Detachment Conventions shall be filled by election by the Detachment Executive Committee and for this purpose a mail ballot may be taken. Any member of the Sons of The American Legion in the Detachment of Kansas, in good standing, shall be eligible for election to such vacancy.

Section II. The Detachment Commander by and with the approval of the Detachment Executive Committee, shall appoint a Detachment Chaplain, a Detachment Judge Advocate, Detachment Assistant Adjutant, and a Detachment Historian, who shall hold office at the pleasure of the appointing power.

Section III. The Detachment of Kansas shall recognize an individual or individuals designated by the Department Commander as Detachment Advisor (s) and a Department Liaison. Detachment Advisor (s) must be a member of an American Legion Post in the Department of Kansas and, if possible a member of a Sons of the American Legion Squadron in the

Detachment of Kansas. The Detachment Advisor (s) shall be ex-officio member (s) of all committees or commissions of the Detachment of Kansas.

Section IV. The Department Commander and the Department Adjutant of the Department of Kansas shall be recognized as an ex-officio Advisors to the Detachment of Kansas.

Section V. In fulfilling their duties and responsibilities the Detachment Officers shall be responsible to the Department Executive Committee.

Article VII - Detachment Executive Committee

Section I. The Detachment Executive Committee shall meet at least twice 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; the membership of which shall be composed of all elected and appointed Detachment Officers and all Advisors of the Detachment of Kansas. All appointed Detachment Officers and Past Detachment Commanders shall be non-voting members of the Detachment Executive Committee. A quorum for a Detachment Executive Committee meeting shall exist when 40% of the committee members are present.

Section II. The Detachment Executive Committee without meeting may transact business by mail or telephone on matters of urgency not involving new policy and on which action cannot be delayed until the next regular meeting. The Detachment Adjutant shall notify the Detachment Commander and the Department Adjutant of the results of all votes taken. The Detachment Executive Committee may also meet on the call of the Detachment Commander or on the written request of at least five (5) members of the Detachment Executive Committee, at any time during the year.

Section III. All actions taken by the Detachment Executive Committee shall be approved by the American Legion Department Executive Committee before they become official and duly authorized.

Article VIII - Squadron Organization

Section I. Squadrons of the Detachment of Kansas shall be organized according to the appropriate article in the National Constitution and By Laws of the Sons of the American Legion.

Article IX - Finances

Section I. The revenue of the Detachment of Kansas shall be derived from annual dues and from such other sources as may be approved by the Department Executive Committee of the American Legion.

Section II. The amount of such annual Detachment dues shall be \$10.00 per capita which shall include the annual dues of the National Organization of The Sons of The American Legion. Effective with the 2021 Membership year the amount of annual Detachment dues increases to \$20.00 per capita. Furthermore, the amount of such annual dues shall also include 50 cents to the Detachment Commander's Project, 50 cents to The Child Welfare Foundation, 50 cents to the Jay B. Thielen Scholarships, 50 cents to the Udie Grant Scholarship, also 50 cents to the Districts as "per capita" payout, provided that said District (s) meets the requirements of Article XVI, Sections 3-4 of the Detachment Bylaws.

Section III. The amount of such annual Squadron dues shall be determined by the Squadron.

Section IV. Detachment and National dues shall be transmitted to the Department Finance Officer of The American Legion who will transmit the National Dues to the National Treasurer of The American Legion. Detachment dues and all other Detachment funds shall remain in the custody of the Department Finance Officer and shall be accounted for separately from other funds of the Department.

Article X - Discipline

Section I. Detachment Headquarters may suspend, cancel or revoke the Charter of any Squadron of the Sons of the American Legion, over which it has jurisdiction in the event it violates the provisions of this Constitution, subject, however, to the approval of the Department Executive Committee of the American Legion Department of Kansas.

Section II. Upon the cancellation or revocation of the charter of any Squadron of the Sons of the American Legion, the property belonging to such Squadron shall thereupon become the property of the Post of the American Legion to which such Squadron is attached.

Article XI - Amendments

Section I. This Constitution or any part thereof, may be amended at any Detachment Convention, by a two-thirds (2/3rds) vote of the registered delegates present; Provided, that such proposed amendment has the authority of a local Squadron or District Convention, and has been transmitted by the Department Adjutant to every local Squadron in this Detachment at least thirty (30) days prior to the Detachment Convention and subject to ratification by the Department Executive Committee of the American Legion. Further this Constitution and Bylaws shall also be automatically amended in conformity to any amendment of the National Constitution.

➤ The following amendments to the Constitution were approved by the Department of Kansas American Legion D.E.C. on Aug 13, 2005:

- Article V, Section IV : Added subsection (A) which reads:

“Each Squadron represented at the Detachment Convention shall be entitled to cast the full registered and accredited voting strength as per the Credentials report adopted by the Convention; Provided, (50) fifty per cent or more of the registered delegates, or alternates representing delegates, are seated on the Convention Floor in order for their vote to be cast with their delegation. Delegates at Large may not be counted when determining the required (50) fifty percent described in this Subsection.”

- Article VI, Section I : Added “Finance Officer”
- Article VI, Section II : Added “Assistant Adjutant”
- Article VII, Section III : Added Section III in its entirety
- Article IX, Section II : Added the following;

“Furthermore, the amount of such annual dues shall also include 50 cents to the Detachment Commander’s Project, 50 cents to The Child Welfare Foundation, and 50 cents to the Jay B. Thielen Scholarships.”

- The following amendments to the Constitution were approved by the Department of Kansas American Legion D.E.C. by mail ballot in March 2008:

- Article IX-Section II : Raised Detachment Dues from \$7 to \$10
- Article IX-Section II : Added the following;

“50 cents to the Udie Grant Scholarship, also 50 cents to the Districts as “per capita” payout, provided that said District (s) meets the requirements of Article XVI, Sections 3-4 of the Detachment Bylaws.”

- The following amendment to the Constitution was approved by the Delegates of the Detachment of Kansas annual Convention in Hutchinson May 18, 2019 and subsequently approved by the Department of Kansas American Legion D.E.C. on June 1, 2019, reference Resolution KSSAL-2-2019:

- Article IX-Section II : Added the following;

“Effective with the 2021 Membership year the amount of annual Detachment dues increases to \$20.00 per capita.”