

# CONSTITUTION

## PREAMBLE

Proud Possessors of a Priceless Heritage, we male descendants of veterans of all wars, associate ourselves together as the 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 association of our members and 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

Section 1. The name of this organization shall be the Sons of The American Legion, Oelschlaeger-Dallmann Squadron #434, Detachment of Wisconsin, Fourth District.

## ARTICLE II - NATURE AND OBJECTIVES

Section 1. The Sons of The American Legion is a civilian organization. Membership therein does not affect nor increase liability for military or police service.

Section 2. The Sons of The American Legion shall be absolutely non-political and shall not be used for the dissemination of partisan principles, nor the promotion of the candidacy of any person or group seeking public office or preferment.

Section 3. The Sons of The American Legion shall be absolutely non-sectarian.

Section 4. Each member shall perform his duty as a citizen according to his own conscience and understanding in accord with the law.

Section 5. The objectives of the Sons of The American Legion shall be the objectives of the Oelschlaeger-Dallmann Squadron 434.

- A) To promote a closer relationship between members of this Squadron and other members of The American Legion and The American Legion Auxiliary.
- B) To recruit and promote training of Squadron members to become leaders at the District, Detachment and National levels.
- C) To encourage and recruit new members for the Squadron, the Post and The Auxiliary.

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**ARTICLE III - ORGANIZATION**

Section 1. This Squadron is organized as a subordinate body of the Sons of The American Legion, Detachment of Wisconsin, and under the sponsorship and jurisdiction of the Oelschlaeger-Dallman Post #434, Department of Wisconsin, The American Legion.

Section 2. This Squadron shall be governed by such rules and regulations as may be prescribed by the National Executive Committee of The American Legion, by such rules and regulations as may be prescribed by the Detachment Headquarters, approved by the Department Executive Committee of The American Legion, and by such rules and regulations as may be prescribed by its sponsoring Post of The American Legion, not inconsistent with those prescribed by the National Organization.

**ARTICLE IV - ELIGIBILITY**

Section 1. All male descendants, adopted sons, and stepsons of members of The American Legion, and such male descendants of veterans who died in service during the period of April 6, 1917, through November 11, 1918, or any time from December 7, 1941, to date, who served honorably, as set forth in Article IV of the National Constitution of The American Legion, or who died subsequent to their honorable discharge from such service, shall be eligible for membership in the Sons of The American Legion.

Section 2. There shall be no age barrier for membership in the Sons of The American Legion. Male descendants may be a member from birth to death.

Section 3. There shall be no form or class of membership except an active membership.

Section 4. No person may be a member at any one time of more than one squadron.

**ARTICLE V - OFFICERS**

Section 1. The officers of this Squadron shall be a Commander, Vice Commander(s), Adjutant, Finance Officer, 2 Sergeant-at-Arms, Chaplain, and Historian, all of whom shall be elected annually.

Section 2. If after 90 days the Commander is unable to fill an elective officer position, he shall have the option and authority to appoint a member, in good standing, to fill the vacancies, with the approval of the Executive Committee.

**ARTICLE VI - EXECUTIVE COMMITTEE**

Section 1. Between Squadron meetings, the administrative power of this Squadron shall be vested in the Executive Committee, which shall consist of all the elective officers for the current year, all Squadron 434 Past Commanders, Past Fourth District Commanders, Fourth District Advisory Council, current Detachment Officers, and Past Detachment Officers, all shall have full voting authority.

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Section 2. A quorum of the Executive Committee shall be established when five (5) members are present.

Section 4. Upon nomination of the Squadron Commander, the Executive Committee shall annually appoint such standing committees as it shall deem advisable for the benefit of the membership of the Squadron as a whole.

Section 4. The Executive Committee may meet in person, by electronic means, or the combination thereof.

**ARTICLE VII - AMENDMENTS**

Section 1. This Constitution is adopted, subject to the provision of the National Constitution and the Detachment Constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitutions which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution, to the extent of such conflict.

