

Sons of The American Legion

Fighting Third District

“Serving the Community, State and Nation”

CONSTITUTION of the THIRD DISTRICT DETACHMENT OF WISCONSIN SONS OF THE AMERICAN LEGION

PREAMBLE

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

To uphold and defend the Constitution of the United States of America;
to maintain law and order;
to foster and perpetuate a true spirit of Americanism;
to preserve the memories of our former members and the associations of our members and our forefathers in the Great Wars;
to inculcate a sense of individual obligation to the Community, State and Nation;
to combat the autocracy of both the classes and the masses;
to make right the master of might; to promote peace and 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 Third District, Detachment of Wisconsin, Sons of The American Legion.

ARTICLE II - OBJECTIVES

Section 1. The objectives of Sons of The American Legion shall be the objectives of the Third District and in addition thereto shall be the fostering and maintenance of a closer relationship between the Squadrons and the 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 Third District, for the over-all 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 and The American Legion Auxiliary.

ARTICLE III - ORGANIZATION

Section 1. The Third District shall consist of Sons of The American Legion Squadrons in the counties of Crawford, Dane, Grant, Green, Iowa, Lafayette, and Richland, and all the members of said Squadrons.

Section 2. The Officers of the Third District shall be the following:

- (a) A District Commander - elected
- (b) A District First Vice Commander - elected
- (c) Two (2) Additional District Vice Commanders - appointed
- (d) A District Adjutant/Finance Officer or one (1) District Adjutant and one (1) District Finance Officer - appointed
- (e) A District Chaplain - appointed
- (f) Two (2) District Sergeants-at-Arms - appointed
- (g) A District Judge Advocate - appointed
- (h) A District Historian – appointed

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

- (a) All District Officers
- (b) Two (2) Immediate Past District Commanders
- (c) S.A.L. County Commanders, from; Crawford, Dane, Grant, Green, Iowa, Lafayette, Richland, if organized.
- (d) All Third District Past Detachment Commanders

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

Section 5. The District Commander shall appoint two (2) District Vice Commanders, not of the same County as each other. If, after ninety (90) days, the District Commander is unable to find people from two (2) separate counties to serve as District Vice Commanders, he shall then have the authority to appoint, from one (1) or more counties, as many needed to fill vacancies. The District Commander shall appoint a District Adjutant, District Finance Officer, two (2) District Sergeants-at-Arms, District Judge Advocate and District Historian. These appointments to be made sometime not later than twenty (20) days prior to District Fall Conference and ratification to be made at said District Fall Conference.

ARTICLE IV - CONFERENCES AND CONVENTIONS

Section 1. The Third District shall hold two (2) conferences each year pursuant to the Detachment Constitution and By-Laws.

Section 2. For the purposes of carrying out the provisions of the Constitution and of conducting of affairs of the Third District, delegates shall be named or elected from each Squadron in the Third District to represent said Squadron in the Third District. Each Squadron shall elect or Squadron Commander shall appoint (as determined by the Squadron) a minimum of two (2) delegates and two (2) alternates with one additional delegate for each one hundred (100) memberships on which each Squadron shall have paid. No delegates or alternate shall be seated the District Conference if obligation to the District has not been paid. Any Squadron member in the Third 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 or alternates, all members of the District Executive Committee, and all Past District Commanders shall be entitled to one (1) vote at the Spring and Fall Conferences, and their votes shall be 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 Third District except as otherwise provided by the Constitution of the National Organization or the Detachment of Wisconsin or by the Third District.

Section 5. Delegates from the Third 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 Third District of Sons of The American Legion must have their dues paid at the time of their election and are then currently in good standing. On the even numbered years, immediately following the election of District Officers all other candidates for the National Delegation shall be nominated and elected in due form. On the odd numbered years, candidates for the National delegation shall be nominated and elected at the time selected by the District Commander. The time to be announced and published in the Third District bulletin at least thirty (30) days prior to the District Conference.

ARTICLE V - QUORUMS

Section 1. A quorum at a District Conference shall consist of ten percent (10%) of the eligible delegates 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 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 (30) days prior to the District Conference.

ARTICLE VIII - BY-LAWS

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

IX - ASSESSMENTS

Section 1. There shall be an annual assessment of 25 cents per member of each Squadron in the Third District.

Section 2. This assessment can be deferred at the discretion of the Executive Committee of the Third District.

ARTICLE X - ENACTING CLAUSE

Section 1. This Constitution shall go into effect following its adoption by three-fourths of the delegates present at the Third District Fall Conference in 2009, and subject to approval by the Detachment Executive Committee of Wisconsin.

**BY-LAWS OF THE THIRD 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, County Councils 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 bond 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 or 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 five (5) members of the District Executive Committee.

