



# **Sons of The American Legion First District**

**“Serving the Community, State and Nation”**

## **CONSTITUTION of the FIRST DISTRICT DETACHMENT of WISCONSIN – SONS of THE AMERICAN LEGION**

### **PREAMBLE**

Proud possessors of a priceless heritage, we male descendants of veterans of all Wars, associate ourselves together as “Sons of The American Legion” for the following purposes:

to uphold and defend the Constitution of the United States of America;  
to maintain law and order; to foster and perpetuate a true spirit of Americanism;  
to preserve the memories of our former members and the associations of our members and our forefathers in all Wars;  
to inculcate a sense of individual obligation to the Community, State and Nation;  
to combat the autocracy of both the classes and the masses;  
to make right the master of might; to promote peace and good will on earth;  
to safeguard and transmit to posterity the principles of justice, freedom and democracy;  
to consecrate and sanctify our friendship, by our devotion to mutual helpfulness;  
to adopt in letter and spirit, all of the great principles for which The American Legion stands;  
and to assist in carrying on for God and Country.

### **ARTICLE I – NAME**

The name of this organization shall be the First District, Detachment of Wisconsin, Sons of The American Legion.

### **ARTICLE II - OBJECTIVES**

**Section 1.** The objects of the Sons of The American Legion shall be the objective of the First District and in addition thereto shall be the fostering and maintenance of a closer relationship between the Squadrons and District.

**Section 2.** To assist the individual squadrons to function more efficiently.

**Section 3.** To promote a closer comradeship between the members and the Squadrons of the First District for the overall good of Sons of The American Legion.

**Section 4.** To recruit and train members to become leaders at the Detachment and National levels



**Section 5.** To promote a closer relationship with The American Legion, The American Legion Auxiliary and The American Legion Riders.

### **ARTICLE III – ORGANIZATION**

**Section 1.** The First District shall consist of the Sons of The American Legion in All of that part of Waukesha, Racine, Kenosha, Walworth, and Rock Counties which is described and determined by The American Legion, Department of Wisconsin as the First District.

**Section 2.** The First District shall be the following Elected Officers:

- A. A District Commander
- B. 1<sup>st</sup> District First Vice Commander
- C. 2<sup>nd</sup> & 3<sup>rd</sup> Vice Commanders, Optional
- D. One Adjutant Officer
- E. One Finance Officer
- F. A Chaplain
- G. Two Sergeant-at-Arms
- H. A Historian

**a.)** The First District Commander shall appoint a Judge Advocate for the District who shall be an Officer of the District and member of the District Executive Committee.

**Section 3.** There shall be a District Executive Committee to consist of the following members:

- A. All District Officers
- B. Two Immediate Past District Commanders
- C. All Past First District Sons Commanders
- D. District One Advisory Council

**Section 4.** The District Executive Committee may meet in person, by telephone, electronically or by the combination of any of these methods. Between conferences of the First District, administrative power shall be vested in the Executive Committee of the First District.

**Section 5.** If, after 90 days, the District Commander is unable to fill the position(s) from 3 separate Squadrons to serve as Vice Commanders, the Commander shall have the authority to appoint, from one or more Squadrons, as may be needed to fill vacancies. If, after 90 days, the District Commander is unable to fill the position(s), the District Commander shall appoint the following as needed: Adjutant, Finance Officer, Judge Advocate and Historian. These appointments are to be made sometime not later than twenty days prior to the District Fall meeting and ratification to be made at said fall meeting.



## **ARTICLE IV – CONFERENCES AND CONVENTIONS**

**Section 1.** The First District shall hold two conferences each year.

- A. The First District shall hold one conference in the fall and one conference in the spring of each year.
- B. The First District shall hold a meeting before the yearly elections for Detachment Officers during the annual State Convention.
- C. The First District shall hold a meeting before the yearly Detachment Executive Committee meeting (DEC) during the annual Mid-Winter Conference.

