

DEPARTMENT CONSTITUTION, BYLAWS  
AND STANDING RULES  
OF THE  
AMERICAN LEGION AUXILIARY  
DEPARTMENT OF ARIZONA

Revised June 2006

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No Updates 2014, 2017

CONSTITUTION  
OF THE  
American Legion Auxiliary  
Department of Arizona

For God and Country, we associate ourselves together 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 one hundred percent Americanism; to preserve the memories and incidents of our associations during 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 goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to participate in and contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

## ARTICLE I

### Name

Sec. 1 The name of the organization shall be American Legion Auxiliary, Department of Arizona, Inc. (78)

## ARTICLE II

### Nature

Sec. 1 The American Legion Auxiliary is a civilian organization.

Sec. 2 The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment. (78)

## ARTICLE III

### Object

Sec. 1 The object of the American Legion Auxiliary Department of Arizona, Inc., shall be as stated in the Preamble of the Constitution.

## ARTICLE IV

### Eligibility

Sec. 1 Membership in The American Legion Auxiliary shall be limited to the:

(a) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and

(b) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served during either of the following periods: April 6, 1917, to November 11, 1918, and any time after December 7, 1941, who, being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility period and died in the line of duty or after honorable discharge; and

(c) Grandmothers, mothers, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918, and any time after December 7, 1941, who served on active duty in the Armed Forces of the United States during either eligibility period and died in the line of duty or after honorable discharge; and

(d) To those women who of their own right are eligible for membership in the American Legion. (2019)

Sec. 2 There shall be two classes of membership, Senior and Junior.

(a) Senior membership shall be the functioning (or active) group, composed of members over the age of eighteen years, provided however, that a spouse under the age of eighteen years, who is eligible under Sec. 1, of this Article, shall be classified as a Senior member. (90)

- (b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by Senior membership. Upon reaching the age of eighteen years, or by marriage, Junior members shall automatically be admitted into active membership with full privileges. (79)
- (c) Dues of both classes shall be paid annually, or for life.

ARTICLE V  
Organization

- Sec. 1 The Department shall be divided into not less than five or more than twelve Districts, boundaries to conform to those of The American Legion. The Department will be responsible for requesting and obtaining a Charter for each District. Each individual District will be responsible for obtaining its own EIN (Employee Identification Number) and for filing a yearly return with the Internal Revenue Service. (990, 990EZ, or 990N) (2013)
- Sec. 2 The District President shall be elected by the various Units in each District at a District Meeting called by the District President. Each Unit in the District shall be entitled to one vote for the office of District President and one vote for the office of District Vice President. The elected District Officers shall have no vote except by vote of their Unit. (2004) All District Presidents shall hold Office until their successors have been duly elected and installed.
- Sec. 3 Vacancies shall be filled by a special election, called by the District Executive Committee for the Units in the District in which the vacancy occurs, or by a majority vote of the District Executive Committee. (2016)

ARTICLE VI  
Officers

- Sec. 1 The officers of the Department shall be President, Vice President, Second Vice President, Historian, and Chaplain, all to be elected at each annual Department Convention. All officers shall hold office until their successors have been elected.
- Sec. 2 The Vice and Second Vice President, in order named, when called upon, will assist the President and in the President's absence perform the President's duties and shall succeed the President in office in case of death, resignation or removal. (88) Vacancies in any other office occurring between annual Conventions shall be filled by the Department Executive Committee. (93)
- Sec. 3 All District Presidents shall serve on the Department Executive Committee with vote.
- Sec. 4 These officers shall have powers and duties usually appertaining to their office under parliamentary law and usage, or as shall be prescribed by the Department Executive Committee.
- Sec. 5 Retiring officers shall be given thirty days after the close of the Department Convention to close their books.
- Sec. 6 Any elected Department President, Vice President, Second Vice President, Historian, or Chaplain shall not succeed themselves in office.
- Sec. 7 District Presidents may serve two consecutive terms. (81)

