

## **District Guidelines for Completing Constitution & Bylaws for Submission to Department for Approval**

The following guidelines are provided to assist you and the Department Constitution & Bylaws Chairman. The check-off items will save you time in returns and may answer questions that arise and may delay the approval of your Bylaws. The Department format follows the National Outline and supersedes all previous copies. The revised date at the bottom of pages indicates the all mandated changes are current. It is suggested that spaces be filled by using a typewriter (if possible) since space is limited. This model meets the majority of District needs. If you have additional requirements, it is suggested that some of the additions would be better served in your Standing Rules. If not, then use those sections that apply and add your special requirements.

- **Art I.** No need to write the number of your District (example *Fifty-Two*). The numerical number will suffice.
  
- **Art III Sec 3.** Fill in the amount. If you use the statement “not to exceed” and place the amount in your Standing Rules, make sure it is so stated and that the Units receive a copy of the District Standing Rules. As of 1998-99, you cannot exceed \$.50 per member, as of close of books. Your District does have the option, however, of assessing each Unit an extra amount in accordance with their membership standings. (Example, 50 members or less \$10; 51 to 100 members \$12.50; etc.) This must be approved by your District membership.
  
- **Art IV Sec 1.** Executive Committeewomen is optional. If your District does not have an Executive Board, you do not need Executive Committeewomen – just cross out. The same holds true if you do not have a Musician – cross out. The total of your list of officers must add up to the same total which includes your elective and appointive officers. Most Districts have a total of 11 listed officers. If you do have an Executive Committee, it is counted as one office regardless of how many members are placed on that committee.
  
- **Art IV Sec 2.** Here list all your elective officers. (President, Vice President, etc.)
  
- **Art IV Sec 3.** List all your appointive officers. No need to list the Junior Past; she is automatic. Don’t forget to determine your Executive Committee, if you have one.
  
- **Art IV.** On the outline of all duties of officers, if you do not have a Marshal or Musician, just place a *NA* at the margin. If you add other officers, you must list the duties in this section. You have to be consistent.
  
- **Art V Sec 1.** Fill in the number of meetings your District has during the year. Caucus meeting(s) may be placed in the Standing Rules as to the time and designated meeting. Some meet prior to convention, as well as at convention.

- **Art V Sec 3.** Fill in the number of meetings an officer can miss before being replaced. It doesn't make sense if your District only meets four times a year and you replace an officer after she is absent for 3 consecutive meetings. Why bother?
- **Art VI Sec 4.** Applies if you do have an Executive Board. Be realistic. \$5 or \$10 is not sufficient in the event of an emergency.

**AMERICAN LEGION AUXILIARY**  
**Department of California**



**MODEL DISTRICT BYLAWS**

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# AMERICAN LEGION AUXILIARY

## Department of California



### ARTICLE I - NAME

The name of this organization shall be District \_\_\_\_ of the American Legion Auxiliary, Department of California.

### ARTICLE II - OBJECT

**Section 1.** The American Legion Auxiliary is a civilian organization of women.

**Section 2.** The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of the partisan principles nor for the promotion of the candidacy of any person seeking public office or any appointive remunerative office.

### ARTICLE III - MEMBERSHIP

**Section 1.** Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, grandmothers, granddaughters, and great-granddaughters of members of the American Legion and to the mothers, wives, daughters, sisters, grandmothers, granddaughters, and great-granddaughters of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the date of cessation of hostilities as determined by the government of the United States; all dates inclusive; or who, being citizens of the United States at the time of their entry herein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible to membership in The American Legion.

**Section 2.** There shall be two classes of membership - Senior and Junior.

- a. Senior membership shall be composed of members over the age of eighteen years; provided, however, that a wife under the age of eighteen years who is eligible under Section I of this article shall be classed as a Senior member.
- b. Junior membership shall consist of that group under the age of eighteen years whose activities shall be supervised by the senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.

**Section 3.** District per capita \$ \_\_\_\_\_ to be paid following the first District Meeting after Department Convention.

**Section 4.** Discipline of the officers or members of this District shall be as defined by Department Constitution and Bylaws.

## **ARTICLE IV – OFFICERS**

**Section 1.** The officers of this District shall be: President, First Vice President, Second Vice President, Secretary, Treasurer, (the office of Secretary-Treasurer may be combined) Historian, Chaplain, Musician, Sergeant-at-Arms, Marshal, Parliamentarian, Junior Past President , and (optional) (#) Executive Committeewomen.

**Section 2.** The elective officers shall be: President, First Vice President, Second Vice President, and (optional) (#) Executive Committeewomen and shall be elected annually not earlier than forty-five (45) days nor later than fifteen (15) days prior to the opening of the following Department Convention.