Section 8.

- (a) If established by the District Executive Committee, the District Finance Committee shall consist of five (5) members.
- (b) The members of the District Finance Committee, if constituted, shall be the District Commander, the District First Vice Commander, the District Finance Officer and 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, Auxiliaries, National, State and other governmental bodies. He shall attend the Detachment Executive Committee meetings and Conventions, and be an active participant. 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 that District Commander.
- (e) He shall receive a personal expense allowance to be determined by the District Executive Committee, but not to exceed two hundred dollars (\$200.00) per year.

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, or in the event of vacancy in the office of District Commander.
- (b) 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 or 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 or file and have it ready for an 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 Sergeants-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, Counties 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 and County Commanders Each District Officer, County Commander, 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 (1) District Commander
2. One (1) District First Vice Commander

Section 2. Nominating speeches for the office of District Commander shall be limited to five minutes and one seconding speech of two minutes. For the other officer, the nominating speech shall be limited to three minutes and one seconding speech of two minutes.

Section 3. Election Procedure:

- (a) Nominations and elections for all elective offices shall be made a special order of business in the second day of the 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 (2) Ballot Clerks who shall be appointed by the District Commander and who shall assist the Supervisor of Election in the establishment and preparation and the general supervision of the conduct of the election.
- (d) The voting procedures shall be as follows: A delegate wishing to vote shall present himself at the Annual Spring Conference, shall identify himself by membership card, and be moved to area

designated by the District Commander to vote for the candidates.

- (e) At the close of the voting, Clerks and the Supervisor of Election shall count the number of votes cast. The Clerks shall thereafter tally the votes for the respective candidates and make return thereof promptly to the Supervisor of Election, setting forth the number of votes cast. The Supervisor of Election, 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 Election and the Ballot Clerks shall determine all questions of irregularities with respect to the election. And 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 thirty (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 election may be made promptly.
- (g) The 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.

ARTICLE IV - VACANCIES

Section 1. A vacancy in the Office of District Commander will be filled by the District First Vice Commander, who will be the Acting District Commander until he is sworn in as the new District Commander for the remainder of the term.

Section 2. A vacancy in the Office of District First Vice Commander will be filled by election of any of the District Vice Commanders by the District Executive Committee.

Section 3. Vacancies in the representation of any County in the District on the Executive Committee shall be filled by the appointment of an individual by the District Commander, subject to the approval of the District Executive Committee.

ARTICLE V - DISCIPLINE

Section 1. The District Executive Committee shall have power to suspend or remove from office for inefficiency, neglect of duty, misconduct in office, or other good cause shown, any elected or appointed officer of the District after a fair and impartial hearing on written charges brought against such officer(s).

Section 2. Notice containing a statement of the charges shall be given the District Officer at least ten (10) days prior to the date fixed therein for said hearing.

Section 3. Said hearing shall be conducted pursuant to such rules and regulations as said District Executive Committee shall prescribe.

Section 4. After the filing of such charges, the District Commander may at once, if he deems advisable, temporarily suspend any such officer pending the hearing of said charges. He shall also have power to call a special meeting to fill any vacancy caused by any such suspension.

Section 5. Upon the hearing of said charges, no District Officer shall be removed unless two-thirds (2/3) of the District Executive Committee, at such meeting, shall vote in favor of the removal.

Section 6. Any District Officer who shall be removed or suspended by the District Executive Committee shall have the right to appeal to the next District Conference by giving notice in writing to the District Adjutant within ten (10) days after such removal or suspension. It shall then be the duty of the District Adjutant to bring such appeal to the attention and vote of the Conference.

ARTICLE VI - 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 VII - 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 to official duties of District officers shall be authorized, as funds are available, for distances of 20 miles for more at the rate to be determined by the District Executive Committee

Section 3. All County and 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 and led in a single year. In case of delinquencies in the payment of amounts due the District, action shall be taken at once by the proper officials to bring about a speedy and complete settlement. The bonds provided by County and 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 financial statement of a County or Squadron.

ARTICLE VIII - 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, Counties and/or members shall be presented at the District 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 County to reach 100% will receive an award and there will be awards for the highest percentage increase for Squadrons based on:

Squadrons with 1 to 99 members,
Squadrons with 100 to 199 members,
Squadrons with 200 to 299 members,
Squadrons with 300 members and over

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

ARTICLE IX - DRESS CODE

Section 1. The designated uniform for Third District Officers will consist of gray slacks, blue Detachment shirt or a white shirt, a tie, a blue blazer and the Sons of The American Legion cap.

Members may wear a suit and the Sons of the American Legion cap in lieu of the aforementioned uniform.

ARTICLE X - 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 County Council or Squadron of Sons of The American Legion in the Third 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 Third District.