ARTICLE VII  
Powers

- Sec. 1 The administrative power shall be vested in the Department Executive Committee, to include the authority through which all paid employees will be hired or removed from employment. The Department Employee Manual Policies will be adhered to in this action. The Department Executive Committee is composed of one President from each District, or in their absence the District Vice President, the Department President, the Department Vice President, Department Second Vice President, National Executive Committeeman, the Department Chaplain, and the Department Historian. The Department Secretary-Treasurer shall serve on the Executive Committee without vote. All Arizona Past National Presidents in good standing in their local Units shall be members of the Department Executive Committee for life with vote.
- Sec. 2 All Arizona Past Department Presidents in good standing in their local Units shall be members of the Department Executive Committee with voice and one (1) vote, (2004) serving without expense to the Department. (87)
- Sec. 3 A quorum of the Department Executive Committee shall be fifty-one percent of the elected members of the committee plus all Arizona Past National Presidents, Past Department Presidents, and the National Executive Committeeman. No member will have more than one vote.
- Sec. 4 The use of an absentee vote is in conflict with the idea of equality of members, which is one of our fundamental principles; therefore, no member of the Executive Committee shall vote at a regularly convened meeting of the Executive Committee, except in person. (2016)
- Sec. 5 The Department Executive Committee shall meet within twenty-four hours prior to both the Conference and Convention, and thereafter at the call of the Department President.
- Sec. 6 The Department Executive Committee shall have power and authority in case of an emergency to call a Department Convention, provided that notice of at least thirty days prior thereto shall be given to all Units thereof and reason stated for calling the Convention. Place of meeting upon occasion shall be designated by the Department Executive Committee.
- Sec. 7 The Department Executive Committee shall have control over all property belonging to the Department, with the exceptions of donated items for the Cavalcade of Memories. (92) The Department Finance Committee shall ensure a Property Book is maintained.

ARTICLE VIII  
Convention

- Sec. 1 The legislative body of this Department shall be a Department Convention to be held each year. The time and place of the Annual Convention shall conform with that of The American Legion Annual Convention.
- Sec. 2 Each Unit shall be entitled to four delegates and four alternates and one additional delegate and alternate for each twenty-five members, or major fraction thereof, whose current Department and National dues have been

paid and received by Department Headquarters thirty days prior to the holding of the Department Convention.

- Sec. 3 Units not having their current District, Department and National mandates paid thirty days prior to Department Convention shall not be entitled to vote. (78)
- Sec. 4 Each delegate shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate shall be cast by the majority of the delegates present from that Unit, each Unit voting its full strength. No Unit unrepresented shall cast a vote by proxy vote.
- Sec. 5 Each member of the Department Executive Committee shall be an ex-officio delegate to the Department Convention with full voting power. (81)
- Sec. 6 All Past Department Presidents in good standing in their local Units shall be life delegates to the Department Convention with vote. (81)
- Sec. 7 A quorum of the Department Convention shall consist of the elected delegates or alternates of fifty-one percent of the Units in the Department.

## ARTICLE IX

### Delegates to National Convention

- Sec. 1 The Department shall be entitled to five delegates and five alternates and one delegate and one alternate for each 1,500 or major fraction thereof paid members whose dues have been received by the National Treasurer thirty days prior to the meeting of said Convention; provided however, that the retiring President, President elect, and any member having a National Chairmanship shall be included in the elected delegates by right of office. Members of the National Executive Committee shall be delegates at large to the National Convention with vote to be exercised with their Department.
- Sec. 2 The Department Secretary-Treasurer at the time of the National Convention shall automatically be a delegate to the National Convention, therefore need not be elected. (85)
- Sec. 3 Any member holding an Elected National Office shall automatically be a delegate to the National Convention, therefore, need not be elected as such.
- Sec. 4 The retiring (outgoing) Department President shall serve as Chairman of the National Convention arrangements and Chairman of the delegation.
- Sec. 5 Should a delegate, paid or unpaid, fail to attend the National Convention, the delegates in attendance shall elect a replacement delegate from the alternates in attendance. (89)
- Sec. 6 At the first Convention Delegation Caucus, the first order of business will be the ratification of alternates by the delegates in attendance. (89)
- Sec. 7 The Department Finance Committee shall include in its annual budget provision for the expense to the National Convention held following the Department Convention as follows: the outgoing Department President to receive airfare, ground transportation, and receive their room paid in full while in attendance at the National Convention as well as all special functions now called for in the Constitution and Bylaws, Policy/Procedure Manual of the Department of Arizona. The outgoing Department President will discontinue receiving per diem and any and all extra room charges for food, phone, or repairs. These will be the responsibility of the Department

