



SONS OF THE AMERICAN LEGION DETACHMENT OF LOUISIANA RULES OF THE DETACHMENT EXECUTIVE COMMITTEE

Rules of the Detachment Executive Committee of the Detachment of Louisiana

Rule 1: Self-Governing

The Detachment Executive Committee of the Sons of The American Legion, Detachment of Louisiana, as provided by the Detachment Constitution, shall be a self governing Committee and transact business in accordance with the rules herein after set forth, subject only to the Detachment Constitution of and By-Laws of the Sons of The American Legion and mandates of the Detachment Convention. Voting representation from seven (7) members of the Detachment Executive Committee will constitute a quorum.

Rule 2: Officers

The Detachment Commander shall be the Chairman of the Detachment Executive Committee and the Detachment Adjutant shall serve as Secretary. Any temporary vacancies in the offices of Chairman and/or Secretary shall be filled by action of the Committee, for the respective meeting in which the vacancy occurs.

Rule 3: Duties and Powers

The Detachment Executive Committee is specifically empowered to exercise the following powers and rights, and delegate to any Sub-Committee composed of members of the Detachment Executive Committee authority to investigate and report back to the committee on any of the following powers and rights:

- a. To make decisions on all matters, executive or administrative; provided, however that the said action so taken shall not be contrary to, not in derogation of actions of the Detachment Convention, except that any policy adopted by the Detachment Organization.
- b. To determine the number of members of all Detachment Commission, Detachment Committees, Board or Sub-Committee of the Detachment Executive Committee created by the Detachment Commander not in conflict with the Detachment Constitution and By-

Laws or the Detachment Executive Committee and to ratify the appointments made by the Detachment Commander.

c. Upon any report made to the Detachment Executive Committee by any Detachment Commission, Detachment Committee, Board, or Sub-Committee of the Detachment Executive Committee and containing any recommendation as to future conduct, or as to future policy of matters within their scope, the receiving, accepting or approval of such report shall not mean the adoption of such recommendation and each specific recommendation as to future conduct or as to future policy shall be embodied in a separate resolutions for the resolution for the consideration and action of the Detachment Executive Committee.

d. To make decisions when necessary, relative to expenditures from such special funds as may be under the direct control of the Sons of the American Legion, Detachment of Louisiana.

e. To request emergency appropriations from funds under control of The American Legion, Department of Louisiana.

f. To explore matters requiring the attention of the Detachment Executive Committee and offer recommendations to the Detachment Executive Committee.

g. To advise the officers or Detachment Commissions with regarding problems arising in the performance of their duties or functions.

h. In general, to perform between Detachment Commander, or the request of five (5) members of the Detachment Executive Committee, the Detachment Executive Committee may be called into executive session. At such time, only members of the Detachment Executive Committee shall be present in the meeting room.

j. In fulfilling its duties and responsibilities, the Detachment Executive Committee, of the Sons of the American Legion, Detachment of Louisiana shall be responsible to the Internal Affairs Commission and the Detachment Executive Committee of the American Legion.

Rule 4: Powers of the Committee Over its Members

a. If a quorum is not present, the Detachment Commander may order a call of the Detachment Executive Committee and send for the absentees.

b. In the case of less than a quorum of the Detachment Executive Committee shall convene. Those present are hereby authorized to send the Sergeant-at-Arms. Pr any other person or persons by them authorized, for any or all absent members present within the city, where the meeting is being held. And this rule shall apply, as well to the first meeting of the Detachment Executive Committee at the legal time of meeting, as to each day of the session, after the hour has arrived, to which the Detachment Executive Committee stood adjourned.

Rule 5: Decorum

a. No member of the Detachment Executive Committee, or other person except the Secretary and his assistants, shall visit and remain by the Secretary's table while the yeas and nays are being called or counted.

b. No member shall speak more than twice upon the same subject without leave of neither the Detachment Executive Committee; nor more than once until every member choosing to speak shall be spoken.

c. While the Commander is reporting or putting a question, none shall entertain private discourse, read, stand up, and walk into, out of, or across the Detachment Executive Committee meeting room.

d. No question shall be debated until it has been propounded by the Chair, and then the mover shall have the right to explain his views in preference to any other member.

e. While the Commander is putting the question, any member who has not spoken before to the matter may speak to the questions before the negative is put.

f. During any debate, any Detachment Executive Committeeman, though he has spoken to the matter, may arise and speak to the orders of the Detachment Executive Committee, if they be transgressed, in case the Commander does; not but if the Commander stands up at anytime, he is first to be heard.

g. Whenever the National Executive Committeeman and the Alternate National Executive Committeeman from any Squadron shall be absent from any meeting or session of the Detachment Executive Committee, the courtesy of the floor may be granted to an accredited representative of the Squadron not represented, provided however, that the right to vote shall not be transferred or delegated.