- a. No member shall hold more than one elective office.
- b. Any member in good standing in this District who is present at the nomination or election meeting, or who has given her written consent, is eligible to seek office.
- c. Election shall be by ballot. A majority vote shall elect. When there is but one candidate for office the ballot may be dispensed with and the nominee elected viva voce.
- d. Voting at Pre-convention caucus shall only be by regularly elected Delegates or Alternates to forthcoming Department convention, including Department Officers, District President, Past Department Presidents, Department Chairmen, members of Department Finance Committee, Girls State Director, Junior Conference Director, and Medical Center Representatives in good standing.
- e. Any vacancy in an elective office, except those otherwise provided for in these bylaws, shall be filled by election at a regular meeting without unreasonable delay. Advance notice of election shall be provided to the membership.

**Section 3.** The appointive officers shall be: (list) (Optional and if not elected) (#) Executive Committeewomen and includes the Junior Past President (no need to list - she is automatic).

**Section 4.** Officers shall be installed prior to September 1st and shall take office immediately following Department Convention.

**Section 5.** The President shall preside at all District meetings. She shall have general supervision of the duties of all officers and chairmen and be responsible for the transaction of the District business in accordance with the District Bylaws. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office.

She shall appoint the non-elective officers that are required to carry out the District ritual and all chairmen of standing committees. She will create such other committees and appoint members thereon as she deems advisable.

- a. She shall sign the District Bylaws and amendments after the second reading and approval by the District.

**Section 6.** The **First Vice President** shall assist the President, and in the absence of the President, she shall be the presiding officer. In case of death or resignation of the President, the First Vice President becomes President for the unexpired term. She shall assume such other duties as may be assigned to her by the President.

**Section 7.** The **Second Vice President** shall hold herself in readiness to assume the duties of the First Vice President whenever, for any cause, the First Vice President or the President cannot act.

**Section 8.** The **Secretary** shall keep a record of all the proceedings of meetings of the District and Executive Board meetings. She shall read the minutes of the previous meeting and recommendations of the Executive Board, and make such corrections as may be ordered. She shall furnish all officers and committees with papers referred to them. She shall keep a list of all officers and committees and maintain a file of the National, Department and District Constitution and Bylaws and Standing Rules. She shall have charge of all records and papers of the District except those that are assigned to others.

- a. At the expiration of her term of office, she shall turn all reports and papers over to her successor.

**Section 9.** The **Treasurer** shall be custodian of all District funds. She shall keep an itemized account of all receipts and expenditures. She shall sign with the President all orders on the treasury that are authorized by the District. It shall be her responsibility to see that these funds are exclusively used for the welfare of veterans and their families and that no expense other than Veterans Affairs and Rehabilitation, Children and Youth, and Education shall be drawn from the Welfare Fund.

- a. She shall pay out District funds only on order of the District.
- b. She shall make report upon the call of the President.
- c. She shall have her accounts ready to turn over to the Auditing Committee at the time designated by these Bylaws. The office of Treasurer shall be bonded, said bond to be paid by the District annually, payable July 1st for the ensuing fiscal year.

**Section 10.** The **Historian** shall keep a complete history of the District. She shall make an annual report to the District of the progress during the current year and perform such other duties as may be assigned by the District President.

**Section 11.** The **Chaplain** shall offer prayer at the opening and closing of each business meeting of the District and perform other duties as assigned by the District President.

**Section 12.** The **Musician** shall furnish appropriate music at District meetings and shall foster the proper rendition of our National Anthem.

**Section 13.** The **Sergeant-at-Arms** shall be responsible for order at all District meetings, for the advancement and retirement of colors and for the proper care of all District materials. She shall perform such other duties as assigned by the District President.

**Section 14.** The **Marshal** shall assist the Sergeant-at-Arms and in the absence of the Sergeant-at-Arms, she shall be prepared to assume her duties.

**Section 15.** It shall be the duty of the **Parliamentarian** to advise the presiding officer on points of parliamentary law and also to give similar advice to the District upon request. She shall have a copy of District Bylaws, Standing Rules and a District copy of *Roberts Rules of Order Newly Revised*.

**Section 16.** **Executive Committee** shall serve as advisors to the District between meetings and assist in making decisions at the call of the President.

## ARTICLE V – MEETINGS

**Section 1.** Regular meetings of this District shall be held \_\_\_\_\_ times throughout the year unless otherwise voted by the District. Units shall be notified of any changes in meeting place at least three days prior to the date of meeting.

**Section 2.** The order of business shall be as prescribed by the Manual of Ceremonies.

**Section 3.** Any elective officer who shall be absent from three consecutive meetings without valid excuse shall be given one week's written notice of her delinquency, and unless good and sufficient reasons be given, her office shall be declared vacant and the District shall elect a new officer.