President. (2002) The incoming President shall receive airfare, ground transportation plus per diem while in attendance at the National Convention. The Department Secretary-Treasurer shall receive airfare, ground transportation, and room paid in full while in attendance at the National Convention. (2004)

## ARTICLE X National Executive Committeeman

- Sec. 1 The Junior Past Department President shall automatically become National Executive Committeeman and the Department President shall become the Alternate National Executive Committeeman. Their duties shall be those prescribed by the National Organization.
- Sec. 2 The term of office of the National Executive Committeeman shall commence immediately following the adjournment of the National Convention next ensuing and shall end at the adjournment of the next succeeding National Convention.

## ARTICLE XI Rules

- Sec. 1 The rules of procedure of a Department Convention shall be those set forth in "Roberts Rules of Order, Current Edition".

## ARTICLE XII Amendments

- Sec. 1 This Constitution may be amended at the Department Convention by a vote of two-thirds of the total authorized representatives thereat, provided that all proposed amendments shall be represented to each delegate, and shall be presented to the Convention body at a regular session of the convention at least twenty-four hours before the vote is taken thereon; and such amendments shall become operative upon adoption unless otherwise provided for in said resolution or amendments. Provided further, it may be amended by unanimous vote at any Convention without notice. (90)
- Sec. 2 Amendments to the National Constitution and Bylaws, adopted by National Convention shall automatically become effective in this Department.
- Sec. 3 Revision as to future conduct or as to future policy shall be embodied in a separate resolution for consideration and action of either the Department Executive Committee or the Department Convention body. Adopted resolutions to be made a part of the Policies and Procedures Book. (78)

BYLAWS  
Of the  
American Legion Auxiliary  
Department of Arizona

**DEPARTMENT**

ARTICLE I  
Dues

- Sec. 1 The revenues of this Department shall be derived from annual dues plus a per capita from the Units to be used exclusively for a National Convention Delegates fund. Each annual Department Convention shall determine the amount of the Department dues and a per capita for each succeeding year.
- Sec. 2 The annual National dues, as determined by the National Convention each year, shall be collected by the Units and paid through Department Headquarters to the National Treasurer whenever the same becomes due and payable.

ARTICLE II  
Committees

- Sec. 1 The Department President shall appoint Committee Chairmen and Committee members to conform with those of the National Organization and such others as deemed advisable, subject to the ratification of the Department Executive Committee. The Department President shall be ex-officio member of all committees. (86)
- Sec. 2 Children and Youth Committee shall function as a permanent committee composed of three members. Of the three members first appointed one shall serve for one year, one for two years, and one for three years. After the expiration of the first year and every year thereafter one member shall be appointed by the Department President for a three year term. (81)
- (a) Those Committees composed of three or more members shall have both a Chairman and a Vice Chairman.
- (b) A Service to Veterans Chairman shall be appointed for a one year term. (2015)
- (c) These committees shall be arranged to conform to the convenience of the Department President; namely, Americanism, Auxiliary Emergency Fund, Cavalcade of Memories (92), Community Service, Constitution and Bylaws, Department Cash Raffle (97), Education, Junior Activities, Leadership, Legislative, Music, National Security (05), New Units/UD&R, Poppy, President's Special Project (05), Public Relations (86), Scrapbook (03), and Trophies and Awards (05).
- Sec. 3 (a) By virtue of office, the incoming Department Vice President shall have first choice, if so desired, to be Chairman of the Membership Committee and shall serve as a member of the New Units/UD&R Committee.
- (b) By virtue of office, the Department Second Vice President shall serve



as Veterans Affairs and Rehabilitation Chairman. This Committee shall be composed of the Chairman, the Service to Veterans Chairman as Vice Chairman (2015), one Representative from each Arizona Veterans Home, the Creative Arts Chairman, and the three certified Hospital Representatives.

