

**CONSTITUTION AND BY-LAWS
CALIFORNIA DIVISION
SONS OF CONFEDERATE VETERANS
AS ADOPTED 7 JUNE 2003 and amended 2005 and 2015
AT FRESNO, CALIFORNIA**

ARTICLE I - TITLE

Section 1. This Confederation shall be known as the California Division, Sons of Confederate Veterans.

Section 2. This Constitution shall be the bylaws of the California Division for all purposes under State or Federal Law.

ARTICLE II - OBJECT AND PURPOSES

Section 1. The California Division, Sons of Confederate Veterans, shall be historical, fraternal, educational, charitable, benevolent, patriotic, non-political and non-sectarian in nature, and its purposes shall include, but not be limited to, the following:

a. Collecting and preserving manuscripts, books papers, documents, flags, relics and mementos relating to the War Between the States and the State of California for the purpose of assisting in the preservation and perpetuation of the history of the same.

b. To illuminate and clarify the great constitutional, political, social and economic issues and events leading up to the War, and the patriotic motives and heroism of our ancestors in the field, on the water, and in the governmental assemblies of the State of California and the Confederate States of America.

c. To perpetuate the memory of the unparalleled bravery, constancy and fortitude of the California Confederate soldier, sailor, governmental official or civilian by the erection, care and/or repair of monuments and memorial tablets, by properly marking and caring for the graves of Confederate soldiers, sailors, governmental officials and civilians and by conducting periodic memorial services in their honor.

ARTICLE III – DECLARATIONS

Section 1. In all cases where conflict may arise, the Constitution of the Sons of Confederate Veterans shall be the governing directive.

Section 2. The California Division, does not condone, nor is associated with any group that promotes racism, hatred, religious intolerance, political dissent, or violence as part of its agenda. The California Division does not support, nor will it associate with any group that misuses or misrepresents Southern history or Southern symbols.

Section 3. The California Division will not tolerate the actions of any member who misuses or misrepresents the history or symbols of our heritage or affiliates themselves with such an organization as listed in Article XIII, Section 2. Such affiliation, if discovered, shall be considered grounds for disciplinary action as provided for in these bylaws. Division members are expected to conduct themselves honorably, professionally, and morally at all times when representing the Sons of Confederate Veterans, California Division, and their respective Camps in the public forum.

ARTICLE IV - ORGANIZATION

Section 1. The constituent bodies of the California Division, Sons of Confederate Veterans shall be as follows:

a. Organizations of at least seven (7) or more dues paid members, known as Camps, organized in the manner specified by the National Constitution and By-Laws of the Sons of Confederate Veterans; preference shall be given to the usage of California names for such Camps, as well as using numbers of inactive California Camps.

b. If, in convention assembled, the Compatriots of the California Division so desire, the Division may be divided into brigades. New Camps may be assigned to the appropriate Brigade corresponding to their geographical location.

ARTICLE V - MEMBERSHIP

Section 1. Membership in the California Division, Sons of Confederate Veterans shall be by membership in the General Confederation of the Sons of Confederate Veterans by affiliation with a camp located within the State of California.

Section 2. Censure, suspension, expulsion or other discipline of members shall be in accordance with the provisions of the National Constitution and By-Laws of the Sons of Confederate Veterans.

Section 3. Real Son Life Membership. Having submitted proof of membership qualifications and lineage, Real Son Life Membership shall be bestowed along with all rights and privileges attendant within the Camp through which membership is held. Further, Real Sons shall be exempt from payment of all recording fees, per capita taxes and dues at the National, Division and Camp levels.

ARTICLE VI - MEETINGS

Section 1. The legislative body of the California Division, Sons of Confederate Veterans, shall be the Division Convention/Reunion, to be held annually at a time and place recommended by the Division Commander and approved by the Executive Council. Ninety days written notice shall be given to each Camp, Brigade Commander, Division officer and International Headquarters of such Division Convention.

Section 2. Special Division Conventions may be called or convened by the Division Commander, the Executive Council or by the Lieutenant Commander following written request of a majority of the Camps then in good standing.

Section 3. A quorum shall exist at a Division Convention when a majority of the Camps are present and qualified as herein provided.

