

Constitution of
The Sons of The American Legion
Detachment of Maryland
Eastern Shore Regional Council

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 associations 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 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 1.** The name of the Council shall be the Sons of The American Legion, Detachment of Maryland, Eastern Shore Regional Council, hereinafter referred to as “the Council.”
- Section 2.** The Council is chartered in the Sons of The American Legion, Detachment of Maryland, hereinafter referred to as “the Detachment.”

Article II. Nature

- Section 1.** The Council is an intermediate body of the Detachment created to act as a liaison between the Detachment and the Squadrons within the Eastern Shore Region and for the purpose of promoting the programs of the Sons of The American Legion.
- Section 2.** The Council is a civilian organization; and membership therein does not affect nor increase liability for military or police service. Rank does not exist in the Sons of The American Legion; no member shall be addressed by military or naval title in any meeting of the Council.

- Section 3.** The Council shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of candidacy of any person seeking public office or preferment.
- Section 4.** The Council shall not be a member of, or affiliated with, any organization, committee, association, council, or group whereby the Sons of The American Legion might be committed to a policy contrary to that adopted by the Sons of The American Legion.

Article III. Organization

- Section 1.** The Eastern Shore Region Council shall consist of Squadrons assigned to the Council by the Detachment Executive Committee, hereafter "DEC."
- Section 2.** The DEC shall have the power to change the composition of the Regions from time-to-time as required for efficient administration of the Detachment.
- Section 3.** No individual, group of persons, or subordinate organization of the Council is authorized to contract any bills or obligation in the name of the Council, nor act as the agent of the Council, for any purpose whatsoever, without proper approval of a majority vote of the Council at a regular meeting.
- Section 4.** Notwithstanding the limitation in Section 3 herein, the Council may establish procedures in Standing Rules to authorize entering contracts by certain officers of the Council in order to operate the programs of the Council.
- Section 5.** The Council shall not incur or cause to be incurred any liabilities or obligations which would or may subject the Detachment or Squadron Officers therein, or any other subordinate organization of the Council, to the liabilities or for payment or satisfaction thereof.

Article IV. Membership

- Section 1.** All Squadrons in good standing in the Detachment, assigned to the Eastern Shore Region, shall be members of the Council. Each Squadron shall have three delegates and three alternates to the Council, and each delegate shall have one vote. In the absence of a delegate, the remaining delegates or alternates may vote the strength of the Squadron. But in no case may a Squadron cast more votes than the number of delegates and alternates present, or no more than three total votes, whichever shall be less.
- Section 2.** The delegates to the Council shall be elected or appointed by their respective Squadrons in whatever manner the said Squadron may determine. The delegates shall be certified to the Region Commander at or before the first Council meeting of the administrative year. Alternate delegates shall be listed in ranked order in

which they shall replace an absent delegate. The certification shall include the Squadron name, along with the name, address, email address and telephone number of each delegate.

- Section 3.** The elected officers of the Region and the Detachment Executive Committee members from the Region shall have vote and privilege of the floor.
- Section 4.** All Past Detachment Commanders and Past Region Commanders who are members in good standing of a Squadron in this Region, shall be entitled to a vote and the privilege of the floor.
- Section 5.** No member of the Council, regardless of office or offices held, shall be entitled to more than one vote.

Article V. Dues

Each Squadron in the Region, in order to be in good standing in the Council, shall contribute annual dues as may be determined prior to the beginning of the next administrative year, by the delegates at any Council meeting and approved by the DEC. Any action in changing the amount of dues must have been provided to each Squadron in the Region at least thirty days prior to such action. Dues shall be paid by or at the second Council meeting, and if not paid by this time, the Squadron forfeits its privilege of the floor and voting until said dues are paid, including the Region Caucus.

Article VI. Officers

- Section 1.** The elected officers of the Council shall be: Region Commander for one year and Region Vice-Commander for one year.
- Section 2.** The appointed officers of the Council shall be: Adjutant, Finance Officer, Judge Advocate, Historian, Sergeant-At-Arms, and Chaplain. These officers shall serve for one year.
- Section 3.** Consecutive election or appointment of an officer of the Council is permitted.
- Section 4.** Appointed officers shall assume their positions upon being designated by the Commander and approved by the Council at the first Council meeting of the administrative year.
- Section 5.** The Region Commander shall serve concurrently as a member of the Detachment Executive Committee representing the Council.
- Section 6.** The Region Commander of the Council shall be the presiding officer at all Region Council meetings during their term of office with all the responsibilities and privileges of the chair. The Region Commander shall assume this duty

simultaneously with their installation at the Detachment Convention. The Region Vice-Commander shall act as the presiding officer in the absence of the Region Commander.