**Section 2.** For the purposes of carrying out the provisions of the Constitution and of conducting affairs of the First District, Delegates shall be named or elected from each Squadron in the First District to represent said Squadron in the First District. Each Squadron shall elect, or the Squadron Commander shall appoint (as determined by the Squadron) a minimum of two Delegates and two Alternates with one additional Delegate for each one hundred memberships on which each Squadron shall have paid. No Delegate(s) or alternate(s) shall be seated at the District Conference if obligation(s) to the District have not been paid. Any Squadron member in the First District is permitted to attend District meetings and District Conferences; however, only duly accredited delegates or alternates shall have the right to vote at said conferences.

**Section 3.** In addition to regularly elected delegates and alternates, all members of the District Executive Committee and all Past District Commanders shall be entitled to one vote at the Fall and Spring Conferences with their votes being cast with their respective Squadron Delegates.

**Section 4.** “Roberts’ Rule of Order” shall be the parliamentary authority for all matters of procedure not specifically covered by this Constitution and for all meetings and conferences of the First District except for otherwise provided by the Constitution of the National Organization or the Detachment of Wisconsin or by the First District.

**Section 5.** Delegates from the First District to the National Convention of Sons of The American Legion shall be elected at the District Spring Conference. The said conference to be held at least forty-five (45) days prior to the Detachment Convention. These members of the First District of Sons of The American Legion must have their dues paid at the time of their election and are then in good standing.

## **ARTICLE V – QUORUMS**

**Section 1.** A quorum at a District Conference shall consist of ten percent (10%) of the eligible delegates and/or alternates.



## **ARTICLE VI – STANDING COMMITTEES**

**Section 1.** The necessary Standing Committees shall be determined by the District Executive Committee.

## **ARTICLE VII – AMENDMENTS**

**Section 1.** This Constitution may be amended at a District Conference by affirmative vote of two-thirds ( $\frac{2}{3}$ ) of the voting members present, provided that the proposed amendment(s) shall have been available to read at such Conference at least thirty (30) minutes before voting thereon and that notice of the amendment(s) is sent to each Squadron no later than thirty (30) days prior to the District Conference.

**Section 2.** A vacancy in the office of District Commander will be filled pursuant to the Detachment and District By-Laws.

## **ARTICLE VIII – BY-LAWS**

**Section 1.** Activities not included in the Constitution may be provided for in the First District By-Laws to be adopted at a regularly convened District Conference.

## **ARTICLE IX – ASSESSMENTS**

**Section 1.** There shall be an annual assessment of twenty-five (25) cents per member of each Squadron in the First District.

## **ARTICLE X – ENACTING CLAUSE**

**Section 1.** This Constitution shall go into effect following its adoption by three-fourths ( $\frac{3}{4}$ ) of the delegates present at the First District Spring Conference in 2024, and subject to approval by the Detachment Executive Committee of Wisconsin.

Revised: 1933, 1954, 2024

Approved @ First District Spring Conference 4-6-2024

© 14 July 2024: Wisconsin Detachment, Dist. Nº 01

# **BY-LAWS OF THE FIRST DISTRICT DETACHMENT OF WISCONSIN SONS OF THE AMERICAN LEGION**

## **ARTICLE 1 - DISTRICT EXECUTIVE COMMITTEE**

Section 1. Between District Conferences the administrative power shall be vested in the District Executive Committee. Said committee in addition to the specific duties prescribed and defined in the constitution and in these By-Laws shall with the District Commander, exercise general supervision over the District and Squadrons.

Section 2. The District Executive Committee may meet in person by telephone, electronically, or by a combination of any of these methods.

Section 3. The District Executive committee shall have the power to require any officer having the possession or custody of any of the funds or property of the District to give bond in such sum as they shall fix with sureties as they shall approve. All expenses contracted with the giving of the bonds required by the Constitution or these By-Laws or by the District Executive Committee, shall be paid out of District funds.

Section 4. The District Executive Committee shall have the authority to appoint sub-committees from among its members for the performance of special duties and shall have the authority to delegate to them such functions and authority as it shall deem necessary.

Section 5. Any matter purporting to relate to the policy, business or administration of the District and which is not regulated by specific provisions of the Constitution or these By-Laws, shall be referred to the District Executive Committee for determination and adjustment.

