

Amended By-Laws – Approved at
2016 Fall Conference & 2017 Spring Conference

BY-LAWS

**THE 10TH DISTRICT
THE AMERICAN LEGION
DEPARTMENT OF WISCONSIN**

**ARTICLE I
THE DISTRICT EXECUTIVE COMMITTEE**

SECTION 1. Between District Conferences the administrative power of the 10th District shall be vested in the District Executive Committee. Said Committee, in addition to the specific duties prescribed and defined in the Constitution, and in the By-Laws shall, with the District Commander, exercise general supervision over the District, County Councils and Posts.

SECTION 2. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Commander at least twice per year in addition to Spring and Fall Conference. The Commander shall call a meeting of the Executive Committee upon the request of three (3) or more members of said Executive Committee. When deemed appropriate, the Commander may authorize meetings via electronic media. A majority of the Committee shall constitute a quorum thereof. (Refer to Art. III, Sec. 2 of the Constitution – 8 members needed).

SECTION 3. The District Commander or such District Vice-Commander as he shall designate shall preside at all meetings of the Executive Committee. The District Adjutant shall be the Secretary of said Committee and keep a record of the proceedings thereof.

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. It shall be the duty of the Executive Committee to fill any vacancies which may occur in its own membership. The officer or member so chosen shall serve for the unexpired term of the officer or member whose term becomes vacant.

SECTION 6. All District Committee reports shall be made in writing to the Spring and Fall Conference at the discretion of the District Commander. The Adjutant shall then record all committee reports submitted to the Conference in the regular minute book of the District.

SECTION 7. Any matter purporting to relate to the policy, business, or administration of the 10th District, and which is not regulated by specific provisions of the Constitution, a District Conference, these Bylaws, or 10th District Policy shall be referred to the District Executive Committee for determination and adjustment.

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**ARTICLE II
COMMITTEES**

SECTION 1. Finance Committee

- (a) There shall be a District Finance Committee composed of three (3) members, to be appointed by the District Commander. Members shall serve staggered three-year terms. Members shall serve until their successors has been duly appointed and qualifies. No member shall be appointed to immediately succeed themselves.
- (b) The District Finance Committee shall approve, budget and audit the expenditures of the District; its decisions being final; unless overruled by a majority of the members present at a regular or special meeting of the District Executive Committee.
- (c) The District Finance Committee shall adopt its own rules regulating the approval, budgeting and auditing of the expenditures of the District, said rules to be made known to, and approved by the District Executive Committee.
- (d) The District Finance Committee shall consider any other matters relating to the funds of the District or other funds under its jurisdiction.
- (e) The District Commander shall appoint a Chair annually from this committee.

SECTION 2. Resolutions and Policy Committee

- (a) There shall be a District Resolutions and Policy Committee, composed of three (3) members, to be appointed by the District Commander. Members shall serve staggered three-year terms. No member shall be appointed to immediately succeed themselves.
- (b) The District Commander shall appoint a liaison to this Committee for a two-year term, who shall be ineligible to vote or act as chairperson.
- (c) The District Commander shall appoint a chairperson annually from this committee, who shall preside at all meetings of the committee and make reports to the District Executive Committee at its regular meetings, and to each District Conference.
- (d) It shall be the duty of the District Resolutions and Policy Committee to review all Resolutions before they are presented for the adoption or rejection of the District Conference to determine if they are properly written and/or germane to the policies and mandates of the 10th District, and to study, recommend and formulate policies that will be beneficial to the District on all matters that will tend to increase the prestige of the 10th District and to advance the best interests of The American Legion. No recommendation of the Resolutions and Policy Committee shall be considered as final, unless approved by the Executive Committee or a District Conference.
- (e) Courtesy resolutions, such as for recognizing the contributions and/or participation of delegates, alternate delegates, and/or guests attending a District Conference, or to express gratitude to host Posts and communities, may be submitted for vote at a District Conference following the report and recommendation of the Resolutions and Policy Committee. Resolutions having Department or National scope shall be reviewed and receive DEC approval prior to being submitted to District Conference for review and approval by delegates.

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SECTION 3. Time and Place Committee

- (a) There shall be a District Time and Place Committee, composed of three (3) members, to be appointed by the District Commander. Members shall serve staggered three-year terms. No member shall be appointed to immediately succeed themselves.
- (b) The District Time and Place Committee shall act on submissions of Posts to host the Spring and Fall Conferences.

SECTION 4. Elections Committee

- (a) An Elections Committee, consisting of three (3) members, shall be appointed by the District Commander, who shall designate one member as the Supervisor of Elections. The Supervisor of Elections shall act as chair of the committee and supervise elections and voting during District Conferences to ensure proper procedure is followed. The other members shall act as clerks, assisting in the balloting and orderly conduct of elections and voting. Members of the Elections Committee who are not District Conference delegates shall not be eligible to vote at a District Conference.

SECTION 5. Past Commanders Committee

- (a) A Past Commanders Committee, consisting of Past District Commanders, shall be appointed by the District Commander. The Past Commanders Committee shall be responsible for memorializing and publishing practices and protocols for the conduct of District, County Council, and Post activities, conferences, and programs, and to advise and assist. The membership shall elect their chairperson.

**ARTICLE III
DUTIES OF THE OFFICERS**

SECTION 1.