- Section 7.** In the event of death, resignation, physical incapacitation, or removal of the Region Commander, the Region Vice-Commander shall immediately assume the position of the Region Commander, with full powers to act for the remainder of the term as if elected by the preceding Region Caucus.
- Section 8.** The Region Commander may remove any appointed Council Officer for just cause upon approval of the Council, and shall replace any vacancies created, subject to ratification by the Council. Such replacements shall be appointed within sixty days after vacancy occurs.
- Section 9.** Any vacancy which may occur in an elective office of the Council, excepting the Region Commander, shall be filled by a special election, provided that thirty days' notice shall have been given all Squadrons in good standing within the Council. Nominations for vacancies in this section may be submitted in writing prior to the Region meeting or may be made from the floor at the meeting.

Article VII. Elections

- Section 1.** The annual election of officers shall be conducted in the manner prescribed under the Detachment Constitution, Article VI, Section 4.
- Section 2.** Elections shall be held for Region Commander, Region Vice-Commander, and one Detachment Executive Committee member for each six-hundred Sons of The American Legion members of the Region, or major fraction thereof, one National Convention Delegate and one Alternate National Convention Delegate for each six-hundred Sons of The American Legion members of the Region. The membership strength of the Region for this purpose shall be computed as paid-up membership in the Department Headquarters at the close of business on the thirty-fifth day prior to the convening of the Detachment Convention or as of the first of June each year, whichever date shall occur first.
- Section 3.** The Region Vice-Commander shall be an ex-officio DEC member.
- Section 4.** Nominations at the Region Caucus shall be in the following manner:
- (a).** At the last Council meeting prior to Detachment Convention each year, every Squadron Commander in the Region shall appoint a member of their respective Squadron, in good standing, to represent that Squadron on a Region nominating committee, and notify the Region Commander of this appointment.
 - (b).** The Region Commander shall appoint a chairperson from among these members of the nominating committee and will instruct this committee to meet and be prepared to present a list of one or more nominees for each office of the

Region Caucus. The Region Commander shall not be a member of this committee.

(c). At the Region Caucus, the list of nominees, prepared with the majority approval of the nominating committee members present at their meeting, shall be read by the Region Adjutant or other members the Council, as designated by the Region Commander, or presiding officer. Further nominations may be made by any delegate from the floor and shall be accepted at the meeting and properly recorded by the Region Adjutant.

(d). It shall be the duty of each nominating committee member to notify their Squadron of the nominations for office. It shall be the duty of each Squadron Commander to see that their Squadron makes known its preference of candidates to its nominating committee member.

(e). Only matters appertaining to the upcoming Detachment Convention, the nominations and elections of officers, and attendant speeches or discussion pertaining to the aforesaid shall be in order at the Region Caucus.

Section 5. Robert's Rules of Order, Newly Revised, shall govern the proceedings of these annual caucuses unless otherwise specified by the Detachment of Maryland Constitution or as otherwise provided by the Council.

Section 6. The presiding officer shall appoint a Judge of Elections and two tellers at the Region Caucus, none of which shall be a candidate for office. The Region Commander shall prepare, certify, and deliver to the Detachment Adjutant, immediately after the elections, a list of the newly elected officers and newly elected delegates and alternates to the National Convention for ratification by the Detachment of Maryland Convention.

Section 7. Only the convention delegates of the qualified Squadrons in the Region shall vote on the election of officers at the Region Caucus. Each Squadron shall be entitled to the number of votes representative of its delegate strength at the upcoming Detachment Convention, as recorded by the Department Headquarters.

Article VIII. Meetings

Section 1. Meetings of the Council shall be held at least quarterly on a day, time, and place designated by the Region Commander. The Announcement of the next scheduled meeting shall be made at the immediate prior meeting. Any changes to meeting day, time, or location subsequent to the announcement requires a constructive notification of every Squadron within the Region by approved means in the Standing Rules to the Squadrons, including either the Squadron Commander or Squadron Adjutant of each Squadron.

