



CONSTITUTION OF THE NORTH CAROLINA DIVISION

SONS OF CONFEDERATE VETERANS

As amended April 26, 2014 in Valdese, NC

ARTICLE I - TITLE

Section 1. This Division shall be known as the North Carolina Division, Sons of Confederate Veterans.

Section 2. The North Carolina Division, Sons of Confederate Veterans, is a corporation, incorporated under the laws of North Carolina, with principal office being the home address of the Division Commander.

Section 3. The North Carolina Division, Sons of Confederate Veterans, is a subordinate organization of the Sons of Confederate Veterans, Inc., a Texas Nonprofit Corporation.

ARTICLE II - NATURE

Section 1. The North Carolina Division shall be strictly civic, patriotic, educational, and benevolent, nonpolitical and nonsectarian. Each member shall perform his duty as a citizen according to his own conscience and understanding.

- A. Said organization is organized exclusively for charitable, religious, education , and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- B. No part of the net earnings, the property, or the proceeds of the organization shall inure to the benefit of, or be distributable to its members, directors, officers, or any other individual, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any

candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

- C. Upon the dissolution or final liquidation of the organization, the residual assets, including all moneys, real or personal property, investments, credits, endowments, financial records, and any other appurtenances, or things of pecuniary value, shall be turned over to the General Headquarters of the Sons of Confederate Veterans, Inc., as long as it is at that time an exempt organization within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code. Any such assets not disposed of shall be disposed of by the Superior Court of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such exempt purposes.

Section 2. Discussion of matters that pertain to a political party, whether specifically identified or identified by implication, during meetings of the Division is strictly prohibited. Nothing in this Constitution, however, shall be construed to abridge or prohibit the adoption or advocacy of positions that are concerned with the general welfare of the United States of America or its national security; nor to abridge or prohibit the expression of the mind of the Division in such matters by the adoption of resolutions or petitioning the Executive and Legislative Branches of the government; provided that there is no identification, specific or implied, with any political party.

ARTICLE III – ORGANIZATION

Section 1. The several constituted bodies of the Division shall be as follows:

- A. Of organizations, known as camps, each camp to have a name, and be assigned a number upon admittance to the Confederation;
- B. Of organizations of camps, to be known as Brigades: being Southern Highland, Smoky Mountain, Blue Ridge, Southern Piedmont, Northern Piedmont, Capitol, South Central, Southern, North Central, North East, Mid East, and South East.

Section 2: Organizations of at least two (2) dues paid camps known as Brigades. The twelve (12) Brigades shall include the following counties: **Southern Highland:** Ashe, Avery, Buncombe, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania,

Watauga, Yancey. **Smoky Mountain:** Cherokee, Clay, Graham, Jackson, Macon, Swain. **Blue Ridge:** Alexander, Alleghany, Burke, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Polk, Rutherford, Wilkes. **Southern Piedmont:** Anson, Cabarrus, Mecklenburg, Montgomery, Randolph, Rowan, Stanley, Union. **Northern Piedmont:** Alamance, Caswell, Davidson, Davie, Forsyth, Guilford, Rockingham, Stokes, Surry, Yadkin. **Capitol:** Durham, Granville, Orange, Person, Wake. **South Central:** Chatham, Harnett, Johnston, Lee, Moore, Wayne. **Southern:** Bladen, Cumberland, Hoke, Richmond, Robeson, Scotland. **North Central:** Edgecombe, Franklin, Halifax, Nash, Northampton, Vance, Warren, Wilson. **North East:** Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Martin, Pasquotank, Perquimans, Pitt, Tyrrell, Washington. **Mid East:** Carteret, Craven, Greene, Jones, Lenoir, Onslow, Pamlico. **South East:** Brunswick, Columbus, Duplin, New Hanover, Pender, Sampson.

Section 3. The North Carolina Division shall organize a camp anywhere in the State of North Carolina where seven (7) or more men show an interest in forming a camp.