Section 2. This Constitution may be amended at any regular Squadron meeting by vote of two-thirds of the members present and voting, provided that the proposed amendment(s) shall have been submitted in writing in 30 days in advance, and provided further, that written notice shall have been given to all members at least five (5) days in advance of the date which such amendment(s) is to be voted upon, notifying said members at such meeting a proposal to amend the Constitution is to be voted on.

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**BY-LAWS**

**ARTICLE I - MEMBERSHIP**

Section 1. Applications for membership shall be made in writing on official application blanks provided by the National Organization.

Section 2. Proof of eligibility must be furnished to the Squadron prior to being accepted as a member, along with the potential members first-year membership dues.

Section 4. No person who has been expelled by a Squadron shall be admitted to membership in another without the consent of the expelling Squadron. Except, that where such consent has been asked and denied, he may then appeal to the Detachment Executive Committee for permission to apply for membership in another Squadron and shall be ineligible for membership until such permission is granted.

**ARTICLE II - NOMINATIONS AND ELECTION OF OFFICERS**

Section 1. Nominations for all Squadron officer positions will be held at the general meeting in April and will close at the end of nominations from the floor. At such time, an Elections Official will be selected.

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Section 2. Elections for all offices will be by ballot and will take place before the May general meeting. All members, in good standing, are eligible to vote in the election. All ballots will be tallied at that time and the results announced to the membership.

Section 3. Members for each office who have received a majority of the votes cast shall be declared duly elected to the respective office.

- A) In the event of a tie vote, new ballots will be distributed to the membership in attendance for another vote.
- B) This process will continue until the member receives a majority vote. That member will then be declared duly elected to the office.

Section 4. As a matter of process, the Elections Official will entertain a motion to destroy the ballots. Upon passage of said motion, ballots will be destroyed.

Section 5. The newly elected officers shall take office at the next regular meeting following the election and shall hold office until the close of the meeting when the next election is held.

**ARTICLE III - DUTIES OF OFFICERS**

Section 1. Commander: The Commander shall preside at all meetings of the Squadron and enforce strict observance of the National and Detachment Constitution, and Squadron By-Laws. He shall appoint, subject to the approval of the Squadron Executive Committee, chairman of the standing committees and create such other committees as needed. He shall be the official Squadron representative at Fourth District and Detachment meetings.

Section 2. First Vice Commander: The First Vice Commander shall act as representative of the Commander on his request, on all matters referred to him. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander.

Section 3. Second Vice Commander: The Second Vice Commander shall likewise act as representative of the Commander at his request. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander.

Section 4. Adjutant: The Adjutant shall be in charge of and keep a full and accurate record of the proceedings and transactions of all meetings. He shall keep records such records as the Detachment and National Organization may require. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander. He shall deliver to successor all Squadron records in his possession.

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Section 5. Finance Officer: The Finance Officer shall be the custodian of the funds of the Squadron. He shall receive all money belonging to the Squadron and to bank and account for same. He shall pay all bills authorized by the Squadron, and shall keep account of receipts and disbursements, making reports at each regular Squadron meeting and such other reports as may be deemed necessary by the Executive Board. He shall have all finance records available at the beginning of June each year for audit by the Post Legislative Committee. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander. He shall deliver to his successor all money and records belonging to the Squadron.

Section 6. Sergeants-at-Arms: The Sergeants-at-Arms shall be charged with the responsibility of preserving order at all Squadron meetings. They shall perform such other duties as are usually incidental to the office and mutually agreed upon between them and the Commander.

Section 7. Chaplain: The Chaplain shall offer prayer at the opening and closing of each Squadron meeting, and on other occasions, as necessary. He shall perform such divine and non-sectarian service as may be necessary. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander.

Section 8. Historian: The Historian shall compile a complete history of the year's activities. He shall perform such other duties as are usually incidental to the office and mutually agreed upon between him and the Commander.

**ARTICLE IV - MEETINGS AND CONFERENCES**

Section 1. The regular monthly meeting of this Squadron shall be held on the second Wednesday of each month, except July and August, at the Oelschlaeger-Dallmann Post 434, at 7:00 PM.

