

**Constitution and By-laws
Of The
Sons of The American Legion
Detachment of Oklahoma**

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 our forefathers in the Great Wars; to inculcate a sense of individual obligation to community, state, and nation; to combat the autocracy of both the classes and 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 the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

**Article I
Name**

The name of this organization shall be the "Sons of The American Legion, Detachment of Oklahoma".

**Article II
Nature**

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

Section 2 The Sons of The American Legion shall be non-political and not be used for the dissemination of partisan principles or for the promotion of the candidacy or 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
Organization**

Section 1 The organization of the Detachment shall conform to regulations of the Department of The American Legion having jurisdiction, with regulations of the National Executive Committee of The American Legion, and with the National Constitution and By-laws of the Sons of The American Legion.

Section 2 The Detachments shall have jurisdiction over the Squadrons within the Detachment's geographical area, subject to such limitations over the Detachment.

Section 3 The Sons of The American Legion shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion.

**Article IV
ELIGIBILITY**

Section 1 Eligibility for membership in the Detachment shall be governed by the provisions of the National Constitution of the Sons of The American Legion.

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

**Article V
Detachment Officers**

Section 1 The Detachment Convention shall elect a Detachment Commander, two (2) Detachment Vice-Commanders, who shall serve without seniority; a Detachment Adjutant and Detachment Sergeant-at-Arms. There shall be one (1) Detachment Vice-Commander from the East area and one (1) Detachment Vice-Commander for the West area of the State, using the same boundaries as prescribed by The American Legion of Oklahoma for Commander East and Commander West.

**Article VI
National Executive Committee**

Section 1 Oklahoma shall be represented by one (1) National Executive Committeeman and one (1) Alternate National Executive Committeeman.

**Article VII
Detachment Executive Committee**

Section 1 Between Detachment Conventions the administrative power of the Detachment shall be vested in the Detachment Executive Committee.

Section 2 Voting members of the Detachment Executive Committee shall be all elected Detachment Officer and Junior Past Detachment Commander. However, no voting member shall cast more than one vote on any item at the Detachment Executive Committee meetings.

Section 3 Other members of the Detachment Executive Committee, but without a vote, are all Detachment Appointed Officers and all Past Detachment Commanders.

Article VIII 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 Detachment Executive Committee.

Section 2 The amount of such annual dues shall be \$10.00 per member and shall be payable October 20th of each year for the succeeding year.

Section 3 The annual dues shall be collected by each Squadron and transmitted through the Department Headquarters of The American Legion in which the squadron is geographically located. Department Headquarters of The American Legion will retain the Detachment dues and forward National dues to the National Treasury of The American Legion.

Section 4 The finances of the Detachment will be the responsibility of the Detachment Finance Committee with the approval of the Detachment Executive Committee. An approved budget will be forwarded to the American Legion Department Executive Committee for approval.

Article IX Squadron Organization

Section 1 Those who desire to form a Squadron of the Sons of The American Legion shall make application for a charter to the Post Commander of the American Legion Post in the area in which they reside. Upon approval by the Post Commander the application shall be forwarded to the Department of Oklahoma and forwarded to the National Headquarters of The American Legion, where the charter may be issued by the National Commander and National Adjutant of The American Legion in the same manner as prescribed for the issuance of charters for Posts of The American Legion.

Section 2 The minimum membership for the formation of a Squadron of the Sons of The American Legion shall be ten (10).

Section 3 There shall be no more than one (1) Squadron of the Sons of The American Legion for each Post of The American Legion.

Section 4 The Squadron officers of the Sons of The American Legion shall consist of a Squadron Commander, Squadron Vice-Commander or Vice-Commanders, Adjutant, Finance Officer, Chaplain, Sergeant-at-Arms, Historian and such other officers as may be required.

Section 5 Officers of the Squadron shall be elected annually, and the date of such election should conform, if possible, to the annual election of Post officers of The American Legion. Squadron officers elected shall be subject to the approval of the sponsoring American Legion Post. This authority may be delegated by the Post to a Post Supervisory Committee or other designated body.

Section 6 Squadron meetings shall be held not less than once a month in accordance with the ritual of the organization.

Article X Amendments

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

Section 2 The Constitution may be amended at any Annual Detachment Convention by a vote of two-thirds (2/3) of the Delegates attending such Convention. Any amendment so adopted shall become effective immediately following the close of the convention at which it is adopted.

By-Laws
Article I
Nomination and Election of Officers

Section 1 The Detachment Convention shall elect all Detachment Officers.

Section 2 Each Squadron shall have the right to nominate any candidate for any office. There will be a roll call of the Squadrons in attendance, when the Squadron is called, that Squadron may put for nomination one candidate for the office when called upon, pass, or yield to another Squadron for the purpose of nomination.

Section 3 There will be a second roll call of the of the Squadrons at which time the Delegation Chairman will list the votes given to each candidate for the office then called upon.

Section 4 Those officers shall be declared elected who have received a majority of the votes of the delegates.

Section 5 The newly elected officers and members of the Detachment Executive Committee shall take office immediately after the close of the Detachment Convention.