**Section 4.** Special meetings of the District shall be called by the President or written request of five members.

**Section 5.** The notices for all special meetings shall state the business to be considered and no other business may be transacted.

**Section 6.** In the event it becomes necessary to postpone or cancel a meeting, it may be done by vote of the membership at a previous meeting. All Units shall be notified of the change.

**Section 7.** A quorum for a District meeting shall be 1/3 of the Units in good standing that are represented.

## ARTICLE VI - EXECUTIVE BOARD

**Section 1.** There shall be an Executive Board which shall consist of the elected and appointed officers, and the Jr. Past District President.

**Section 2.** Regular meeting of Executive Board shall be called by the President.

**Section 3.** Special Executive Board meetings may be called by order of the President or on written request of at least three members of the Executive Board.

**Section 4.** The Executive Board shall have authority to act in cases of emergency and when it is impracticable to procure a meeting of the District. They shall not incur bills, or authorize expending funds totaling more than \$ \_\_\_\_\_ without a vote of the District. They shall consider matters affecting the District and make recommendations thereto. All actions of these meetings shall be reported to the District at its next regular meeting for approval.

**Section 5.** A vacancy existing in the Executive Board from any cause other than the expiration of a term shall be filled in accordance with these District Bylaws. This person shall hold office for the unexpired term of the member she succeeds.

**Section 6.** One-third of the members of the Executive Board shall constitute a quorum.

**Section 7.** Permanent records (membership, minutes, finance reports) shall not be destroyed. Routine records of District shall be held for three (3) years before being destroyed by the Executive Board.

## **ARTICLE VII – COMMITTEES**

**Section 1.** This District shall have such Standing Committees and activities as are required by the Department, and such other committees as the President of the District may deem necessary.

- a. The President shall appoint an Auditing Committee of three members to serve during her term of office. This Committee shall audit, or cause to be audited, the books of the District Treasurer annually. Audits may be conducted throughout the Auxiliary year, but all books must be audited prior to the installation of officers-elect.

## **ARTICLE VIII - PARLIAMENTARY AUTHORITY**

**Section 1.** This District shall be governed by *Roberts Rules of Order NEWLY REVISED* on all points not covered by these Bylaws.

## **ARTICLE IX – AMENDMENTS**

**Section 1.** These Bylaws may be amended at any District meeting by a two-thirds affirmative vote of the members present and voting provided that the proposed amendments shall have been read to the District at the meeting prior to taking action.

**Section 2.** These Bylaws shall automatically be amended to conform to any changes made in the National or Department Constitution and Bylaws and Model District Bylaws where applicable.

**Section 3.** District Bylaws and amendments before becoming effective must be approved by the Department Constitution and Bylaws Chairman, and signed by the Department President.

District shall submit two (2) complete copies of bylaws and four (4) signature pages or four (4) copies of proposed amendment bearing dates of first and second reading and signature of District President and District Constitution and Bylaws Chairman with proper spacing allowed for date and signatures of Department Constitution and Bylaws Chairman and Department President. Department Chairman will keep one copy for her file, send one (1) copy to Department Office file and return two (2) signature pages to District to be attached to District President's file and to District Constitution and Bylaws file.

## **ARTICLE X – DISSOLUTION**

**Section 1.** Dissolution shall be as prescribed by the Department and National Constitution and Bylaws.

**SIGNATURE PAGE**

District shall submit two (2) complete copies of bylaws and four (4) signature pages or four (4) copies of proposed amendment bearing dates of first and second reading and signature of District President and District Constitution and Bylaws Chairman with proper spacing allowed for date and signatures of Department Constitution and Bylaws Chairman and Department President. Department Chairman will keep one copy for her file, send one (1) copy to Department Office file and return two (2) signature pages to District to be attached to District President’s file and to District Constitution and Bylaws file.

Check the one which applies to these Bylaws:

- ( ) New amendment(s) to Bylaws
- ( ) Rewritten Bylaws to conform to mandates
- ( ) Rewriting Bylaws which are ten years old (Date is when signed by Department)

DISTRICT NO. \_\_\_\_\_

First reading:                      Date \_\_\_\_\_

Second reading/adoption:      Date \_\_\_\_\_

ATTESTED TO: \_\_\_\_\_

District Constitution & Bylaws Chairman                      Date

\_\_\_\_\_

District President    Date

APPROVED BY: \_\_\_\_\_

Department Constitution & Bylaws Chairman                      Date

\_\_\_\_\_

Department President    Date

Name, Address and phone number of member to contact and/or return signed Bylaws:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, Zip: \_\_\_\_\_

Phone (include area code) \_\_\_\_\_

Email, if available: \_\_\_\_\_