Sons of The American Legion
Detachment of New Hampshire
Detachment 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 associations 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 1

NAME

Section 1. The name of this organization shall be the Sons of The American Legion, Detachment of New Hampshire.

Section 2. The Detachment Headquarters of the Detachment of New Hampshire shall be located in the site of the Department Headquarters, Department of New Hampshire.

ARTICLE 2

NATURE

Section 1. The Sons of The American Legion, Detachment of New Hampshire, 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, Detachment of New Hampshire, shall be absolutely non-political and shall not be used for dissemination of partisan principles or for the promotion of the candidacy of any person or group seeking public office or preferment.

Section 3. The Sons of The American Legion, Detachment of New Hampshire, and all Squadrons in the Detachment shall be absolutely non-sectarian.

Section 4. Each member shall perform his duty as a citizen according to his own conscience and understanding in accordance with the law.
ARTICLE 3

ORGANIZATION

Section 1. The Sons of The American Legion, Detachment of New Hampshire, is that jurisdiction of the Sons of The American Legion lying within the State of New Hampshire.

Section 2. The local unit of the Sons of The American Legion, Detachment of New Hampshire, is the Squadron. The Detachment of New Hampshire shall have jurisdiction over all Squadrons, subject to such limitations as may be prescribed by the Department of New Hampshire.

Section 3. Squadrons in the Sons of The American Legion, Detachment of New Hampshire, shall be organized under the jurisdiction and sponsorship of a local Post in the Department of New Hampshire 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. No more than one (1) Squadron may be sponsored by a Post, but Squadrons may be organized into sections based upon age.

Section 4. (a) 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 the National or Detachment Constitution and Bylaws, subject however, to the approval of the Department Executive Committee of The American Legion, Department of New Hampshire.

(b) Upon Cancellation or revocation of the charter of any Squadron of the Sons of The American Legion, the properties and assets of such Squadron shall thereupon the property of the Post of The American Legion to which such Squadron was attached.

ARTICLE 4

ELIGIBILITY

Section 1. Eligibility for membership in the Sons of The American Legion, Detachment of New Hampshire, 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 5

LEGISLATIVE BODY

Section 1. The legislative body of the Sons of The American Legion, Department of New Hampshire, shall be the Detachment Convention, to be held annually in conjunction with the Department of New Hampshire Convention.

Section 2. The Department Headquarters of the Department of New Hampshire shall issue a call to the Detachment Convention at the same time that the Department Headquarters issues a call to the Department Convention to all Posts.

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

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

Section 5. Delegates from ten (10) Squadrons showing paid-up members for the current membership year shall constitute a quorum.

Section 6. The Detachment Executive Committee shall provide a Uniform Code of Procedures 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 (2/3) vote of the registered delegates at the Detachment Convention. The Detachment Executive Committee 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. (a) All Past Detachment Commanders, all present Detachment Officers, and District Commanders and District First Vice Commanders shall be delegates at Large to the Detachment Convention, with vote to be exercised with their respective Squadrons.

(b) The Detachment Advisor shall be a delegate to the Detachment Convention with vote to be exercised with his Squadron, provided he is a member of a Squadron in the Detachment of New Hampshire. A Detachment Advisor who is not a member of the Sons of The American Legion shall have a voice but no vote. The Detachment Advisor shall be that person serving as American Legion Chairman of the Sons of The American Legion, Detachment of New Hampshire.

Section 8 (a) Resolutions to be presented at the Detachment Convention must be presented to Department Headquarters at least sixty (60) days prior to the Convention. All resolutions must have been favorably considered by a Squadron or District.

(b) Nothing in this section shall be deemed to prevent any Committee or Convention Committee from originating and presenting any resolution, which said Committee decides is expedient or necessary.

ARTICLE 6

ELECTIVE OFFICERS

Section 1. The Detachment Convention shall annually elect by ballot, by plurality vote, a Detachment Commander, two (2) Vice Commanders, Adjutant, Finance officer, Chaplain, Historian, Judge Advocate, and a Sergeant-at-Arms. 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 New Hampshire, in good standing, shall be eligible for election to such vacancy,
provided, however, that in filling the office for Detachment Commander, the selection shall be made from among the two Detachment Vice Commanders.