(c) The National Executive Committeeman shall serve as a member of the Finance Committee.

(d)The Department President shall appoint a Past Presidents Parley Chairman who shall be a Past Department President. (2001)

Sec. 4 (a) The Department President shall appoint a Department Finance Committee composed of three Past Department Presidents in good standing, subject to the approval of the Executive Committee. Of the three members first appointed, one shall serve for one year, one for two years and one for three years. Thereafter each succeeding member shall be appointed by the Department President to serve for the full three-year term, subject to the ratification of the Department Executive Committee.

(b) The Department President and the National Executive Committeeman shall by virtue of office be members of the Department Finance Committee with vote. The Department Secretary-Treasurer shall be a member of the Department Finance Committee without vote. (89)

(c) Family members may not serve on the Department Finance Committee at the same time. (See Policies and Procedures Manual under “Finance” for further clarification of this Policy). Any vacancies which may result on the Department Finance Committee because of family relationship will be filled by the Department Executive Committee. (2006)

(d) Vacant positions on the Department Finance Committee when members leave an unexpired three year term will be filled only at a regular or special meeting of the Department Executive Committee. (2006)

(e) Any expenditures exceeding \$200.00 not provided for in the annual budget must have a written approval or rejection from the entire Executive Committee. (2004) In case of a financial emergency which cannot wait for a specially called or regularly convened meeting of the Executive Committee, the Department President has the privilege of having a vote of the Executive Committee by regular letter, by email, or by a combination of the two. Each member of the Executive Committee must be contacted and a “hard” copy of the response to the question is to be kept for the record. A written report of committee members’ votes will be given at the next ensuing Executive Committee meeting and the results recorded in the meeting minutes. Only one item of business may be handled in each communication. (2016)

(f) All Department Officers and Employees handling the American Legion Auxiliary monies will be properly bonded with a good and solvent bonding and surety company at the Department’s expense. (National 2005) The Districts will be bonded by a separate policy (held by the Department) at the Districts’ expense. (2013)

Sec. 5 The Arizona American Legion Auxiliary Girls State Committee shall consist of a Chairman appointed to serve a three-year term, three members appointed to serve one-year terms, and a Board of Directors. The Board of

Directors shall consist of the following by virtue of their office or paid position: the Department President, Vice President, Second Vice President, Secretary-Treasurer, National Executive Committeeman, and any member of the American Legion Auxiliary, Department of Arizona who is a Past National President, and any member of the American Legion Auxiliary, Department of Arizona, Inc., who has served as Director of Arizona Girls State. (81)

- Sec. 6 Advisory Committee: The two immediate Past Department Presidents, the Finance Chairman and two other Past Department Presidents, elected by the Executive Committee, plus all Arizona Past National Presidents shall constitute the Advisory Committee who shall advise the Department President on such matters as seen fit to bring to their attention for consideration. (2005)
- Sec. 7 The Advisory Committee shall be the final authority on employee grievances which are unable to be resolved in any other manner. (98)

### ARTICLE III Wearing of Insignia

- Sec. 1 The American Legion Auxiliary pin shall never be covered by a badge or a corsage and shall always be worn over the heart.
- Sec. 2 A uniform type of hat may be worn on such occasions as Unit activities, Department Conventions, Department Conferences or District meetings. Such uniform hats are not to be worn on occasions such as banquets, formal occasions or National Convention.

