

Resolution Form

SONS OF THE AMERICAN LEGION, DETACHMENT OF WISCONSIN

Detachment Executive Committee Meeting
(or) **Detachment Convention Assembled**

Date: July 13, 2024
Resolution No: DC-24-01

Originates from: Internal Affairs Commission of the Detachment Executive Committee

Title: Changes to Constitution and Bylaws 2024

Whereas: as with any organization, Sons of The American Legion Detachment of Wisconsin finds from time to time it needs to make changes to our Constitution and By-Laws; and

Whereas: these changes are made to conform with changes made to the National Constitution and Bylaws adopted in October 2022; and

Whereas: other changes are needed to provide clarity and update with current practices; NOW, THEREFORE BE IT

Resolved: by the Sons of The American Legion, Detachment of Wisconsin assembled in convention on the 13th day of July, 2024 in the city of Appleton, Wisconsin, that our Constitution and By-Laws with an amended date of October 17, 2019 be amended as follows:

Constitution Article IV – Eligibility, Section 1 which currently reads:

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 World War I, and December 7, 1941, to date, as set forth in Article IV, Section 1, 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.

Be modified to read:

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.

and; BE IT FURTHER RESOLVED THAT

Constitution Article IV Eligibility – Sections 3 and 4 which read as follows are deleted since they are redundant with other parts of the Constitution:

Section 3. There shall be no age barrier for membership in the Sons of The American Legion. Male descendants can be a member from birth to death.

Section 4. If there are some that are eligible to belong to the Sons of The American Legion, but their home post does not sponsor a Squadron, it will be permissible for these Sons to join the Squadron of another post, until such time as their home post forms a Squadron. They may then transfer to said Squadron, but cannot be forced to make such transfer.

and; BE IT FURTHER RESOLVED THAT

Constitution Article V. Administrative Body be renamed to Article V. Legislative Body and that all references throughout be updated accordingly; and that Section 9 have the word “Newly” inserted so that it reads:

Section 9. In addition to provisions of this Constitution and By-Laws and Robert’s Rules of Order, Newly Revised, the Executive Committee of the Sons of The American Legion, Detachment of Wisconsin shall establish Executive Committee Rules to further govern the conducts of its business.

and; BE IT FURTHER RESOLVED THAT

Constitution Article VI. Elections, Section 7. a) remove the reference of the National Executive Committeeman as being an automatic delegate for the Detachment since his is now an automatic delegate as outlined in the National Constitution, so that it reads as follows:

Section 7. National Convention of the Sons of The American Legion Delegates.
a) The current Detachment Commander, the immediate past Detachment Commander, and the Detachment Adjutant, ~~and the currently serving Sons of The American Legion National Executive Committeeman~~ shall be automatic delegates to the National Convention of the Sons of The American Legion. All ~~current~~ members of the Sons of The American Legion National Executive Committee Officers and all Past Sons of The American Legion National Commanders are delegates at large with the Detachment to the Sons of The American Legion National Convention.

and; BE IT FURTHER RESOLVED THAT

Article VII. Finances, Section 6 insert the word “Commission” so that it reads:

Section 6. The Department Adjutant shall provide a financial statement of the Sons of The American Legion general fund activity, from Department Headquarters to the Detachment Adjutant and Detachment Finance Commission Chairman, prior to the Detachment Convention, the Spring, Fall and Winter Detachment Executive Committee meetings of the Sons of The American Legion, Detachment of Wisconsin for review, and at any other time as circumstances may warrant as determined by the Department Adjutant.

and; BE IT FURTHER RESOLVED THAT

Bylaws Article V. Arrears in Dues, Section 1 change the reference from June thirtieth to June first to conform with the National Bylaws so that it reads:

Section 1. 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 ~~thirtieth~~ **first** 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 a vote of the Squadron and payment of current dues for the year in which reinstatement occurs. Provided, however, that the Squadron, Detachment and National organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service.

and; BE IT FURTHER RESOLVED THAT

Bylaws Article VIII. Finances. Section 3. Remove the two-thirds reference so that it reads:

Section 3. The revenue of the Sons of The American Legion, Detachment of Wisconsin shall be derived from annual membership dues in a per capita amount established by the annual Detachment Convention delegates, and from such other sources as may be approved by the Executive Committee of the Sons of The American Legion, Detachment of Wisconsin, The American Legion, Department of Wisconsin Fundraising, Finance, and Executive Committees. Modification to the Detachment per capita dues for members shall require a ~~two-thirds~~ vote in the affirmative by the annual Detachment Convention delegates. Dues shall be payable in amounts as provided in the Standing Rules.

and; BE IT FURTHER RESOLVED THAT

In the Bylaws, create a new Article IX. Discipline and renumber the following articles accordingly. The new Article IX Discipline shall have three sections as follows:

Section 1. The Executive Committee of the Sons of The American Legion, Detachment of Wisconsin may suspend, cancel, or revoke the charter of any Squadron in the Sons of The American Legion, in the event it violates the provisions of this Constitution, subject however to the approval of the Executive Committee of The American Legion, Department of Wisconsin.

Section 2. Upon the cancellation or revocation of the Charter of any Squadron, the property and assets belonging to said Squadron, shall there upon, become the property of the Post of The American Legion to which such Squadron is attached.

Section 3. All disciplinary decisions made by a Squadron Executive Committee shall be reviewed by the sponsoring Post Executive Committee; all disciplinary decisions made by an S.A.L. District Executive Committee shall be reviewed by the corresponding District Executive Committee of The American Legion; and all disciplinary decisions made by the Detachment Executive Committee shall be reviewed by the Department Executive Committee of the Wisconsin American Legion; to be confirmed and approved.

and; BE IT FINALLY

Resolved: that this resolution be forwarded to the Executive Committee of The American Legion, Department of Wisconsin for their review.