Article II
Duties of the Officers

Section 1 **Detachment Commander:** The Commander shall be the executive head of the Detachment of Oklahoma, with full power to enforce the provisions of the Constitution and By-Laws and all policies of The American Legion National and Department Executive Committee in regards to the Sons of The American Legion. The Detachment Commander will be delegation chairman at the National Convention if he attends. He shall perform such other duties as are usually incident to the office.

Section 2 **East/West Vice-Commander:** The Vice-Commanders shall act as representative of the Commander. They shall also be in charge of Detachment membership, and shall perform all other duties that are usually incident to the office.

Section 3 **Detachment Adjutant:** The Detachment Adjutant shall be charge with the administrative duties required in caring out the policies of The American Legion and Department Executive Committee concerned with the Sons of The American Legion and Detachment Executive Committee. He shall also aid the Vice Commanders in Detachment membership and perform all other duties that are usually incident to the office.

Section 4 **National Executive Committeeman:** The National Executive Committeeman shall represent the Detachment of Oklahoma on the Sons of The American Legion National Executive Committee. The National Executive Committeeman will be elected for a two (2) year term. If for any reason the National Executive Committeeman

cannot serve his term the Alternate National Executive Committeeman will assume his position.

Section 5 Alternate National Executive Committeeman: The Alternate National Executive Committeeman shall represent the Detachment of Oklahoma on the Sons of The American Legion National Executive Committee when the National Executive Committeeman is not present. The Alternate National Executive Committeeman will be elected for a two (2) year term. If for any reason the National Executive Committeeman cannot serve his term the Detachment Commander will appoint his replacement with the approval of the Detachment Executive Committee.

Section 6 Sergeant-at-Arms: The Sergeant-at-Arms will be charged with responsibility of preserving order at all Detachment meetings. He shall be in charge of posting the colors at all Detachment meetings. He shall perform other duties as are usually incident to the office.

Section 7 Chaplain: The Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremony rituals as may be prescribed.

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 shall compile during his term of office a complete history of the year's activities for the Detachment of Oklahoma.

Section 9 Judge Advocate: The Judge Advocate shall ensure that parliamentary procedures are followed at all Detachment meetings.

Article III Legislative Organization

Section 1 The legislative body of the Detachment shall be the delegates and officers at the Detachment Convention. The meeting place shall be fixed jointly by the Executive Committee of the Detachment of Oklahoma and The American Legion Department of Oklahoma.

Section 2 The Detachment Adjutant, in conjunction with the Department Adjutant, at the direction of the Detachment Commander, shall issue a call of the Detachment Convention not less than thirty (30) days prior to the opening day of convention.

Section 3 In the Detachment Convention each Squadron shall be entitled to one (1) Delegate and one (1) Alternate Delegate for every fifty (50) members, or major fraction thereof, provided such delegates and alternates shall be members of the Squadron electing them, and provided further that such Squadron shall have no indebtedness then due to the Detachment. Delegate strength shall be determined by membership turned in to the Detachment thirty (30) days prior to the opening of the Detachment Convention.

Section 4 Each delegate shall be entitled to one (1) vote. The vote of any delegate absent and not represented by an alternate shall be cast by a majority of the delegates present from his Squadron and in the absence of all accredited delegates or alternates from a Squadron, then the vote or votes are forfeited.

- a) No voting member shall cast more than one (1) vote on any item at the Detachment Convention.
- b) Each Squadron represented will be given one (1) vote.

Section 5 A certified list containing the names and addresses of each Squadron's Convention Delegates shall be registered with the Detachment Adjutant before the banging of the gavel signifying the opening of the Convention. Failure to comply with this section shall deprive delegates of a vote in the Convention.

Section 6 Resolutions:

- a) All resolutions to be considered by the Detachment Convention must be approved by a Squadron, Intermediate Organization, the Detachment Executive Committee, or any standing or special committee of the Convention. Resolutions emanating from a Squadron or Intermediate Organization must be registered with the Detachment Adjutant at least fourteen (14) days prior to the Detachment Convention.
- b) All resolutions sent to the Detachment Convention shall be drawn in form so as to provide that the Resolution was adopted by the Sons of The American Legion, Detachment of Oklahoma, in convention assembled, and any resolution not drawn in such form shall be returned by the Detachment Adjutant to the individual or group that submitted the resolution for correction.
- c) The Detachment Headquarters Office shall prepare a complete file of all resolutions registered with the Detachment Adjutant in accordance with the section b of this section and shall make such complete file ready for distribution to all delegates and members of the convention committee upon their arrival at the convention city; furthermore, a complete file of all resolutions registered with the Detachment adjutant shall be retained by the office at the convention city open for inspection of delegates and any member of the Detachment of Oklahoma.

Section 7 At-Large Delegates will have one (1) vote and must be cast with their respective Squadrons. At-Large delegates must be present on the floor to cast their vote.