### ARTICLE IV Subsidiary Organizations

- Sec. 1 All subsidiary organizations of the American Legion Auxiliary shall be subject to the regulations by action of the Department Convention, or the Department Executive Committee of the American Legion Auxiliary.
- Sec. 2 All subsidiary organizations of the American Legion Auxiliary shall have annual dues no higher than the Department dues of the American Legion Auxiliary, and said subsidiary organizations shall be required to file a complete financial statement of receipts and expenditures with the Department President and the Department Finance Committee of the American Legion Auxiliary before each Department Convention of the American Legion Auxiliary.

### ARTICLE V Discipline

- Sec. 1 For any violation of the State or National Constitution or for conduct improper and detrimental to the welfare of the Auxiliary of The American Legion, any member may be expelled from membership; or any officer removed from office by a two-thirds vote at a Unit meeting called for this purpose. Said expulsion or removal shall be binding only in the event said

member or officer shall have been given fifteen days notice in writing by the Unit Executive Committee of the charges and hearing thereon. (2012) Either party may have the right of appeal to the Department Executive Committee and its action thereon shall be final. The expenses of said appeal shall be borne by the appellant.

Sec. 2 Expulsion from one Unit does not prevent a member from applying for membership in any other Unit.

## ARTICLE VI Authority

Sec. 1 The authority under which this Department and its Units shall function is vested in the National Constitution and Bylaws and in such standing rules as have been duly adopted and set forth in the Unit Guidebook of the American Legion Auxiliary, the Department Policies and Procedures Book and the Department of Arizona Office and Employee Manual. Any provisions of the Department or Unit in conflict with the foregoing authority shall be void. (78)(99)

## ARTICLE VII Amendments

Sec. 1 These Bylaws may be amended at the Department Convention by a vote of two-thirds of the total authorized representation thereat, provided that all proposed amendments shall be presented to each delegate, and shall be represented to the convention body at a regular session of the convention at least twenty-four hours before the vote is taken thereon; and such amendments shall become operative upon adoption unless otherwise provided for in said resolution or amendment. Provided further, they may be amended by unanimous vote at any convention without notice. (90)

Sec. 2 Amendments to the National Constitution and Bylaws, adopted by National Convention shall automatically become effective in this Department. (90)

Sec. 3 Revision as to future conduct or as to future policy shall be embodied in a separate resolution for consideration and action of either the Department Executive Committee or the Department Convention body. Adopted resolutions to be made part of the Policies and Procedures Book. (90)

## **DISTRICT**

### ARTICLE I Name

Sec. 1 The name of this organization shall be a District of the American Legion Auxiliary, Department of Arizona, Inc.

## ARTICLE II

### Object

Sec. 1 The object of this organization shall be to unify the work of the District, to further the purposes of the American Legion Auxiliary as outlined in the Preamble, and to assist and cooperate with all plans and policies of the Department and National Organizations.

## ARTICLE III

### Membership

Sec. 1 All Units in respective Districts belonging to the Department shall be considered members of this organization.

## ARTICLE IV

### District Meetings

Sec. 1 The District shall hold four official meetings a year to coincide, if feasible, with The American Legion District meetings.

Sec. 2 Each Unit shall have one vote.

Sec. 3 This one vote shall be cast by the President or the representative of the Unit.

Sec. 4 Delegates from one third of the Units within the District shall constitute a quorum at the official District meetings.

Sec. 5 A copy of the minutes of each District meeting shall be sent to the Department President and a copy to the Department Secretary-Treasurer no later than ten days following said meeting. (89)

## ARTICLE V

### District Officers

Sec. 1 The District shall elect annually a District President and a Vice President, not from the same Unit. These two officers shall remain in different Units during the time that they serve together. (2015)

Sec. 2 These officers shall be elected at the annual spring meeting and shall be installed at the last District meeting as District Officers.

Sec. 3 The Vice President shall succeed to a vacancy in the office of President between elections.

Sec. 4 It shall be mandatory that the officers elected be present at said meeting, unless for good and sufficient reason the candidate is unable to be present and has expressed, in writing, their willingness to serve as an Officer.

Sec. 5 The District Secretary-Treasurer shall be appointed by the District President, subject to the approval of the District Executive Committee.