Section 2. The Detachment Convention shall biannually elect by ballot, by plurality vote, a National Executive Committeeman and an Alternate National Executive Committeeman who shall represent the Detachment in case of absence or disability of the National Executive Committeeman, or in case a vacancy should exist. Should a vacancy occur in the office of Alternate Executive Committeeman, the Detachment Executive Committee shall fill the vacancy until such time as the next biannual election. The N.E.C. and the A.N.E.C. shall be recognized as Detachment Officers.

Section 3. Any Officer, including the N.E.C. and the A.N.E.C. may be removed for inefficiency by the Executive Committee, a two-thirds (2/3) vote of said Committee being necessary to effect such removal. An Officer or Committeeman who excuses himself for three (3) or more Detachment Executive Committee meetings may be held to be sufficient proof of inefficiency, warranting such removal. Any Officer facing removal shall have the right to a hearing by the Executive Committee before any vote to effect his removal. A registered notification of such hearing shall be sent to the Officer to be removed.

Section 4. The Detachment of New Hampshire shall recognize an individual designated by the Department Commander as the Detachment Advisor. The Detachment Advisor must be a member of an American Legion Post in the Department of New Hampshire. The Detachment Adviser shall be an ex-officio member of all Committees or Commissions in the Detachment of New Hampshire.

Section 5. The Department Commander and Department Adjutant, of the Department of New Hampshire, shall be recognized as ex-officio advisers to the Detachment of New Hampshire.

Section 6. All actions of the Detachment Officers in their duties to the Sons of The American Legion, Detachment of New Hampshire, are responsible to the Detachment Advisor and by him/her to ratification by The American Legion Department of New Hampshire Committee on the Sons of The American Legion.

ARTICLE 7

DETACHMENT EXECUTIVE COMMITTEE

Section 1. Between Detachment Conventions, the administrative power of the Detachment shall be vested in the Detachment Executive Committee; the membership of which shall be composed of all elected Detachment Officers, the Junior Past Commander, the Detachment Advisor, all Past Detachment Commanders, all District Commanders and District First Vice Commanders in the Detachment, all Squadron Commanders in the Detachment or their duly appointed representatives, and the Chairmen of all standing Detachment Committees which have been in existence for a period of three (3) consecutive years.
ARTICLE 7

DISTRICT ORGANIZATION

Section 1. The Sons of The American Legion, Detachment of New Hampshire, is divided into eight (8) Districts, which coincide with the eight Districts of The American Legion, Department of New Hampshire. Districts in the Detachment shall be organized under the jurisdiction of a District in the Department of New Hampshire, and shall also be under the jurisdiction of the Detachment.

Section 2. District Officers shall consist of a Commander, First Vice Commander, Second Vice Commander, Adjutant, Finance Officer, Chaplain, Sergeant-at-Arms, Historian, and such other Officers as may be required.

ARTICLE 9

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 local Post of The American Legion, in the area in which they reside. Upon approval by the Post Commander, the application shall be forwarded to the Department Commander of The American Legion, and upon the Department Commander’s approval, it shall be forwarded to the National Headquarters of The American Legion, where the Charter may be issued by the National Commander and the National Adjutant of The American Legion in the same manner as prescribed for the issuance of Charters for Posts in The American Legion.

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

Section 3. No person may be a member of more than one (1) Squadron at any one time. Any member in good standing within this Detachment and in his Squadron, who wished to transfer to another Squadron in this Detachment, shall be entitled to a certificate from his Squadron stating his membership and duration thereof, and he shall not become a member of another Squadron except upon presentation of such certificate. When a member is so transferred, it shall be the duty of the Adjutant of the Squadron from which he transferred to notify the Detachment Headquarters and to drop his name from the Squadron roster.

Section 4. All Squadrons, as a requisite to retaining their Charters, must maintain a membership of not less than ten (10) members and meetings shall not be held less than once each month in accordance with the ritual of the organization, with the exception of certain months voted upon at the Squadron level.