ARTICLE IV - MEMBERSHIP

Section 1. All camps in good standing within the boundaries of the State of North Carolina shall make up the North Carolina Division.

Section 2. Membership in the North Carolina Division is membership in the General Organization of the Sons of Confederate Veterans by affiliation with camps.

ARTICLE V - DIVISION CONVENTION

Section 1. The legislative body of the North Carolina Division, Sons of Confederate Veterans, shall be the Division Convention to be held annually the last Saturday in April.

Section 2. The Division Commander, or in the event of his absence, death or resignation, the Lieutenant Commander, at the request of a majority of the camps, or of the Division Executive Council, shall convene the Division Convention in special meeting, if he deems the emergency sufficient.

Section 3. The Division Convention shall be called to order by the Commander of the camp where the meeting is being held. After prayer by the Division Chaplain, and the address of welcome, it shall be turned over to the Division Commander, who will take charge of the Division Convention and instruct the Division Adjutant to call the roll of Division Officers, and of its camps in numerical order. As the camps are called, the

chairman of each delegation will answer. A committee on Credentials, which will be composed of the Division Parliamentarian, Adjutant, Lieutenant Commander and the Camp Commander of the host camp to whom shall be referred all the credentials of delegates. This committee shall pass as to the fitness or propriety of any delegate which is challenged. This committee shall also assign each camp its number of votes.

Section 4. Every member in this Confederation in good standing will be privileged to attend the meetings of any organization belonging to the Sons of Confederate Veterans, and receive that fraternal consideration they are designed to foster.

Section 5. The rules of procedure at any Division Convention shall be those set forth in Robert's Rules of Order, Newly Revised, except wherein they may be altered by the Convention.

Section 6. A quorum shall exist at a Division Convention when one-third of all camps are represented as provided above.

ARTICLE VI - DIVISION OFFICERS

Section 1. At each Division Convention held in a year the date of which is an even number, the Division Convention shall elect a Division Commander, a Lieutenant Commander, and a Commander for each of the twelve Brigades. The Division Commander and Lieutenant Commander shall be elected by majority vote of all camp delegations present. Brigade Commanders shall be elected by majority vote of camp delegations present from their respective brigades. The number of votes assigned to camps shall follow the policy as set forth in Article XV. These officers shall be elected for a term of two years, and may succeed themselves in the same office to which they were elected. They will be members of the Division Executive Council. The Division Commander shall appoint the following officers: Division Adjutant, Division Chief of Staff, Division Historian, and Division Chaplain. In addition, the Division Commander may appoint the following: Division Parliamentarian, Division Surgeon, Division Judge Advocate and such assistants and aides as he may deem necessary.

Section 2. Such officers shall serve until the adjournment of the succeeding Division Convention following their election, or thereafter until their successors are chosen and until every function of that Division Convention is discharged.

Section 3. The Division Adjutant and Division Historian shall be members of the Division Executive Council with one vote and shall remain a member for the duration of the Division Commander's tenure. They serve in their respective offices at the discretion

of the Division Commander.

Section 4. Each Division Commander who has served a full term and does not continue to hold the office shall have the title of Past Commander. Those who shall not have served a full term may have these privileges conferred on them by motion, receiving four-fifths of the votes cast at any Division Convention.

ARTICLE VII - DUTIES OF OFFICERS

Section 1. Division Commander. The Division Commander shall be the executive head of the North Carolina Division, Sons of Confederate Veterans, with full responsibility and power to enforce the provisions of the Division Constitution, the will of the Division Convention, and the decisions and orders of the Division Executive Council, and, to this effect, he may issue all necessary orders. He shall decide all questions of law, order or usage. He shall be empowered to act for the good of the Division, as circumstances, in his judgment, may require, in cases not provided for by this Constitution, subject in all such decisions and acts to appeal to the Division Convention. Vacancies occurring among officers shall be filled subject to the approval of the Division Executive Council. During the interim between Division Conventions, he shall have full charge of the conduct of the affairs of the Division, limited as stated above, amendable in all cases by the next Division Convention. He shall appoint all necessary committees, and shall perform such other duties as are incident to the office.