h. Whenever a division of vote is to determine on any question before the Detachment Executive Committee, the Presiding Officer may determine division by:

- 1. Viva voice vote, with right of recourse to a "teller vote" or "roll call vote" as hereinafter provided.**
- 2. A teller vote whereby the yeas and nays may be counted by a rising vote with recourse to a roll call vote as hereinafter provided.**
- 3. A roll call vote may be directed by the Presiding Officer to determine a division of vote on any question. A Roll call shall be taken upon the request of three members.**
- 4. On any Viva Vote or teller vote, any member of the Detachment Executive Committee shall have his vote recorded upon his request.**

Rule 6: Committee of the Whole

a. When the Detachment Executive Committee shall resolve itself into the Committee of the Whole, the Commander shall leave the chair and appoint a chairman to preside over the Committee of the Whole.

b. The Committee of the Whole shall consider and report on such subjects as may be committed to it by the Detachment Executive Committee. The rules of the Detachment Executive shall be observed in the Committee of the Whole, so far as they are applicable, except the rule limiting the time of speaking, concerning the previous question, and taking the yeas and nays. The proceedings in the Committee of the Whole shall not be recorded on the minutes of the Detachment Executive Committee except so far as they are reported to the Detachment Committee by the Committee of the Whole.

Rule 7: Order of Business

The order of business of the Detachment Executive Committee shall be:

Posting of the Colors

The Invocation

Call the Roll

Read the minutes of the former meeting

Dispose of letters or communications

Receive reports from Detachment Officers of the Son of The American Legion

Receive reports from Detachment Executive Committee, Detachment

Commissions, Detachment Committees, Board, and Sub-Committees of the

Detachment Executive Committee

Receive resolutions, motions, and petitions

Act upon unfinished business of the preceding meeting and resolutions lying over from the previous day.

Appointment of members of standing or special Commissions, Committees, Board, or Sub-Committees of the Detachment Executive Committee.

Miscellaneous business.

Benediction

Retirement of the Colors

Rule 8: Fiscal Policy

All matters of the business affecting the fiscal policy of the Sons of The American Legion, Detachment of Louisiana may be given a recommendation by the Detachment Executive Committee and forwarded to the Department of The American Legion's, Department of Louisiana, Americanism Commission.

Rule 9: Procedure

a. Letters and Communications addressed to the Detachment Executive Committee or the Detachment Commander, the Detachment Adjutant, or any other Detachment Officer and by them referred to the Detachment Executive Committee shall be read (or published

to the members if such be import) by the Detachment Adjutant. Such letters or communication shall be disposed of in the following ways:

1. By a motion to accept. Such a motion shall have the effect of approving the subject matter and should include specific instructions for further disposition, i.e., by directions to the Detachment Commander, Detachment Adjutant or other proper officer; by reference to an appropriate Commission or Committee or proper instruction.
 2. By a motion to receive and file. Such a motion shall denote neither approval nor disapproval of the subject matter and shall require no action on the part of the Detachment Officers or other beyond a formal reply should such be required.
 3. By a motion to reject or decline. Such a motion shall mean disapprove and should include specific instructions for further disposition as contemplated in paragraph 1 above.
- b. Reports of officers shall be acted upon directly by the Detachment Executive Committee, except that by direction of the Detachment Executive Committee a report of any officer may be referred to a Sub-committee of the Detachment Executive Committee for study and report thereon; provided, however, That such reference shall not continue beyond the meeting of the Detachment Executive Committee to which such officer's report is first submitted.

Report of officers shall not be altered or amended Detachment Executive Committee nor may any such report be rejected. In the event that the Detachment Executive Committee shall not agree with the report or any statement herein contained, then, in such event, if the presiding officer or the Detachment Executive Committee so determines, a separate memorandum shall be prepared setting forth the objections which such memorandum, if approved by the Detachment Executive Committee, shall be filed with the report. Any such memorandum, when submitted, shall be subject to amendment.

Reports of Officers shall be disposed by motion as follows:

1. To approve the report. Such action shall constitute approval of the statements made in the report.
 2. To disapprove the report. Such motion shall have the effect of disapproving any or all statements in the report, but such motion shall prevail only in the event that a memorandum setting forth the objections to such report shall have been adopted.
 3. To receive and file the report. Such action shall constitute only a routine disposition of the report. A negative vote on motions 1 and 2 shall automatically cause the report to be received and filed.
- c. Reports of the Detachment Commissions shall include a report of the Detachment Committee assigned to them, except that for good reason by direction of the

Detachment Commander or Detachment Committee may report direct to the Detachment Executive Committee.