Section 5. The Squadron Officers for the Sons of The American Legion shall consist of a Squadron Commander, Vice Commanders of Vice Commanders, Adjutant, Finance Officer, Chaplain, Sergeant-at-Arms, Historian, and such other Officers as may be required.

Section 6. All Squadrons shall have their Officers elected and installed for the ensuing year prior
to June 1. All Officers shall be subject to the approval of the sponsoring Post. This authority
may be delegated by the Post to the Post Advisory or Supervisory Committee. Installation
whenever possible, shall be the responsibility of the District Commander of the Sons of The
American Legion, or the District Commander of The American Legion, in whose jurisdiction the
Squadron is located. Squadrons may also be installed by the Detachment Commander, of any
Officer of the Department, Detachment, District, or Post as may be designated by the National
and State Organizations.

ARTICLE 10

FINANCES

Section 1. The finances of the Detachment of New Hampshire shall be derived from annual
membership dues and such other sources as may be approved by the Department Executive
Committee of The American Legion.

Section 2. The amount of annual Detachment dues shall be determined by the Detachment
organization of the Sons of The American Legion under such procedures as The American
Legion, Department of New Hampshire, provides.

Section 3. Detachment and National dues shall be transmitted to the Department Headquarters
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 Treasurer and shall be accounted for separately from other funds in the
Department.

Section 4. The financial year of the Detachment shall be from July 1st to June 30th inclusive.

ARTICLE 10

AMENDMENTS

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

Section 2. This Constitution may be amended at any Convention of the Detachment by a two-
thirds (2/3) vote of the Delegates in attendance, provided that the proposed Amendment shall
have been submitted, in writing, to the Detachment Constitution and Bylaws Committee, sixty
(60) days prior to said Convention, at which time the Committee will rule on the legality of the
Amendment. Provided further, that all Squadrons will be notified at least forty (40) days in
advance of the date when such Amendment is to be voted upon, notifying said members that at
the Convention a proposal to amend the Constitution is to be voted on by the Delegates in
attendance.
Sons of The American Legion
Detachment of New Hampshire
Detachment Bylaws

ARTICLE 1

DUTIES OF OFFICERS

Section 1. The Detachment Commander shall be the executive head of the Sons of The American Legion, Detachment of New Hampshire. He shall be an ex-officio member of all Committee and Commissions, and shall perform such other duties as are usually incident to that office.

Section 2. The Detachment Vice Commanders shall act as representatives of the Commander on all matters referred to them by the Commander. They should primarily concern themselves with the promotion of membership in the Detachment.

Section 3. (a) The Detachment Adjutant shall be the Administrative Officer of the Detachment, empowered to carry out the mandates of the Detachment Convention and the Detachment Executive Committee. He will be charged with the usual duties of an Adjutant, provided however, that membership, dues, and administrative policies heretofore delegated to the Adjutant or Finance Officer of The American Legion, Department of New Hampshire, shall be reserved in accordance to policy. He shall serve as Secretary to the Detachment Convention and to all meetings of the Detachment Executive Committee.

(b) The Detachment Assistant Adjutant(s), when and if appointed, shall assist the Detachment Adjutant in any and all of his duties. He/they shall primarily be charged with the duties as “Registrar of the Detachment Convention”, as “Editor of Detachment Publications” and as “Detachment Public Relations Director”. All such duties remain as duties of the Detachment Adjutant until an Assistant Adjutant(s) shall be authorized, elected, or appointed as mandated by the Detachment Convention.

Section 4. The Detachment Finance Officer shall keep records of all expenditures that are budgeted over the year. He shall also be responsible for preparing a budget, for the following year, to submit to Department Headquarters at least thirty (30) days prior to the Detachment Convention, of at the request of the Department Finance Committee.

Section 5. The Detachment Judge Advocate shall advise the Detachment Officers and the Detachment Executive Committee on all legal matters, including the construction and interpretation of the Detachment Constitution and Bylaws, and shall perform such other duties as are usually incident to that office.