Section 2. Division Lieutenant Commander. The Lieutenant Commander shall perform the duties of the Commander in his absence, and in case of the death or resignation of the Commander shall become Commander for the unexpired term. The Division Lieutenant Commander shall assist the Commander in the performance of his duties as directed by the Division Commander and shall be Chairman of the Division New Camp Recruitment Committee. If the Division Lieutenant Commander succeeds to the office of Division Commander, he shall immediately request the Division Executive Council to appoint a Division Lieutenant Commander to hold office until the next scheduled election of Division Officers by the Division Convention.

Section 3. The Brigade Commanders shall visit each camp in their brigade at least once a year; attend all Brigade, Division, and National functions possible; conduct not more than two but at least one Brigade meeting a year; assist the Division Commander in the establishment of new camps in his brigade as a member of the New Camp Recruitment Committee, and shall assist the Division Commander as directed by him.

Section 4. The Division Second Lieutenant Commander shall be chairman of the Division Awards Committee.

Section 5. The Division Adjutant shall be charged with the administration of the policies and mandates of the Convention, the Division Executive Council and the Division Commander. He shall keep correct records of the proceedings of the Division Headquarters and the Division Convention, a roster of the Division, Brigades and Camp Officers, and a roll of the camps; conduct the correspondence of the Division, and issue the necessary orders under the direction of the Division Commander and perform such other clerical duties and functions as may be necessary from time to time. He shall collect and be the custodian of the funds of the Division, sign all checks disbursing its funds, and he shall make reports upon the condition of the treasury when called for by the Commander. He shall make a report to each Division Convention, showing the work performed by his office, and the conditions and prospects of the Division, with such recommendations as he may deem proper. He shall perform such other duties as are usually incident to the office. He shall be a member of the Division Executive Council. In the absence of the Division Commander and Lieutenant Commander, he shall preside at the meetings of the Division Executive Council.

Section 6. The Division Surgeon shall perform the duties properly appertaining to his office, and advise the Division Commander on all matters relating to the medical well being of the Division. He shall perform other such duties as may be assigned to him by the Division Commander.

Section 7. The Division Judge Advocate shall advise the Division Officers and the Division Executive Council on all legal matters, including the interpretation of the Division Constitution, and shall perform such other duties as are usually incident to the office.

Section 8. The Division Chaplain shall open and close with prayer the Division Conventions and other meetings, and perform such divine and non-sectarian services as may be necessary in connection with the office.

Section 9. The Division Historian shall collect from year to year all records and data of value and interest for the Division and shall compile during his term of office a complete history of the year's activities. He shall also assist the Camp historians so as to coordinate and unify the work of these officials, and shall have such other duties as the Division Commander may direct. He shall be a member of the Division Executive Council.

Section 10. The Division Parliamentarian shall have and be familiar with Robert's Rules of Order, Newly Revised. He shall sit next to the Division Commander at the Division Convention and at Division Executive Council Meetings and advise the Division Commander as to procedural matters. He shall perform other such duties as may be assigned by the Division Commander.

Section 11. The Division Color Sergeant shall have charge of the Division United States Flag, North Carolina Flag, and Confederate Battle Flag and shall be responsible for having said flags at each Division Convention and meetings of the Executive Council. He may appoint assistants to aid him in this task. He shall also lead the flag salutes at all Division Conventions and Executive Council Meetings.

Section 12. The Division Quartermaster shall have charge of the Division's personal and real property, with the exception of the divisional flags, to maintain and display.

Section 13. The Division Chief of Staff shall be responsible for carrying out the orders of the Division Commander, for supervising the organization and proper functioning of the Division, as well as coordinating the work of the Division Staff. He shall, under the direction of the Division Commander, issue general and special orders and instructions as required, and perform such other duties as may be assigned to him by the Division Commander, while carrying on the normal functions generally assumed by a Chief of Staff.