Section 6. The District Executive Committee shall have the authority to create committees, and to determine the term of appointment of said committees, provided that appointments shall be for the term of the District Commander. When such committees, as established by the District Executive Committee adopt By-Laws and amend these By-Laws governing their committee, they shall then submit their By-Laws and amendments to the District Judge Advocate who shall then make his recommendations at the next meeting of the District Executive Committee, and the District Executive Committee may either approve or disapprove of said By-Laws.

Section 7. A quorum of the District Executive Committee shall consist of 51% or more of the elected and/or appointed members of the District. All calculations will be rounded up to the nearest whole number.

Section 8.

a) If established by the District Executive Committee, the District Finance Committee shall consist of three (3) members.

b) The members of the District Finance Committee, as now constituted shall be the District Commander, the First Vice Commander, the Finance Officer or one (1) or two (2) members appointed by the District Commander that do not serve on the District Executive Committee.

c) The District Finance Committee shall submit an annual budget to the Spring Conference for approval and annually audit the expenses and receipts of the District. In the interim, the District Finance Committee shall make recommendations to the District Executive Committee for approval on all financial matters.

d) The district Finance Officer shall arrange to have a monthly financial statement of the district read at each regularly scheduled meeting of the District Executive Committee.

## **ARTICLE II - DUTIES OF OFFICERS**

### **Section 1. District Commander**

(a) The District Commander shall be the Chief Executive of the District. He shall see that the provisions of the National, Detachment and District Constitutions and By-Laws and of all laws, regulations and policies established there under shall be observed. He shall be the presiding officer of the District Conferences and of all other District meetings and gatherings at which he shall be present.

(b) He shall represent the District in its relations with The American Legion, American Legion Auxiliaries, American Legion Riders, National, State and other governmental bodies. He shall attend and actively participate in the Detachment Executive Committee meetings and Conventions. He shall have the authority to designate a District Vice Commander to represent him at public ceremonies and meetings and in the event of the inability of any of the District Vice Commanders to accept such an assignment he shall appoint another representative in the case of sickness, absence or other temporary disability of the District Commander, he shall designate a Vice Commander to act in his stead.

(c) He shall receive from comrades, Squadrons, private citizens or organizations complaints affecting the conduct of members of Squadrons or affecting the welfare of the District; and he shall present same to the District Executive Committee for appropriate action.

(d) He shall appoint from time to time such committees as he may deem necessary or as shall be provided for by the District Executive Committee or the District Conference. Such committees shall serve at the pleasure of the District Commander.

(e) He shall receive a travel or administrative account to be determined by the District Executive Committee.

### **Section 2. District Vice Commanders**

(a) The District First Vice Commander shall act for the District Commander in the event the District Commander is incapacitated.

(b) If it is necessary for the District Commander to vacate the office, the First Vice Commander will be acting District Commander until he or a replacement District Commander is sworn into office for the remainder of the term.

(c) The District Vice Commanders shall be the representatives of the District Commander on all matters referred to any of them by him and shall on his request, preside over meetings of the District Conference or District Executive Committee and perform such other duties as are usually incident to the office.

### Section 3. **District Adjutant**

(a) The District Adjutant shall keep a record of all meetings of the District Conference and all meetings of the District Executive Committee and shall prepare same for permanent record in a book, file or electronic file and he shall at each regular meeting, at the direction of the District Commander, read the minutes of the previous meeting and make such corrections as may be allowed. He and the District Historian shall have custody of all the minute books, files, records, and other property or equipment used in the performance of the duties of his office.

(b) He shall render, at the annual Spring Conference, a full and complete report of the functioning of his office for the preceding year and shall perform such other duties as may be imposed upon him by the District Commander and the District Executive Committee.

### Section 4. **District Finance Officer**

The Finance Officer shall keep a record of all financial transactions in a book, file or electronic file and have it ready for annual audit. All financial transactions must be approved by the District Executive Committee, unless prescribed by the annual budget. The District Finance Officer shall be bonded and shall disburse funds as approved.