Section 6. The Detachment 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 the Department Activities Committee of The American Legion.
Section 7. The Detachment Historian shall collect from year to year, all records and data of value and interest for the Detachment Headquarters of the Sons of The American Legion, Detachment of New Hampshire, and shall compile during his term in office a complete history of the year’s activities. He shall also assist Squadron Historians so as to coordinate and unify the work of these officials, and shall have such other duties, as the Detachment Executive Committee shall prescribe.

Section 8. The Detachment Sergeant-at-Arms shall be charged with the responsibility of preserving order at all Detachment meetings and he shall be given the custody of the Detachment Colors. He shall perform such other duties as are usually incident to the office.

Section 9. The Junior Past Detachment Commander shall be the last retiring Commander of the Detachment.

ARTICLE 2

DISTRICT AND SQUADRON CONSTITUTION AND BYLAWS

Section 1. Each District may adopt its own Constitution and Bylaws provided they are not in conflict with National and Detachment Constitution and Bylaws.

Section 2. The local Squadron may adopt its own Constitution and Bylaws provided they are not in conflict with National and Detachment Constitution and Bylaws.

ARTICLE 3

EXECUTIVE COMMITTEE

Section 1. The Detachment Executive Committee shall meet at least twice each year. It shall meet preceding the Detachment Convention to establish the agenda for the Convention, immediately following the Detachment Convention to approve the Detachment Commander’s appointments.

Section 2. The Detachment Executive Committee, without meeting, may transact business by mail, email or telephone on matters of urgency not involving 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 the vote taken. The Detachment Executive Committee may also meet on the call of the Detachment Commander, or the written request of at least five (5) members of the Detachment Executive Committee, at any time during the year for sufficient reason for it to appear.

Section 3. Members from five (5) Squadrons showing paid-up membership for the current year, plus the presiding officer, shall constitute a quorum for all meetings of the Detachment Executive Committee.
ARTICLE 4

DISTRICTS

Section 1. The District shall be the intermediate body to act as a liaison between the Detachment and the Squadron for the purpose of promoting the programs of the Sons of The American Legion.

Section 2. District Officers shall be elected prior to the annual Detachment Convention. District Commanders and First Vice Commanders shall be installed at the Detachment Convention. The remaining elected Officers shall take office at the next regular District meeting after the Convention, at which time, they will be installed by the proper authority.

Section 3. District Officers shall assume office upon their being duly installed.

Section 4. Districts shall conduct at least two (2) meetings between annual Conventions.

Section 5. The District Officers will constitute the installing body within the District.

ARTICLE 5

MEMBERSHIP

Section 1. Membership will conform to Article IV and Article V of the National Constitution and Bylaws of the Sons of The American Legion.

ARTICLE 6

RULES OF ORDER AND PROCEDURE

Section 1. Unless otherwise provided by the Constitution and Bylaws, or by a respective District or Squadron Constitution and Bylaws, or by any rules adopted by a meeting or Convention, all questions of order or procedure, with respect to any meeting, Convention or actions of this Detachment, its Executive Committee, and Committee appointed, or actions of this Detachment there under, and any Sons of The American Legion Squadron organization or Committee operating there under, shall be determined in the Roberts Rules of Order Newly revised, as revised from time to time.

ARTICLE 7.

AMENDMENTS

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

Section 2. These Bylaws may be amended at any Convention of the Detachment by a two-thirds
(2/3) vote of the Delegates in attendance, provided that the proposed Amendment shall have been submitted, in writing, to the Detachment Constitution and Bylaws Committee sixty (60) days prior to said Convention, at which time the Committee will rule on the legality of the Amendment. Provided further, that all Squadrons will be notified at least forty (40) days in advance of the date when such Amendment is to be voted upon, notifying said member that at that Convention a proposal to amend the Bylaws is to be voted by the Delegates in attendance. This Constitution and Bylaws should be updated every two (2) years.


Amended and updated June 20, 1994 in Manchester, New Hampshire.

Amended and updated on June 21, 1997 in Keene, New Hampshire.

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Reviewed and updated on January 25, 2014 in Rochester, New Hampshire

Detachment Constitution and Bylaws Committee 2013-2014

Gary DesRosiers (69), Chairman

Bruce Pepler (17),

Scott Merrill (67), Member