ARTICLE VIII - DIVISION EXECUTIVE COUNCIL

Section 1. The Division Executive Council shall be composed of the following Division Officers: Commander, Lieutenant Commander, Brigade Commanders, Second Lieutenant Commander, Adjutant, Chief of Staff, Public Affairs Officer, Parliamentarian, Chaplain, Judge Advocate, Color Sergeant, Historian, Quartermaster, Sergeant-at-Arms, immediate past Commander, and Camp Commanders. A Camp Commander may designate in writing a representative, from his camp, for the Executive Council meeting to represent his camp in his absence. This alternate shall have full voting rights.

Section 2. The Division Executive Council shall be charged with the performance of the duties elsewhere prescribed in the Constitution, and shall have all other necessary power in the administration and regulation of the affairs of the Division, not especially delegated to or made a part of the duties of some other official or committee.

Section 3. The Division Commander shall call a meeting at such time as may seem to

him proper or upon the written request of three members of said Council or upon written petition of five Camp Commanders.

Section 4. The Division Executive Council shall fix the salary and expenses of such employees as may be needed for the administration of the affairs of the Division and prescribe their duties.

Section 5. All questions affecting the conduct, execution of duties, malfeasance, performance, or other such matters or questions of whatever nature concerning Division Officers, elected or appointed, shall be referred to and determined by the Division Executive Council, which shall be the final authority thereon.

Section 6. The North Carolina Division Commander shall be chairman of the Executive Council.

Section 7. A quorum shall exist at a Division Executive Council meeting when twenty percent (20%) of its members are present.

ARTICLE IX - CAMP ORGANIZATION

Section 1. The organization of camps in the Division will be as set forth in the Constitution of the General Organization.

ARTICLE X - REPORTS

Section 1. Reports by camps to the Division and to General Headquarters shall be as set forth in the Constitution of the General Organization.

Section 2. The Commander of the Division may prescribe additional reports of the camps, Division Officers and Division Committees.

ARTICLE XI - FINANCE

Section 1. The revenue of the Division shall be derived from annual per capita taxes as set by the Division Convention and from such other sources as may be approved by the Division Executive Council.

Section 2. A yearly per capita tax shall be paid to the Division by each camp for every active member in good standing. The amount of such per capita tax shall be determined annually by the Division Executive Council, subject to the will of the Division Convention.

Section 3. The annual per capita tax shall be collected by each camp and shall be

transmitted to the Division Headquarters at the same time the per capita tax is required to be submitted to the International Headquarters. The per capita tax of a new member shall be due at the time he joins the Division and shall be for the fiscal year in which he joins.

Section 4. The fiscal year of the Division shall be the same as the fiscal year of the International Organization.

Section 5. All financial records of the Division, brigade, officers or committees shall be the property of that organization and not the personal records of the individual assigned the duties of financial officer, and, at the expiration of the term of duty of such officer, or by the request of the Division or Brigade Commander, such records shall be promptly turned over to such Commander.

Section 6. The Charles E. Purser Research Scholarship will be financed by the Division's general funds.

ARTICLE XII - PENALTIES, CHARTERS, SUSPENSIONS OR EXPULSION, ETC.

Section 1. The imposition of penalties upon camps, suspension of charters of camps or similar actions shall be as set forth in the Constitution of the General Organization.

Section 2. A member may be censured or suspended or expelled from membership only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, and conduct unbecoming a member of the Sons of Confederate Veterans, or the commission of an act repugnant to this Constitution. Charges may be proffered by their Camp, or by action of the Division Executive Council or the Division Convention. If said member resigns after charges have been properly proffered, he shall be considered to have been expelled.

Section 3. Disciplinary Committee. Shall be composed of one member from each Brigade. Members of the Disciplinary Committee shall be appointed by the Division Commander strictly from any lists submitted to him by the Brigade Commanders, or, if no such lists are submitted, at his sole discretion. The Division Commander shall appoint one member of the Committee to be the Disciplinary Committee Chairman. The Committee may, at the direction and sole discretion of its Chairman, subdivide itself into a Subcommittee to hear particular cases so long as the Subcommittee is composed of not less than four members of the Committee. The Subcommittee shall have the full force and effect of the whole Committee.