Reports of Detachment Commissions, Detachment Committees, Boards or Subcommittees of the Detachment Executive Committee shall be received and shall then be subject to disposition on the following motions:

- 1. To approve the report. Such action shall constitute approval of the Statements made in the report subject to the procedure outlined in Rule 3-c of the Rules of the committee.**
- 2. To receive and file the report. Such action shall constitute only a routine disposition of the report.**
- 3. To recommit the report. Such action shall return the report to the Commission or Committee of origin for further study and may accompany by specific instructions.**
- 4. To commit the report to a special Subcommittee of the Detachment Executive Committee.**
- 5. To commit to the Committee of the Whole. Upon adoption of such a motion, the Detachment Executive Committee shall resolve itself into a Committee of the Whole and may thereafter alter or amend the report in whole or in part. The results of such action, however, shall again be submitted to the Detachment Executive Committee for final disposition.**

A negative vote on motion 1 shall automatically cause the report to be received and filed.

d. Any member of the Detachment Executive Committee shall be privileged to present a resolution in his own right in any of the following ways:

- 1. Under a proper order of business, in which case the subject matter thereof shall be germane.**
- 2. Under miscellaneous business**
- 3. Upon unanimous consent of the Detachment Executive Committee at any session of the Detachment Executive Committee at an appropriate interval in the order of business.**

4. Under a suspension of the rules

e. All Detachment Commissions, Detachment Committees, Board or Subcommittee of the Detachment Executive Committee shall be required to present in resolution form all recommendations as to their future conduct or future policy as to matters within their scope and functions upon which it is desired or required that the Detachment Executive Committee take action as contemplated in rule 3, paragraph c. Such resolutions shall be filed with the Internal Affairs prior to the first session of any meeting of the Detachment Executive Committee at which action thereon is contemplated.

The Internal Affairs shall report such resolutions to the Detachment Executive Committee with appropriate recommendations immediately following the disposition of the report of the Detachment Commission or Committee concerned.

f. Matters emanating from Squadron, District, or other sources shall be defined and classified as:

1. Sons of The American Legion, Detachment of Louisiana sponsored matters:

a. Resolutions of properly constituted Sons of The American Legion, Detachment of Louisiana organizations, to wit: Squadron, Districts, and intermediate bodies (which have been approved by their Detachment Executive Committee), Detachment Convention, or resolutions submitted by any Detachment Commission or Committee.

b. Resolutions emanating from Department American Legion, the American Legion Auxiliary Department of Louisiana or any official component thereof.

c. Official communications or directives of the Detachment Commander.

d. Official communications of Detachment Officers of the Sons of The American Legion, Detachment of Louisiana.

2. Official Matters - Official matters are those which originate with the Sons of The American Legion, Detachment Officers of officials such as Commander or other official of Squadrons, District, American Legion Department Commander or the President of Department of the American Legion Auxiliary.

3. General Matters - General matters are those, which originate with individual of the Detachment members of the Sons of The American Legion, individual citizens or as a result of communications from organizations or their officials not affiliated with the Sons of The American Legion, Detachment of Louisiana or from agencies of government.

Such matter shall be disposed of as follows:

Whenever matters of communication are received at Department Headquarters, the Department Adjutant shall analyze the subject matter and take action in one or more of the following ways:

a. Determine, in accordance with his good judgment, whether or not such matter or communication is basically administrative in nature or if so:

1. Refer the matter to the appropriate Administrator, Chairman or Executive of the American Legion, Department of Louisiana, for disposition.

2. Refer the matter to the Department Adjutant of the Sons of The American Legion, Detachment of Louisiana for disposition.

b. If in the judgment of the Department Adjutant of the subject matter be of primary concern to or related to a program or function of one of the Detachment Commissions of the Sons of The American Legion, he shall refer the same to the appropriate Commission for action or for consideration by the Commission looking towards presentation to the Detachment Executive Committee.

c. Matters which do not fall within the above classification or which in the opinion of the Department Adjutant involve questions of organizational policy of sufficient importance to be considered directly by the Detachment Executive Committee of the Sons of the American Legion shall be referred to the Sub-Committee on resolutions of the Detachment Executive Committee for disposition.

d. The Detachment Executive Committee, with the exception of the latitude in paragraph c above will directly consider only matters which bear the approval of a Detachment Convention or Detachment Executive Committee Squadron, or referred to it by Detachment Convention, or be presented to it through the governing bodies of The American Legion or the American Legion Auxiliary, Department of Louisiana. All other matters, as herein before defined, which do not have the sponsorship specified in this paragraph may become eligible for consideration by the Detachment Executive Committee only in the event that they have been recommended for approval to the Detachment Executive Committee by a Detachment Commission of the Sons of The American Legion.

e. The Detachment Adjutant of the Sons of The American Legion shall keep and maintain a register of all matters officially received from a Squadron (i.e. From any Detachment Convention, Detachment Executive Committee) or sponsored by a Detachment Executive Committee, referred to a Detachment Commissions, and shall report these referred to the Detachment Executive Committee in order that the Squadron Commander from the Squadron shall be in form of the referrals previously made concerning matters which originate within their respective Squadrons. This register will be continuous from meeting to meeting and continue to list a subject once placed thereon until it is reported as disposed of.

f. Detachment Commission when submitting their reports to the Detachment Executive Committee shall include therein a record of the disposition of a matter previously referred to them and shall designate each by its register number if in that category.