Sec. 6 The offices of Chaplain, Historian, and Sergeant-at-arms may be appointed by the District President at each District meeting, or to serve for the full year.

Sec. 7 District Presidents may serve only two consecutive terms.

ARTICLE VI  
District Executive Committee

Sec. 1 The District Executive Committee shall consist of all elected District Officers, the Junior Past President and the Unit Presidents or Unit representatives within the District.

ARTICLE VII  
Duties of Officers

- Sec. 1 It shall be the duty of the District President to encourage and promote in every way the growth, welfare and accomplishments of the Units in their District. The District President shall be charged with the responsibility of coordinating the activities of the Units in their District under the direction of the Department President. The District President shall preside at all District meetings during the year.
- Sec. 2 It shall be the duty of the District Vice President to take charge of the membership work of the District.
- Sec. 3 It shall be the duty of the other District Officers to carry out the functions of their respective offices in accordance with parliamentary procedure, and to perform any other duties assigned by the District President.

ARTICLE VIII  
Committees

- Sec. 1 At the Fall District meeting, the District President shall appoint a Constitution and Bylaws Committee responsible for reviewing and updating the District Constitution and Bylaws. The District President shall appoint an Auditing Committee who shall audit the books of the District Treasurer within 30 days following the May District meeting (or last meeting of the fiscal year). The Committee shall report on their findings to the District at its next regular meeting, before a budget can be adopted for the new year.  
(07)
- Sec. 2 The District President may appoint any other standing or special committees deemed necessary to properly carry on the work of the District.

ARTICLE IX  
Finance

- Sec. 1 The financial allowance made to each District President shall be expense for organization of new Units in their own District as allowed by the Department Finance Committee; also expenses to the Department Executive Committee meetings at Department Fall Conference and Department Convention, as allowed by the Finance Committee.
- Sec. 2 The necessary revenue for the purpose of financing each District shall be derived from a per capita tax levied on all Units in the District. This shall be based on the membership of the previous year at close of Department

books, and must be paid to the District Secretary-Treasurer thirty days prior to Convention for voting privileges for current year.

- Sec. 3 District President visitations to the Units within the District shall be required and the financing of same shall be the responsibility of each District.
- Sec. 4 Incoming District President's expenses to Department Convention shall be financed by the District.
- Sec. 5 District funds shall be administered as directed by an official District meeting or by the District Executive Committee.
- Sec. 6 All Districts will annually submit to the Department Finance Committee proof of filing an IRS form 990, 990EZ, or 990N. (2013)
- Sec. 7 (2013) All District Officials handling American Legion Auxiliary monies will be properly bonded through the Department of Arizona separate from the Officers and Employees policy, with each District paying their portion of the premium to Department. The formula for calculating each individual District's portion of the premium is as follows:

Bonding premium for all Districts \* Number of chartered Units in the District  
Number of chartered Units in the Department

#### ARTICLE X Amendments

- Sec. 1 Methods of amending the District Constitution shall conform to Department rules.

#### ARTICLE XI Parliamentary Authority

- Sec. 1 The District Organization shall be governed by "Roberts Rules of Order, Current Edition," on all points not covered by the Department Constitution and Bylaws.

#### ARTICLE XII District Bylaws

- Sec. 1 Each District shall be privileged to adopt such Bylaws as it deems necessary, provided that they do not in any way conflict with the Department or National Constitution and Bylaws.

### UNITS

#### ARTICLE I Organization

- Sec. 1 The smallest administrative unit of the American Legion Auxiliary of the Department shall be termed a "Unit", which shall have minimum membership of ten paid senior members. No Unit shall be received into this

organization until it shall have applied for a charter. A Unit desiring a charter shall apply to the Department headquarters, and upon completion of all organizational requirements, the charter will be issued by the National President and Secretary whenever recommended by the Department President or Chairman of the Executive Committee, and shall be countersigned by the Department Secretary-Treasurer.