Section 4. Standing. Charges proffered by a Camp must be against one if its own

members. The Division Executive Council or the Division Convention may proffer charges against any member. Charges may not be proffered by any individual.

Section 5. Procedure. Charges shall be proffered in writing to the Division Commander who shall promptly refer the matter to the Disciplinary Committee. The accused shall be presented a copy of the charges and invited to provide a timely response. The Committee may conduct additional inquiries as necessary. A two-thirds majority shall be necessary to decide any question of guilt.

Section 6. Venue. The Committee shall meet in person at an announced meeting place of the Division Executive Council or Division Convention to hear testimony, receive investigative reports, receive other information, and deliberate and vote on the question. All proceedings shall be in executive session.

Section 7. Report. After the conclusion of its business, the Committee shall report to the Division Commander their findings which he shall disseminate to the Division Executive Council. If the Committee makes a finding of guilty, the accused shall be

promptly notified by the Division Commander using U.S. Mail or private carrier which provides proof of delivery. If the accused is acquitted, the matter shall be dropped and disregarded; if found guilty, the accused shall have the right to appeal to the Division Executive Council.

Section 8. Appeal. The accused may appeal the decision by submitting a request for an appellate hearing to the Division Commander within thirty (30) days of the date from which the notice was sent. The request for appeal, once received by the Division Commander, shall be ordered for hearing before the Division Executive Council in a timely manner. The Division Executive Council may decide whether or not to hear the appeal; a majority shall be necessary to uphold the decision of the Disciplinary Committee. The Division Executive Council may remand the case to the Committee for reconsideration. The accused shall be notified of the decision of the Division Executive Council by U.S. Mail or private carrier which provides proof of delivery.

Section 9. Imposing Punishment. The Division Commander shall direct that punishment be imposed if any of the following conditions occur: (a) the decision of the Disciplinary Committee is upheld by the Division Executive Council, (b) the guilty verdict of the Disciplinary Committee is upheld by the Division Executive Council, but a lesser punishment is ordered, (c) the Division Executive Council declines to hear the appeal, (d) the accused declines his right of appeal, or (e) the time limit for submitting a request for an appellate hearing expires. The accused shall be notified in writing of the

punishment to be imposed.

Section 10. Decisions Not Upheld. If the Division Executive Council does not uphold the decision of the Disciplinary Committee and the accused is determined to be not guilty, then the accused shall be notified by the Division Commander that he has been exonerated and the matter has been dropped.

Section 11. Expelled members. Expelled members are not eligible for reinstatement. Expelled members shall not be allowed to take part in any Division meetings or activities.

Section 12. Convention. Any decision by the Division Convention to censure a member shall be final.

Section 13. Camps, being the judges of their own members, may impose discipline upon their own members. Camps may suspend or expel a member from their respective Camp. If the Camp thereafter wishes to have the member expelled from the Division, they shall proffer charges to the Division Commander. At this point the procedures are as described elsewhere in this Article. If the member is not expelled from the Division at the culmination of these actions, he may transfer to another Camp within the Division.

ARTICLE XIII - PROHIBITIONS

Section 1. Prohibitions shall be as set forth in the Constitution of the General Organization.

ARTICLE XIV - COMMITTEES

Section 1. The Division Commander shall appoint such committees as he deems necessary or expedient to assist him in the execution of his duties. He may appoint the Chairman or the Committee may elect its own chairman at the discretion of the Division Commander.

Section 2. The committees shall subdivide themselves for purposes of facilitating their labors, and shall keep a record of their meetings, make reports at least annually, or often, if required by the Division Commander.

Section 3. All records, accounts, minutes or other information gathered by the committee shall be turned over to the Division Adjutant.

Section 4. The Division Executive Council, by a simple majority, may direct the Division

Commander to appoint a committee for a prescribed purpose.

Section 5. All committees shall meet when called by their chairman or when directed by the Division Commander.