- Section 2.** The Region Commander shall be responsible for, and determine the need for, any special or emergency meetings of the Council which are in addition to the regularly scheduled meetings and the annual caucus; the Region Adjutant shall provide written notice of any special or emergency meeting, including the date, time, and place of such meeting to each Commander or Adjutant of the Region.
- Section 3.** A quorum for the Council meetings shall exist when not less than one-quarter of the total number of Squadrons within the Region are present and represented by a properly registered delegate.
- Section 4.** The Region Commander shall require the written minutes be taken at all meetings and be read at the next Region Council Meeting for approval. On a motion approved by the delegates present, the reading of the minutes may be dispensed with, subject to correction, provided that a copy of the minutes has been provided to the delegates of the Council at, or prior to, the regular meeting at which they would normally be read. Subsequent to the approval of the minutes by the Council, a written copy of the approved minutes inclusive of the current financial report, shall be forwarded to The American Legion Region Commander for the record.

Article IX. Finances

- Section 1.** All Region Monies shall be in the custody of the Region Finance Officer.
- Section 2.** Expenditures from the Region Treasury shall be subject to the approval of a majority vote of the Council members present at any regular meeting.
- Section 3.** The Region may establish Standing Rules to establish financial controls and business practices for the operations of Region programs.
- Section 4.** The Region financial records shall be audited at the end of each administrative year within thirty days of adjournment of the Detachment Convention, at a time and place designated by the Outgoing Region Commander. The Audit Committee shall consist of such members as the Council deems necessary and will include a representative of The American Legion Region Commander of said sponsoring American Legion Council, to allow the proper review of the financial records of the Region. The Region Finance Officer shall serve as a consultant to the Audit Committee. At the conclusion of this annual audit, all financial records shall be delivered immediately to the Incoming Region Commander, and subsequently reported at the next Regular Council meeting. A copy of the audit report shall be forwarded to The American Legion Region Commander for the record.

Article X. Rules of Order

All proceedings of the Council shall be conducted under the pursuant to latest published edition of Robert's Rules of Order, Newly Revised, except as herein otherwise provided.

Article XI. Amendments

- Section 1.** Amendments to this Constitution may be proposed to the Region Commander. The Region Commander shall then forward the recommendation to the Detachment Internal Affairs Commission. The Detachment Internal Affairs Commission shall consider such amendments and forward to the DEC with a recommendation at the next Regular DEC meeting.
- Section 2.** This Constitution may be amended at any regular meeting of the DEC provided that the proposed amendment shall have been submitted through the Detachment Adjutant to all members of the DEC by mailing, or by transmission utilizing other approved means, at least thirty days prior to convening the next DEC meeting, and provided further, it may be amended by unanimous vote at any DEC meeting without notice.
- Section 3.** Any part of this Constitution which is now or which may become inconsistent with the Constitution of the National Organization or the Detachment of Maryland Constitution of the Sons of The American Legion shall be nullified and be replaced by the higher Constitution provision with which this Constitution is in conflict.

By-Laws
Of
The Sons of The American Legion
Detachment of Maryland
Eastern Shore Region Council

Article I. Authorities

- Section 1.** The Council shall operate from authority defined by the Sons of The American Legion, Detachment of Maryland.
- Section 2.** The Council shall be subject, always, to the will of the Squadrons of the Region as expressed by the delegates in attendance at a regular or special meeting, provided that such shall remain consistent with the principles of the Sons of The American Legion, Detachment of Maryland.

Article II. Duties

Section 1. Region Commander

- (a) The Region Commander shall command the Region, shall serve concurrently as a member of the Detachment Executive Committee, and shall be responsible for the execution and implementation of the policies of the Detachment throughout the Region. The Region Commander shall also be responsible for the execution and implementation of the policies of the Region as established by the Region Council. The Region Commander shall regularly visit the Squadrons in the Region.
- (b) The Region Commander shall preside at all meetings of the Council and carry out the principles embodied in the Preamble and Constitution of the Council.
- (c) The Region Commander shall authorize all disbursements issued by the Region before payment by the Finance Officer.
- (d) The Region Commander shall report the status of the Region to the Detachment Commander, Detachment Executive Committee (DEC), and the Detachment Convention during their respective assemblage. The Region Commander shall also perform such duties as prescribed by the By-Laws of the Sons of The American, Detachment of Maryland, Article III, Section 1 through 6 and shall perform such other duties as the Detachment Commander, DEC or the Detachment Convention may assign.