### Section 5. **District Chaplain**

The District Chaplain shall officiate at such District Meetings and conferences and all other meetings of a District nature and shall perform such other duties ordinarily incident to the office of Chaplain or as shall be assigned to him by the District Commander.

### Section 6. **District Sergeant-At-Arms**

The Sergeants-at-Arms shall perform such duties as shall be assigned to them by the District Commander.

### Section 7. **District Judge Advocate**

The District Judge Advocate shall be appointed, and his duties shall be to interpret the Constitution, resolutions, procedures, and other District regulations, and give his opinion thereon only at the request of the District Commander or the District Executive Committee. An attorney at law or the Detachment Judge Advocate shall defend the District in any litigation pursuant to the Detachment Constitution and By-Laws.

## Section 8. **District Historian**

The District Historian shall be responsible for the compiling of a complete historical record of the District. He shall have authority to request from the officers and Committee Chairmen or the District, and the Squadrons therein, information necessary for the performance of his duties. He is assisted by the District Historian Emeritus.

## Section 9. **Reports by District Officers, Committee Chairmen**

Each District officer, Committee Chairman and District Vice Commanders shall annually prepare a report for the Spring Conference of the activities of his office or committee, together with recommendations.

# **ARTICLE III - ELECTION OF DISTRICT OFFICERS**

Section 1. At District Spring Conferences, on even years, the following District Officers shall be elected, and voting shall be by secret ballot. Such officers shall be nominated and elected in the following order:

1. One District Commander
2. Up to three District Vice Commanders, but not less than one. (1<sup>st</sup> Vice Commander is mandatory while a 2<sup>nd</sup> and/or 3<sup>rd</sup> Vice Commander remains optional.)
3. One Chaplin
4. One Adjutant
5. Two Sergeants-at-Arms
6. Finance Officer
7. Historian

Section 2. Nominations for the elected office of District Commander and Vice Commander shall be endorsed by their American Legion Post Commander or their American Legion County Commander or the First District American Legion Commander through a written letter. Failure to receive this endorsement before the election rejects their nomination.

Section 3. Nominating speeches for the office of District Commander shall be limited to five minutes and one seconding speech of two minutes. For the elected Vice-Commander, the nominating speech shall be limited to three minutes and one seconding speech of two minutes.

Section 4. Election Procedure:

(a) Nominations and elections for all elective offices shall be made a special order of business at the Annual Spring Conference. Nominations and elections shall proceed until all elective offices have been filled.



(b) Each registered delegate present at the annual Spring Conference shall have one vote, and each Conference delegate shall, upon registration, receive an identifying badge containing his name and squadron number.

(c) The election officials shall consist of the following:

1. A Supervisor of Election shall be appointed by the District Commander.
2. Two Ballot Clerks who shall be appointed by the District Commander and who shall assist in the conduct of the election.

(d) The voting procedures shall be as follows: A delegate wishing to vote shall present himself as designated by the District Commander to vote for the candidates.

(e) At the close of the voting, Ballot Clerks and the Supervisor of Election shall count the number of votes cast. The Ballot Clerks shall thereafter tally the votes for the respective candidates and the Supervisor of Elections together with the Ballot Clerks, shall thereupon total the vote of all candidates and make return thereof to the District. All tally sheets shall be delivered to the District Adjutant and shall be retained by him for a period of thirty (30) days following the conclusion of the election. The Supervisor of Elections and the Ballot Clerks shall determine all questions of irregularities with respect to the election. Any candidate aggrieved by such determination may appeal to the District Executive Committee any questions of irregularities affecting the result of such election at any time within (30) days after adjournment of the Conference at which the election was held.

(f) Election officials shall expeditiously, upon closing of the voting, tally and count the votes and make return thereof so that announcement of the results of such elections may be made promptly.

(g) A simple majority vote of the delegates present and voting shall be required for the election of any elected officer.

(h) In the event of the absence or disability of any delegate, his alternate shall have the right to cast his vote in all elections held under these rules.