Section 4. The rules of procedure at the Division Conventions and meetings of the Executive Council shall be those set forth in *Robert's Rules of Order*, latest edition, except as altered by the Division Convention or the provisions of this Constitution and By-Laws.

Section 5. Representation of Camps at Division conventions for voting and other purposes shall be by delegates who are members in good standing of such Camp and certified as such by the Camp Commander or Adjutant. Each Camp shall be accorded one vote for every seven members of such Camp in good standing, plus one vote should any Camp have four or more members in excess of a number divisible by seven, except that each Camp will be accorded a minimum of two votes.

Section 6. In all questions submitted to the meeting, the chair shall put the question for a vote. If the roll of Camps shall be called for, then the Camps shall be called in order, the number of votes each is entitled to stated, and the vote for and against the motion announced by the chairman of each Camp delegation.

Section 7. When there is but one candidate for an office, upon motion, and by unanimous consent, a formal ballot may be dispensed with, and the candidate be elected by acclamation. In an election for any office for which there is more than one candidate, voting shall be by secret ballot. In balloting for officers, a majority of all votes cast shall be necessary to elect. In any election in which a majority is not received by a candidate, the two candidates who receive the most votes shall be voted on in accordance with the procedure described herein until one candidate receives a majority of votes cast.

ARTICLE VII - OFFICERS

Section 1. Elected officers shall be: Division Commander, Division Lieutenant Commander, and Brigade Commanders.

Section 2. The Division Adjutant shall be elected for a term of two years by the Division Executive Council on nomination by the Division Commander, and he may be removed from office by the Division Executive Council. Upon election, he shall become a member of the Division Executive Council with vote, and shall remain a member for the duration of his tenure in office as Division Adjutant.

Section 3. The Division Commander shall appoint a Signals Officer and Chaplain, and may appoint a Chief of Staff, Judge Advocate, Heritage Defense Officer, Historian, Inspector, Quartermaster, Surgeon, Genealogist, Aides-de-Camp, and other such officers as he may deem appropriate.

Section 4. Any Division Commander who has completed a term as Division Commander, or who has succeeded to that office and completed the term of another and who does not continue to serve in that capacity shall be deemed to have the title of Past Division Commander.

Section 5. All Division Officers hereafter elected shall begin their term of office immediately after the adjournment of the convention following their election, and shall serve until their successors are chosen and qualified.

Section 6. Officers of the California Division, Sons of confederate Veterans, will be elected to serve a term of two years. Terms will begin in odd numbered years following the conclusion of the Division Convention. All Compatriots desiring to run for office are urged to make their intentions known to the Division Adjutant no less than 90 days prior to the Convention in order to better inform the Division through Camp newsletters and other forms of communication.

Section 7. Brigade Commanders shall be elected utilizing voting procedures as specified elsewhere in this constitution, and must be a member in good standing of a Camp within such Brigade.

ARTICLE VIII - DUTIES OF OFFICERS

Section 1. Division Commander - The Division Commander shall be the Chief Executive Officer of the California Division, Sons of Confederate Veterans with full power to enforce the provisions of this Constitution and By-Laws. He shall be the Chairman of the Division Convention and shall be empowered to act for the Division as circumstances in his judgment may require, subject to the policies or directives established by the Executive Council and subject to appeal to the Division Convention. He shall fill vacancies occurring among elected officers by appointing same, subject to the approval of the Executive Council, and shall appoint other officers as may be required for the operation of the Division. He will establish a Budget Committee, a Confederate Heritage Committee and such other committees as he may deem appropriate.

Section 2. Lieutenant Commander – Upon the absence, death, expulsion or resignation of the Division Commander, the Lieutenant Commander shall become the Division Commander for the remainder of the unexpired term. The Lieutenant Commander shall assist the Division Commander in the performance of the

Commander's duties, or as the Division Commander may direct. He will serve as the Chair of the Division Budget Committee.

Section 3. Chief of Staff - The Chief of Staff shall be responsible for coordinating the work of the Division Staff, acting as liaison officer with the Camp Commanders, and performing such other duties as may be assigned him by the Division Commander.