- (a) The District Commander shall be the Chief Executive of the District. He shall see that the provisions of the National, Department and District Constitution and By-Laws and all laws, regulations and policies established there under shall be observed. He shall be the presiding officer of District Conferences, District Executive Committee meetings and any other District meetings at which he shall be present. He shall represent the District in its relations with the American Legion Auxiliaries, Federal and State and other Governmental bodies. He shall have authority to designate a District Vice-Commander to represent him at public ceremonies and meetings. In the event of the inability of any of the District Vice-Commander to accept such assignments, he shall appoint another representative. In case of sickness, absence or other temporary disability of the District Commander, he shall designate a Vice-Commander to act in his stead.
- (b) He shall appoint from time to time such committees as he may deem necessary and shall be provided for by the District Executive Committee or the District Conference.
- (c) He shall receive a personal expense allowance to be determined by the District Executive Committee.

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SECTION 2. 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.

- (a) The District Adjutant/Finance Officer shall keep a record of all meetings of the District Conference, and all meetings of the District Executive Committee, and prepare same for permanent record in a book or file kept for that purpose, and 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 shall have the custody of all the minute books, files, records and other property or equipment used in the performance of the duties of his office. He shall receive from local Posts, all annual dues and assessments that may be levied upon such Posts, and deposit same to the credit of the 10th District, The American Legion, Department of Wisconsin, in depositories as designated by the District Executive Committee, and shall keep a record of all receipts of such monies. He shall prepare and sign vouchers and checks for the approved disbursements of District funds.
- (b) He shall notify all Posts of financial obligations owing the District.
- (c) 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 duties as may be imposed upon him by the District Executive Committee or the District Commander.

SECTION 4.

- (a) The District Service Officer shall have charge and direction over Post Service Officers. He shall perform such duties as are usually incident to such office, and may be required by a District Conference, District Executive Committee or the District Commander.
- (b) He shall render at the annual Spring Conference a full and complete report of the functioning of his office for the preceding year.

SECTION 5. The District Chaplain shall officiate as such at the District Conference, and all other meetings of a District nature, and shall perform such duties ordinarily incident to the office of Chaplain or as shall be assigned to him by the District Commander.

SECTION 6. The District Sergeants-at-Arms shall have custody and care of the District Colors, and shall perform such other duties incident to the office of Sergeant-at-Arms or as shall be assigned to them by the District Commander.

SECTION 7. The duties of the District Judge Advocate shall be to interpret the 10th District Constitution, Conference Resolutions, procedures and other District regulations, and give his opinion thereon at the request of the District Commander, or the District Executive Committee. Note that every effort shall be made by the District Commander to locate an Attorney-at-Law. In the event of a prosecution or defense on behalf of the District, an attorney shall be retained.

SECTION 8. Each District Officer and Committee or Board Chairman shall annually prepare a

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report of the activities of his office, together with recommendations, to be submitted at the annual Spring Conference.

**ARTICLE IV
ELECTION OF DISTRICT OFFICERS**

SECTION 1. Elections of all officers shall be held on the first day of the Spring Conference each odd-numbered year. Nominations and election for each office shall be held separately and completed before taking up nominations and election for the next succeeding office, in the following order:

1. One District Commander
2. One District 1st Vice-Commander
3. One District 2nd Vice-Commander
4. One District 3rd Vice-Commander
5. One District Chaplain
6. Two District Sergeants-at-Arms

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

SECTION 3. Each registered delegate present at the annual Spring Conference shall have one vote.

SECTION 4.

- (a) The District Officers shall be elected by a majority of votes cast.
- (b) The District Officers shall hold office as prescribed by the Constitution of The American Legion, Department of Wisconsin.

SECTION 5. The election shall be under the supervision of an Election Committee consisting of three (3) members appointed by the District Commander.

**ARTICLE V
DISTRICT POLICY**

SECTION 1. The 10th District shall maintain administrative rules and policies known as District Policy, that are germane to the functioning and order of the District, to provide resource information, program criteria, and standing requirements to be used in conducting American Legion programs, hosting District activities and events, or for such other purposes as deemed appropriate. District Policy shall be collected and published as a separate document and maintained as an appendix to these By-Laws. District Policy should be reviewed on a regular

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basis to determine the needs of the 10th District.

SECTION 2. All proposals to change District Policy shall be referred to the Resolutions and Policy Committee, which shall report to the District Conference their recommendation(s).

SECTION 3. Proposed changes to District Policy shall be submitted to a District Conference for approval. A majority vote shall be required to adopt changes or additions to District Policy.

SECTION 4. Notwithstanding the requirements of Sections 2 and 3, the District Executive Committee may establish temporary policies by a 2/3 vote when deemed appropriate, which shall be followed in the next succeeding Conference. Such temporary policies shall be referred to the Resolutions and Policy Committee following DEC approval and will expire if not ratified at District Conference.

**ARTICLE VI
AMENDMENT OF BY-LAWS**

SECTION 1. Amendments to the National By-Laws of The American Legion and amendments to the Department of Wisconsin By-Laws shall automatically operate to amend the By-Laws of the 10th District, The American Legion, Department of Wisconsin.

SECTION 2. These By-Laws may be amended at any District Conference by the affirmative vote of the majority of duly qualified delegates present, provided, however, that no proposed amendment to these By-Laws shall be submitted to a District Conference unless such proposed amendment shall have been first submitted to the District Executive Committee.