(i) In the event of any tie, the tie shall be broken by lot. If no candidate receives a majority vote of the delegates present, the two with the highest vote shall then be voted upon again under this process until one candidate is elected by simple majority vote.

3. The election officials shall review and verify all endorsement letters.

## **ARTICLE IV – VACANCIES**

Section 1. A vacancy in the Office of District Commander will be filled pursuant to the Detachment By-Laws.

Section 2. A vacancy in the office of First Vice Commander will be filled by succession of the 2<sup>nd</sup> Vice Commander or 3<sup>rd</sup> Vice Commander, as appropriate to

their availability. Should there be no subordinate Vice Commander to hold office, the Commander shall appoint a member in good standing to fill the vacancy for the remainder of the term. (See Constitution Article III – Organization, Section 5).

Section 3. Vacancies in appointed positions shall be filled as needed by the District Commander, subject to the approval of the District Executive Committee for the balance of the two (2) year term.

## **ARTICLE V - FISCAL YEAR**

Section 1. The fiscal year of the District shall be the period of time as prescribed by the District Executive Committee, unless superseded by the Detachment Constitution.

## **ARTICLE VI - MONIES, COLLECTIONS, LIABILITY AND EXPENSE**

Section 1. No indebtedness or liability shall be contracted for, or expenditure made by any District Officer or Committee, except the District Executive Committee, without the approval of the District Executive committee.

Section 2. Reimbursement for travel incident of official duties of District Officers shall be pursuant to Detachment Constitution, By-Laws and /or procedures approved by the Detachment Executive committee.

Section 3. All Squadron officials handling Sons of The American Legion monies shall be properly bonded with a good and solvent bonding surety company as surety to cover double the average amount of money held in a single year. In case of delinquencies in the payment of amounts due to the District, action shall be taken at once by the proper officials to bring about a speedy and complete settlement. The bonds provided by Squadron officials shall be approved by the Detachment Judge Advocate and the Detachment Executive Committee.

Section 4. The District Commander shall, should it be deemed advisable, detail special auditors to investigate the membership rolls and finances statement of a Squadron.

## **ARTICLE VII – CONFERENCES**

Section 1. The District Commander shall recommend the sites, dates, and times of District Conferences and present them to the District Executive committee for final approval.

Section 2. Awards to Squadrons and /or members shall be presented at the Districts Spring Conference. The awards shall include membership awards for the first Squadron to reach 100% based on the membership size, using the same formula as the award for highest percentage increase. The first Squadron to reach

100% will receive an award and there will be awards for the highest percentage increase for Squadrons based on:

Squadrons 1 to 99

Squadrons 100-199

Squadrons 200-299

Squadrons over 300

Section 3. No District funds shall be expended for expenses in the hosting of a conference.

### **ARTICLE VIII - DRESS CODE**

Section 1. The designated uniform for First District Officers will consist of dark slacks, blue or white shirt, an official SAL/TAL or other Patriotic tie, a dark blazer and the Sons of the American Legion Garrison cover. American Legion Riders vests and berets are accepted as part of the First District Officers uniform. Members may wear a suit and the Sons of the American Legion cap in lieu of the aforementioned uniform.

Section 2. The District Commander shall advise the designated Dress Code for District meetings, District events and other District Officers appearances.

### **ARTICLE IX – AMENDMENTS**

Section 1. These By-Laws may be amended at a District Conference by the affirmative vote of two-thirds of the voting members present, provided that the proposed amendment or amendments shall have been available to be read at such Conference at least thirty (30) minutes before voting thereon and that notice of the amendment is sent to each Squadron not later than thirty days prior to the District Conference.

Section 2. No proposed amendment to these By-Laws shall be submitted to a District Conference unless such proposed amendment shall have first been submitted by the Executive Committee, or by a regular meeting of any Squadron of Sons of The American Legion in the First District of Wisconsin.

Section 3. Amendments to the National By-Laws of Sons of the American Legion shall automatically operate to amend the By-Laws of the First District.

Revised: 1933, 1954....2024 Approved @ First District Spring Conference 4-6-2024

July 2024: Sons of the American Legion, Detachment of Wisconsin, First District