Section 4. Adjutant - The Adjutant shall be charged with the administration of the policies of the Division Convention, Executive Council and the Division Commander. He shall keep records of the proceedings of the Division Conventions, a roster of Camps, minutes of the Executive Council meetings, conduct correspondence of the Division and issue general orders of the Division Commander under his signature as Adjutant. He shall make financial reports to each Division Convention and Executive Council meeting and provide any and all information upon request of the Division Commander or any Executive Council member.

Section 5. Judge Advocate - The Judge Advocate shall advise the Division Commander and the Executive Council on all legal matters and the construction and interpretation of the California Division and General Constitutions and By-Laws. He shall act as Parliamentarian at all California Division Conventions, and see that the California Division, Sons of Confederate Veterans files such reports with the Internal Revenue Service or the California Department of Revenue as may be required by law or regulation.

Section 6. Chaplain - The Chaplain shall open and close with prayer all California Division meetings and conventions and shall perform such other spiritual duties as directed by the Division Commander. He shall send proper condolences to the families of deceased members as he is notified by the respective Camps.

Section 7. The Signals Officer shall be responsible for the regular publication and distribution of the California Division newsletter and such other publications as may be authorized by the Division Commander, Executive Council or Division convention. The California Division Newsletter shall be financed jointly by the Camps of the Division and shall be sent to all Camps in the California Division, to others who shall subscribe to same, and to such others as may be directed by the Executive Council or deemed appropriate by the Editor.

Section 8. The Historian shall be responsible for the keeping of a scrapbook or books to reflect the history of the activities of the California Division and for such other duties as may be directed by the Division Commander. He shall contribute appropriate articles for publication in the California Division newsletter when requested to do the same by the Signals Officer thereof.

Section 9. The Surgeon shall perform the duties properly appertaining to his office, and shall attend members of the Division Convention in need upon the request of the Division Commander.

Section 10. Aides-de-Camp and other officers - Aides-de-Camp and other Division officers shall perform duties as directed by the Division Commander.

Section 11. Brigade Commanders - Brigade Commanders shall be responsible for the development of new Camps within the general area of their Brigade, recruiting of new members, assisting Camp Commanders within their Brigade and the performing of such other duties as may be directed by the Division Commander.

ARTICLE IX - EXECUTIVE COUNCIL

Section 1. Between Division Conventions, the Executive Council shall be the governing body of the California Division, Sons of Confederate Veterans, subject to the legislative authority of the Division Convention as expressed herein, and shall be composed of: the Division Commander, Lieutenant Commander, Adjutant, Immediate Past division Commander, Brigade Commanders (if formed), and Commanders of Camps in good standing, except that any one person shall be limited to one vote.

Section 2. The Executive Council shall meet at such times and in such places within the State of California as may be ordered by the Division Commander, except that a special meeting of the Executive Council may be called by any five members of the Executive Council. Any regular or special meeting of the Executive Council shall be upon ten days written notice unless a waiver of notice is obtained from all Executive Council members. The Executive Council may conduct its business by mail, telephone, Internet or other electronic medium, if its members so approve.

Section 3. The Division Commander shall be the ex-officio chairman of the Executive Council, shall conduct meetings of the Executive Council at which he is present and shall vote only to break a tie on any matter of controversy.

Section 4. A quorum shall exist at meetings of the Executive Council when thirty-three and one third percent of the members are present.

ARTICLE X - FINANCE AND BUDGET

Section 1. The fiscal year of the California Division, Sons of Confederate Veterans, shall coincide with the fiscal year of the National Organization of the Sons of Confederate Veterans as specified by its constitution and By-Laws. The California Division will conduct its affairs in such a manner as to be considered a non-profit organization per Section 501(c)(3) of the Internal Revenue Code.

Section 2. The revenue of the California Division, Sons of Confederate Veterans, shall be derived from annual membership dues set by the Division Convention and from such other sources as may be approved by the Executive Council.

Section 3. The annual membership dues shall be paid by each Camp for every member in good standing to the California Division Adjutant. The amount per Compatriot to be paid will be fixed by the Division in Convention assembled. A roster of the names and addresses of members in good standing shall be submitted along with the annual divisional membership dues, to the Division Adjutant on or before the delinquent date specified in the National Constitution.

Section 4. Camps shall not be allowed representation nor voting privileges at the Division Convention unless the annual divisional membership dues have been paid to the California Division Adjutant. At each Division Convention, the Division Adjutant will conduct a roll call of Camps, state the status of the dues of each Camp, and attest to the number of votes to be accorded each Camp.