- a) All Past Detachment Commander
- b) Detachment Officers
- c) National Executive Committeeman
- d) Alternate National Executive Committeeman

Article IV Detachment Executive Committee

Section 1 The Detachment Executive Committee shall meet at least three (3) times each year. Pre-Convention; to establish the agenda for that Detachment Convention: Post Convention; to approve the Detachment Commanders appointments: Mid-Winter for the purpose of conduction detachment business. The Detachment Commander may call for a Detachment Executive Committee meeting as needed to act on any necessary Detachment business between scheduled meetings.

Section 2 The Detachment Executive Committee shall approve all appointments to fill any vacancies in any Detachment office until the succeeding Detachment Convention.

Section 3 Any Detachment Officer may be removed by the Detachment Executive Committee because of inefficiency. In order to enact such removal, a two-thirds (2/3) vote of the voting members attending a Detachment Executive Committee meeting is necessary. Furthermore, a written notice stating the ground and request for removal of a Detachment Officer must be filed with Detachment Adjutant. This request must be signed by three (3) voting members of the Detachment Executive Committee. The Detachment Adjutant will then give written notice concerning the request for removal to each member of the Detachment Executive Committee fourteen (14) days prior to the voting on the removal of the officer.

Section 4 The Detachment Executive Committee shall by cause remove any officer who misses any two (2) out of Three (3) Detachment Executive Committee meetings before the Detachment Convention.

Article V Standing Committees

Section 1 Upon election of the Detachment Commander, the Detachment Executive Committee shall approve the appointments to standing committees.

Section 2 Standing Committees shall be defined by the Detachment Executive Committee.

Article VI Rules of Order

Section 1 The procedure of all Detachment meetings shall be governed by Robert's Rule of Order, Revised.

Article VII Organization of Squadrons

Section 1 Post desiring to form Squadrons of the Sons of The American Legion shall be governed by the provisions of the National Constitution of the Sons of The American Legion and Constitution of The American Legion, Department of Oklahoma.

Section 2 Each Squadron shall elect its officers at a regular meeting, not less than thirty (30) days prior to the Detachment Convention, and report them on such forms as required, no later than twenty (20) days before the Detachment Convention. Each Squadron may prescribe its own By-Laws the date upon which its officers shall enter upon their duties.

Article VIII Uniform Cap

Section 1 The Detachment Commander, Detachment Vice-Commanders, Detachment Adjutant, Detachment Chaplain, Detachment Historian, Detachment Judge Advocate and the Detachment Sergeant-at-Arms are entitled to wear the cap prescribed by the National Sons of The American Legion as a Detachment Officer (French Blue Bottom, Gold Crown).

Article IX Finance

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

Section 2 The amount of annual Detachment dues shall be \$10.00 per member and shall be payable October 20th of each year for the succeeding year. These funds shall be transmitted to the officer charged with the custody of Department Funds and shall be held and accounted for separately from other funds of such Department. The amount of National dues (\$2.00) shall be forwarded to the National Treasurer of The American Legion via normal membership transmittals.

Section 3 Upon completion of the membership year (December 31) the Department will have deposited in a separate account the amount of dues collected that year. This account will be a permanent account for Detachment Funds.

Section 4 The Detachment Finance Committee will budget funds at the Detachment Mid-Winter meeting for the next years activities. Any adjustments to the budget may be made at a special Detachment Executive Committee meeting or at the Detachment Convention.

Section 5 The amount of such annual Squadron dues shall be determined by the Squadron.

Article X Discipline

Section 1 The Detachment Headquarter may suspend, cancel, or revoke the charter of any Squadron of the Sons of The American Legion which violates this Constitution, subject to the approval of the Department Executive Committee.

Section 2 Upon the cancellation or revocation of the charter of any Squadron of the Sons of The American Legion, the property and assets belonging to such Squadron shall there upon become the property of the Post of The American Legion to which the Squadron is attached.

**Article XI
Individual Transfer**

Section 1 Any member of a Squadron desiring to transfer to another Squadron shall be entitled to a transfer card to said other Squadron provided all dues and assessments have been paid to date. The approval of his application by the receiving Squadron places him on their roster, but until this application for transfer is acted upon favorably by the receiving Squadron and until such member has paid all dues, assessments, of other monies owed by him to the issuing Squadron, he remains a member of the Squadron issuing the transfer card. A record of such transfer must be submitted to the Department Adjutant, otherwise such transfer shall be deemed invalid.

**Article XII
Advisor**

Section 1 The Commander of the Department of Oklahoma, American Legion, shall appoint a committee of as many members as he/she shall deem necessary to advise the activities of the Detachment of Oklahoma, Sons of The American Legion. The Chairman of this committee shall be named the Detachment of Oklahoma Sons of The American Legion Advisor.

**Article XIII
Amendments**

Section 1 Theses By-Laws are adopted, subject to the provisions of the National By-Laws of which this Detachment is a subordinate member. Any amendment to the National By-Laws is automatically repealing or modifying the provisions of the By-Laws to the extent of such conflict.

Section 2 The By-Laws may be amended at the Annual Detachment Convention by a vote of two-thirds (2/3) of the Delegates or Alternates attending such regular meeting. Any amendments so adopted shall become effective immediately following the close of the convention at which it is adopted.

Detachment Commander

Revision Date

Adjutant

Mike Deutscher

July 26, 2014

Rick Cook