- Sec. 2 The officers of the Unit shall be President, one or more Vice Presidents, Secretary, Treasurer, Historian, Chaplain and Sergeant-at-Arms, and such other officers and committees as may from time to time be authorized.
- Sec. 3 (a) Each Unit of the American Legion Auxiliary shall be the judge of its own membership, subject to the restriction of the Constitution and Bylaws, except that no person who is a member of an organization which has for its aim the overthrow of the United States government by force or violence, or who subscribes to principles of any group opposed to our form of government, shall be eligible to become or remain a member of the American Legion Auxiliary.
- (b) A member failing to pay annual dues by January 31 shall be classed as delinquent and shall be suspended from all membership privileges; provided, however such suspended member shall be notified by the Secretary of the Unit of such suspension prior thereto. Payment of back dues does not entitle a member to continuous membership honors. Any member delinquent to December 31 of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without a vote of the Unit where the Constitution of the Unit required a vote on application membership; and the payment of all past dues or by re-establishing eligibility and make application as a new member.
- (c) Each Unit shall be required to make a complete report to the Department Headquarters weekly and shall remit with said report all Department and National dues collected and unreported. (2007)
- Sec. 4 All officers of the Unit shall be elected annually except the Secretary, who may be appointed by the President.
- Sec. 5 All Units shall adopt a Constitution prescribed by the Department of the American Legion Auxiliary.
- Sec. 6 Unit officers shall take office not later than the first meeting in October annually.
- Sec. 7 Unit Officers handling American Legion Auxiliary funds are bonded through the National organization, and pay a premium for this coverage annually. This premium is submitted to Department Headquarters. (2006)

## ARTICLE II Transfers

- Sec. 1 Any member in good standing wishing to transfer to another Unit must present to the new Unit their current membership card. Upon acceptance of the transfer by the new Unit, the Unit Officer will complete the transfer section on the Member Data Form. The new Unit Officer and member must sign and date the Member Data Form to be valid. The member shall then be entitled to active membership in said Unit. No dues shall be transferred. (2006)

## STANDING RULES

1. The American Legion Auxiliary Unit Guidebook shall be a guide for all references not covered in the Department Constitution and Bylaws, Standing Rules, and/or Policies and Procedures.
2. Installing Officer at Department Convention shall be a Past Department President.
3. No Chairman or Department Officer shall divulge the name of recipient or Unit winner or loser prior to their report on the Convention floor.
4. All new plaques must be presented to the Department Executive Committee for approval. Typed rules for said plaque must accompany the request.
5. The original name of all trophies must remain the same when replaced.
6. Any Unit winner of trophy or plaque must be responsible for the engraving and the return of the trophy or plaque prior to the opening of the next Convention session.
7. Any Unit or District not returning a trophy or plaque by the close of the Convention at which they are expected to return it, will be fined \$55. The fine will be payable at the time that the Unit or District pays any mandates for the new year, and be reflected on the mandate list distributed in the August monthly mailing. This fine is still payable and nonrefundable even if the trophy or plaque is returned to Department at a later date or time. If the fine is not paid at least 30 days before the next ensuing Department Convention, the Unit or District will lose its vote at the next ensuing Department Convention. This will take effect at commencement of Convention 2022. (2021)
8. All trophies shall be replaced by plaques.
9. Rules for trophies, cups, or plaques shall not be changed without the consent of the original donor. If the original donor cannot be contacted, the Department Executive Committee may approve changes in the rules.  
*SEE STANDING RULES ADDENDUM #4 FOR COMPLETE GENERAL RULES FOR DEPARTMENT AWARDS. SEE DEPARTMENT AWARDS RULES AND REGULATIONS HANDBOOK FOR SPECIFIC RULES OF INDIVIDUAL AWARDS. (2012)*
10. (a) All trophies must be awarded even when only one Unit enters competition, provided said entry conforms to rules. (86)  
(b) Department awards are based on actual Unit membership at the time of reports. (95)
11. All Units failing to turn in to Department per capita tax, dues etc., shall be given a period of thirty days from the close of Convention before Charter, monies, and material may be confiscated, provided the Executive Committee has approved such action.
12. The Americanism Chairman shall be responsible for colors at Department Convention and Conference, and for instruction of Color bearers for both Joint and Auxiliary meetings.
13. Duties of District President:
  - a. Shall visit each Unit in District.
  - b. Offer assistance and help to all Units in District but CANNOT act as arbitrator in internal Unit and/or Post problems.