ARTICLE XV - REPRESENTATION-DELEGATES

Section 1. The representation of the various camps at the Annual Division Convention, shall be by delegates, as follows: One delegate for every ten (10) active members in good standing in the camp and one additional for a fraction thereof of five (5) or more; provided, that every camp in good standing shall be entitled to at least two (2) delegates.

Section 2. At the Division Convention, each camp shall be entitled to cast the number of votes equal to the number of delegates to which it is entitled under Sections 1 and 2 above whether or not it has that number of delegates in attendance. In the event that all of the delegates to which the camp is entitled are not in attendance, the number of votes which the camp is entitled to cast shall be prorated among the camp's delegates present, if more than one. If only one delegate is present, that delegate shall be entitled to cast the total number of votes to which his camp is entitled as herein before stated. A camp which is not present, forfeits its right to vote.

Section 3. Camps will not be allowed representation unless they shall be in good standing with the Division as well as General Headquarters.

ARTICLE XVI - VOTING

Section 1. In all questions submitted to the Division Convention, the chair shall put the question for a voice 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 delegation.

Section 2. Balloting shall be by camps; the chairman of the delegation depositing the written ballots for the camp, where written ballots are required. In balloting for officers, a majority of all votes cast shall be necessary to a choice. Officers may be voted by voice, unless twenty-five votes or one-third of the votes present demand a written ballot.

Section 3. When there is but one candidate for an office, upon motion, and by unanimous consent, a formal ballot can be dispensed with, and the candidate be elected by acclamation.

Section 4. The ayes and nays may be required and entered upon record at the call of

any seven delegates from different camps.

Section 5. There shall be no voting by proxy at the Division Convention.

ARTICLE XVII - OFFICIAL LADIES

Section 1. Official Ladies shall be as set forth in the Constitution of the General Organization.

ARTICLE XVIII - OFFICIAL PUBLICATION

Section 1. The official publication of the North Carolina Division shall be The Carolina Confederate.

ARTICLE XIX - DIVISION HEADQUARTERS

Section 1. The Division Headquarters shall be located at the home address of the Division Commander, unless he shall designate some other address within the state of North Carolina.

Section 2. Section 1 above shall be null and void if there be established a permanent Headquarters for the Division within the State of North Carolina.

Section 3. The official archives and records of the Division, together with all books, manuscripts, relics and other historical materials brought together under its direction, shall be kept at Headquarters.

ARTICLE XX - ENDOWMENT FUND

Section 1. The Division shall establish an endowment fund for the purpose of a future Division Headquarters Building.

Section 2. The endowment fund principal shall come from the Division's Lifetime Membership dues, said dues to be used exclusively to fund the endowment principal and from all monies in the current Endowment Fund of the North Carolina Division, Sons of Confederate Veterans, as of May 15, 2004.

Section 3. The division commander shall be responsible for the administration of the Endowment Fund, including the investing of the endowment principal in a vehicle designed to maximize the earning potential of the fund each year. He shall also be charged with reporting to the Division Convention all pertinent information regarding the Endowment Fund, including the principal contained therein, the available funds to be

used for the Division Headquarters building and the anticipated growth of the fund during the next twelve months. He may also report to the Division Executive Council any information concerning the Endowment Fund that he deems necessary. The Division Commander may be assisted in the administration of the fund by the Division Adjutant and by other compatriots as he determines are needed.

Section 4. An audit of the Endowment Fund will be implemented annually under the direction of the Division Adjutant and the findings reported to the Division Convention or the next Division Executive Council meeting, whichever immediately follows the conclusion and receipt of the audit's findings.

ARTICLE XXI - AMENDMENTS

Section 1. This Constitution may be amended at any Division Convention by the vote of two-thirds of the total authorized representation thereat, provided that the proposed amendment shall have been sent to each camp in good standing at least thirty days in advance of the Convention.

A handwritten signature in black ink that reads "J. Daniel Bolich". The signature is written in a cursive, flowing style.

ATTESTED to by the Commander