Section 5. A Budget Committee, appointed by the Division Commander and chaired by the Lieutenant Commander, shall prepare and submit a proposed annual budget for the operation of the California Division for consideration and approval by the Executive Council. The Division Adjutant shall report to the membership at each Division Convention regarding the disbursements of funds for the year preceding that Division Convention.

Section 6. No more than two-thirds of the annual California Division membership dues revenue shall be allocated to the annual operating budget. Remaining funds shall be placed in interest bearing accounts or otherwise invested as may be directed by the Executive Council. The current annual interest from the interest bearing accounts may annually, by direction of the Executive Council, be allocated to the annual operating budget. Funds derived from sources other than membership dues may be allocated to the annual budget upon approval of the Executive Council.

Section 7. Division Officers may be entitled to reimbursement of certain expenses necessary for the conduct of their respective offices in an efficient and competent manner. Such reimbursements shall be limited to actual expenditures and shall be reimbursed only upon presentation of a written request with receipt or copies of receipts attached at a meeting for approval. Typical expenses would include, but are not limited to, charges

for toll calls, postage, copying expenses, and correspondence materials. Reimbursements for time are not authorized. Funds will only be disbursed upon presentation of receipts to the Division Adjutant for approval and reimbursement. Should any question arise as to the appropriateness of the expenditure, the matter will be referred to the Executive Council for adjudication.

ARTICLE XI - PROHIBITIONS

Section 1. There shall be no discussion of sectarian religious or political subjects identifiable with any political party or candidate permitted at any function, convention, meeting or other gathering of the California Division, Sons of Confederate Veterans. The California Division shall not endorse any candidate, party or proposition identifiable with any party at any of its Conventions or meetings, in accordance with the National Constitution and By-Laws of the Sons of Confederate Veterans.

Section 2. No debts shall be contracted by the California Division, Sons of Confederate Veterans, except by a two-thirds vote of the Executive Council.

Section 3. The use of the insignia, badges or name of this Confederation for business, commercial, political or unauthorized use is strictly prohibited; nor shall such badges or insignia be given or bestowed upon anyone not eligible to wear them under the Constitution and By-Laws of the National Organization of the Sons of Confederate Veterans.

Section 4. No person shall be elected, appointed or serve as an officer or committee member of the California Division unless he is a member in good standing of one of the Camps of the California Division, Sons of Confederate Veterans.

ARTICLE XII - COMMITTEES

Section 1. Committees may be appointed by the Division Commander as he may deem necessary and appropriate, and may also be dissolved at his pleasure, except as otherwise specified by this Constitution and By-Laws. Unless otherwise designated, the first named to such committees shall act as Chairman.

Section 2. All committees shall meet when called by the Chairman of same. Committees shall make written reports and recommendations to the Division Commander and the Executive Council as soon as assigned duties are performed.

Section 3. The Budget and Confederate Heritage Committees, which are continuing in nature and required by provisions of this Constitution, shall report on their activities to each Division Convention.

ARTICLE XIII - AMENDMENTS

Section 1. This Constitution and By-Laws may be amended at any Division Convention by vote of two-thirds of the authorized representation in assembly, provided that the proposed amendment is sent by either United States mail or email to each Camp in good standing at least thirty days prior to convening of such Division convention.

Revision 22 March 2005 (rescinded 6 April 2015)

Given the necessary business expenses to SCV California of 1. Maintaining a Division web site, and 2. providing for SCV and UDC recruiting by helping division genealogist JR Watson with software to perform necessary genealogical research, and 3. Plaques and Awards at the division Reunions, 1. A stipend payable to the Division webmaster, yearly, to pay or to defray website expenses, not to exceed \$300 yearly; 2. A stipend payable to the Division genealogist, yearly, to defray genealogical software expenses, not to exceed \$200 yearly; 3. \$100 for Reunion plaques and awards, yearly.

Revision of 6 April 2015

Division Treasury will pay \$300 yearly to the division commander as a travel stipend; \$300 yearly towards maintaining a Division web site; and \$400 yearly toward our reunions. 22 March 2005 amendment is rescinded.