- A) A quorum of this Squadron shall be established when there are five (5) members of the Executive Committee present.
- B) Special meetings of the Squadron may be called by the Commander, by a majority of the Squadron Executive Board, or upon written request of a quorum of Squadron members.
- C) Only members in good standing will be privileged to participate in the business of a meeting, vote or hold office.
- D) Meetings of this Squadron may be held by electronic means, if necessary.

Section 2. Fourth District Meetings. Members are encouraged to attend meetings of the Fourth District. A) The Squadron shall elect or appoint members, in good standing, to represent the Squadron at Fourth District meetings.

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Section 3. Detachment and National Meetings. All members are encouraged to attend Detachment meetings.

- A) The Squadron shall elect or appoint members, in good standing, to represent the Squadron at Detachment meetings.
- B) The Squadron will pay the following for all members, in good standing, who attend the annual Mid-Winter Conference and Detachment Convention.
  - a. Registration
  - b. The cost of the meal served at the main business meeting.
  - c. Stipends for lodging and other expenses will be provided in accordance with the following, with the stated amounts being for each duly elected or appointed delegate or alternate delegate that the Squadron is entitled to.
    - i. For Detachment and National meetings held within fifty miles of Oak Creek, Wisconsin, maximum per capita expenditure shall be \$75.00, with a maximum annual Squadron expenditure of \$525.00.
    - ii. For Detachment and National meetings held in this state greater than fifty miles from Oak Creek, Wisconsin, the maximum per capita expenditure shall be \$200.00, with a maximum Squadron annual expenditure of \$1400.00.
    - iii. For National Conventions held outside of the State of Wisconsin, the maximum per capita expenditure shall be \$500.00, with a maximum annual Squadron expenditure of \$2500.00.
    - iv. Total maximum for all Detachment and National meetings expenditure shall not exceed \$4425.00.
  - d. Delegates and alternate delegates will receive the appropriate stipend according to the preceding only if they have registered for the Mid-Winter Conference or Convention(s), attended the scheduled meetings, and provided proof of lodging at said meetings approved site for at least one 1 night.

**ARTICLE V - FINANCES**

Section 1. The revenue of the Squadron shall be derived from annual membership dues and from such other sources as may be approved by the membership.

Section 2. The annual membership dues of this Squadron shall be \$ 20.00, payable within 60 days of the start of the fiscal year, for the following year.

Section 3. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If his dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February first, he shall be suspended from all privileges. If he is still under such suspension on June first of such year, his membership in the Sons of The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Squadron payment of current dues for the

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year in which reinstatement occurs. To maintain continuous years of membership, any missing year's dues must be paid.

Section 4. All funds of this Squadron shall be deposited in an official Squadron bank account by the Finance Officer.

**ARTICLE VII - RULES OF ORDER**

Section 1. The rules of procedure of this Squadron shall be those set forth in the most current edition of *Robert's Rules of Order (Revised Edition)*, except as otherwise stated herein.

**ARTICLE VIII - AMENDMENTS**

Section 1. These By-Laws are adopted, subject to the provision of the National Constitution and the Detachment Constitution of which this Squadron is a subordinate member. Any amendment to the National or Detachment Constitutions which is in conflict with any provision hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution, to the extent of such conflict.

Section 2. This By-Laws may be amended at any regular Squadron meeting by vote of two-thirds of the members attending such regular meeting; provided that the proposed amendment(s) shall have been submitted in writing, and provided further, that written notice shall have been given to all members at least five (5) days in advance of the date which such amendment(s) is to be voted upon, notifying said members at such meeting a proposal to amend the By-Laws is to be voted on.

Section 3. An amendment not having been previously read or distributed as described in Section 2 may be adopted by unanimous vote of the membership present at the meeting.

**ARTICLE IX - AUTHORITY**

Section 1. The authority under which all Detachments, Districts, and Squadrons of the Sons of The American Legion shall function is vested in the National Constitution and Bylaws of the Sons of The American Legion and The American Legion. Any provision of any Detachment, District, or Squadron Constitution or Bylaws or any regulation of any Department, District, or Squadron in conflict with the foregoing authority shall be void.

Revised 08 May 2024