Section 2. Region Vice-Commander

- (a) The Region Vice-Commander shall act as the presiding officer in the absence of the Region Commander and if the Region Vice-Commander is also absent the Region Adjutant shall act as presiding officer for the period of absence of both Region Commander and Region Vice-Commander.
- (b) The Region Vice-Commander shall have a primary mission of increasing and stabilizing the membership of the Squadrons within the Region and shall serve as the Chairman of the Membership Committee during the term of office as Region Vice-Commander.
- (c) The Region Vice-Commander shall perform such duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 3. Region Adjutant

The Region Adjutant shall assume, have charge of, and keep a full and correct written record of all proceedings of all meetings, and keep such records as the Region may require, and under the direction of the Region Commander handle all correspondence of the Region which is not handled directly by the Region Commander. The Adjutant shall perform such other duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 4. Region Finance Officer

- (a) The Finance Officer, shall be the custodian of all funds and securities of the Region, see that the same are deposited in a bank or banks chosen by the Finance Officer with the concurrence of the Region Council, and shall report the condition of finances at each Council meeting.
- (b) The Finance Officer shall sign all checks disbursing monies of the Region.
- (c) The Finance Officer shall also serve concurrently of Finance Officer of any Region program established by the Region.
- (d) The Finance Officer shall ensure all Officers of the Region are covered by crime and fidelity insurance as a subsidiary rider of The American Legion Region insurance policy.
- (e) The Finance Officer shall perform such other duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 5. Region Judge Advocate

The Judge Advocate shall advise the Region Officers and Council on all matters based off Sons of The American Legion experience. This includes interpretation of the rules of order, interpretation and construction of the Region Constitution and By-Laws. The Judge Advocate ensures the Region receives appropriate legal support in legal matters, and acts as Judge of Elections, and Chair of the Elections Committee, which shall formulate, and

recommend, rules and regulations governing all Region Council elections to the Region Council for final approval in the Region Standing Rules. The Judge Advocate shall perform such other duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 6. Region Historian

The Historian shall be charged with the individual records, incidents of the Region and Council members, and shall perform other such duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 7. Region Sergeant-at-Arms

The Sergeant-at-Arms shall maintain and post the colors and preserve order at all meetings and caucuses; shall verify that each attendee at a Region meeting is admitted as appropriate. The Sergeant-at-Arms shall perform such other duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 8. Region Chaplain

The Chaplain shall be charged with the spiritual welfare of the Council and its members and attending meetings and events as required, which shall be opened and closed with non-sectarian prayer. The Chaplain will offer non-sectarian service in the event of dedications, funerals, and other public functions in which the Region is involved. The Chaplain shall perform such other duties as are usually incident to the office or assigned by the Region Commander or the Council.

Section 9. Detachment Executive Committee members

The Detachment Executive Committee members of the Region shall make every effort to attend all meetings of the Region and to advise the Region of all pertinent information from the Detachment, to represent their assigned Squadrons whenever necessary, to visit their assigned Squadrons within the Region, to guide and inform the Squadrons of the policies and programs of the Detachment of Maryland and the Sons of The American Legion National Organization.

Article III. Transition of Records

The Incoming and Outgoing Region Commanders and Adjutants shall have a meeting prior to the first Region Council meeting of the administrative year, for the purpose of passing on the Records to the Incoming Commander and Adjutant. This meeting must be held within twenty days following the annual Detachment Convention at which the Incoming Region Commander is elected to office, or immediately before the first Region Council meeting, whichever occurs first.

Article IV. Committees

- Section 1.** The purpose and work of the Region Council shall be carried out through committees. These committees, under the administrative direction of the Region Commander as guided by the Council as a body, shall take full charge of and be responsible for bringing about the success of the Council programs.
- Section 2.** The Standing Committees of the Council shall be established in the Region Council Standing Rules. Standing Committees as established, shall consist of such members and Chairperson as shall be appointed by the Region Commander, subject to the ratification by the Council members at the first Region meeting of each administrative year, except that, the Region may establish Committees in their rules that shall have authority to function continuously, or immediately for continuity of operations of certain Region Programs. The Region Commander shall, however, have the authority to appoint additional committees and replace Committee members at any time subject to ratification by the Council members as a body. Committee members shall be notified immediately upon their appointment or removal by the Region Adjutant.
- Section 3.** The duties of the above committees shall be specifically described in the Region Standing Rules or shall conform to the duties of similar commissions/committees of the Sons of The American Legion, Detachment of Maryland.

Article V. Order of Business & Parliamentary Procedures for Meetings

- Section 1.** The business of the Council shall conform to the order of business as provided in the Sons of The American Legion Handbook.
- Section 2.** All proceedings of the Council shall be conducted under and pursuant to latest published edition of Robert's Rules of Order, Newly Revised, except as otherwise provided in the Region Constitution, herein, the Region Special Rules of Order or Region Standing Rules.

Article VI. Amendments

These By-Laws may be amended in the same manner as prescribed in the Region Constitution, Article XI-Amendments.