Resolutions referred to Commissions under Internal Affairs should be presented to a resolution Sub-Committee before presentation to the membership body. and upon which such Commissions shall have acted in an administrative or in such other manner or the purpose of the resolution need only be reported to the Detachment Executive Committee as to the disposition resolution referred to Commissions for study and report referred by such commissions to the Detachment Executive Committee for final action shall be filed with the subcommittee on resolutions as contemplated in paragraph E above, with recommendations as to their disposition.

Rule 10 – Internal Affairs Commission

The Internal Affairs Commission of the Detachment Executive Committee shall meet at least two hours prior to any regular meeting of the Detachment Executive Committee or any adjournment thereof.

The Commissions shall prepare a digest and such supplements thereto as may be necessary of all resolutions considered by it and for presentation to this committee, together with the recommendation of the Commission.

The digest of resolutions and supplements thereto shall be given to each committeeman at the opening of the various sessions.

The Commission shall have the cooperation of all officers and members of the Committees and Commissions to obtain such information, facts and advice, as it may deem necessary to carry out its responsibilities and duties.

The Commission shall have the authority to alter, re-draft, or substitute for any resolution submitted to it for presentation to the Detachment Executive Committee, provided, however the original resolution and its reason for any change.

Rule 11 – transaction business by mail, telegraph, e-mail, fax, or by telephone

The Detachment Executive Committee, without meeting together, may transact business by regular mail, e-mail, fax, or by telephone on a matter of urgency not involving new policy and on which action cannot be delayed to the next regular mail, e-mail, fax, or telephone to them by the Detachment Adjutant, with the approval of the Detachment Commander. Thirty days (30) days shall be allowed for the return, by regular mail, e-mail, fax, or telephone of the votes thereon to the Detachment Adjutant. The voting shall be considered closed at the end of thirty days (30), provided that the majority of the members of the Detachment Executive Committee have returned their votes by that time, or it shall be considered closed at any time prior thereto if and when all the members have returned their votes. Provider further, except in the case of an election to fill a vacant office, in that event one-third of the committee in writing, objects to the ballot by mail or by mail, telegraph, or by telephone, the matter shall not be decided and will be considered as the first order of business at the next regular or special meeting; provided, further, that thereafter the Detachment Adjutant shall notify the committee of the action taken.

Rule 12 – Suspension of Rule

No standing rule or order of the Detachment Executive Committee shall be suspended without fifteen minutes notice being given of the motion therefore and no rule shall be suspended except by a vote of two-thirds (2/3) of all the members present.

Rule 13 – Robert’s Rules of Order to Govern

Except as otherwise herein specifically provided Robert’s Rules of Order revised, shall govern.

Rule 14 – Form of Resolutions

a. Resolutions which shall be offered as the direct action of the Detachment Executive Committee shall be prepared in the form containing such informative preamble in the form of “Whereas” followed by statement of fact and shall specifically set forth what statement or declaration is to receive action of Detachment Executive Committee. Such resolving clause or clauses shall contain the following leading language.

“RESOLVED, by the Detachment Executive Committee of the Sons of The American Legion, Detachment of Louisiana, in regular (or special) meeting assembled in (city, state) (date or dates) that, etc. - and be it further

“RESOLVED, That, etc.”

b. Resolution of Squadrons immediate bodies or other officially constituted subordinate organizations which shall have received favorable action by their respective Detachment Convention or Detachment Executive Committee and which shall have an appropriate endorsement thereof in resolution form shall be acted upon by the Detachment Executive Committee in the form of a final Resolving clause in the following leading language:

“And be it finally resolved, by the Detachment Executive Committee in regular (or special) meeting assembled in (city, state) (date, dates) that, etc.”

c. Resolutions of Detachment Conventions or Detachment Executive Committee shall be similarly acted upon by the Detachment Executive Committee in the form of a final Resolving clause as contemplated in paragraph b above.

d. All resolutions for consideration by the Detachment Executive Committee not emanating from a commission or committee of the Detachment Executive Committee shall be forwarded to the Department Adjutant at least fifteen (15) days prior to meeting of the Detachment Executive Committee.

This document is written and approved to supercedes all others

**Hank Kwiatkowski
Department Judge Advocate 2007-2008**

**Camille A. LeJeune, Jr.
Detachment Commander 2007-2008**

**Roy Daigle, Jr.
Detachment Adjutant 2007-2008**

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