- c. See that a working program is carried on by each Unit.
  - d. Make a report at Conference and Convention.
  - e. Conduct at least four District meetings and see that all programs are reported. (81)
14. No person shall serve twice as a paid delegate to a National Convention.
  15. No person shall hold two Major Chairmanships at the same time, nor shall a District President serve as a Department Chairman. (86) A District President MAY serve as a Department Committee Member. (2012)
  16. Members of the Department Executive Committee, including the Past Department Presidents, shall receive copies of the minutes of all Department Executive Committee meetings no later than fifteen days following each meeting. (89)
  17. Chairman instructions to the Units for the beginning of the year must be in the hands of the Units by September 15<sup>th</sup> following appointment. Material received from National shall be passed along as it is received. (86)
  18. Endorsements of candidates for Department Office shall not be announced prior to Fall Conference. (81) All candidates for Department Office are permitted to include in their written and/or emailed announcements ONLY services to the American Legion Auxiliary. (94)(2019)
  19. Election of Unit Junior Officers must be held prior to the Junior Meeting in April. (81)
  20. All Department Chairmen must function within a two-month period: otherwise the Department President may re-appoint a Chairman with the approval of the Executive Committee.
  21. Each Unit of the American Legion Auxiliary desiring to incorporate shall use the forms supplied by Department and /or the Corporation Commission. Upon incorporation the Unit will send an official notification letter to National Headquarters. If they desire, the Unit may purchase a replacement charter from National with the name change reflected. (2005) Units not incorporated at least 30 days prior to Department Convention will not be eligible for Department Trophies and Awards excepting Membership Awards and Citations. (2010)
  22. No smoking shall be allowed on the floor during Fall Conference and Department Convention, while the meetings are in session. (91)(92)
  23. The Department Secretary shall notify all recipients of National Awards received immediately following the National Convention. Presentations will be made at Fall Conference. (2000)
  24. After a Unit's Charter has been canceled or revoked, a period of three years shall elapse before a new charter application can be submitted. (87)
  25. A Standing Rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote at Department Convention. (90)
  26. The Standing Rules shall be made a part of the Rules of Conferences and Convention.
  27. A new Unit is required to accept and sign an initial Constitution and Bylaws based on the example in the Unit Guidebook before the initiation and installation of their first set of officers. This Constitution and Bylaws is to be filed with the Department Headquarters, the Department Constitution

and Bylaws Chairman, and the appropriate District Constitution and Bylaws Chairman. (2010)

28. All checks being issued from the Department office must be signed by two separate Department officers. (2007)
29. The proposed General and Welfare Budgets for the next fiscal year are to be sent to all Units 30 days prior to Department Convention. (2007)
30. Completed National and Department Scholarship and Educational Program applications are to be submitted by Units and Individuals only to the Department Headquarters office. The Department Secretary will forward applications to the proper Department Chairman for judging and processing. The address for submission included on the Past Presidents Parley Scholarships and Hoyal-Chilton Scholarship is to be that of Department Headquarters. Girls State registrations and Samsung Scholarship applications are submitted to the Girls State Director and Girls State Program as covered in policies specific to that program. The Americanism Chairman and Department Secretary will work together collecting entries for the Americanism Essay Contest. (2008)
31. All submissions for the next month's Department mailings packet must be received at Department Headquarters in print-ready form by the 15<sup>th</sup> day of the month. (2016)
32. The Department Officers and Chairmen will annually set a uniform due date for submission of Department Reports and Award submissions at the Officers and Chairmen meeting at the beginning of the new program year. (2018)

Revised at Department Convention June 2000, 2004 through 2013, 2015, 2016, 2018, 2019, and 2021.