

AMERICAN LEGION AUXILIARY
DEPARTMENT OF ALASKA



CONSTITUTION
BYLAWS
STANDING RULES
POLICY AND PROCEDURES MANUAL

2016

CONSTITUTION OF THE AMERICAN LEGION AUXILIARY

Preamble

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 per cent Americanism; to preserve the memories and incidents of our associations during the Great 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 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

The name of this organization shall be American Legion Auxiliary, Department of Alaska, Inc.

ARTICLE II - Nature

Section 1. The American Legion Auxiliary is a civilian patriotic organization of women that supports the mission of The American Legion.

Section 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.

ARTICLE III - Eligibility

Section 1. Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives and direct and adopted female descendants 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 therein, served on active duty in the Armed Forces of any of the Governments associated with the United States during any of the said periods, and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible for 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; provided, however, a member eligible under Section 1 of this Article and who is under the age of eighteen years (18) years of age and married, shall be classed as a Senior member.
- (b) Junior membership shall consist of that group under the age of eighteen (18) 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.
- (c) Dues of both classes shall be paid annually or for life.

ARTICLE IV - Department Officers

Section 1. The Department shall elect annually a President, First Vice President, Second Vice President, Secretary/Treasurer, Historian, Chaplain, Sergeant-at-Arms, and two Department Executive Committeewomen at the annual Department Convention. The Department President,

First Vice President and the Second Vice President shall be delegates to the Department Convention and are members of the Department Executive Committee. The Department President and First Vice President shall serve as the Chairman and Vice Chairman, respectively, of both bodies.

Section 2. The office of National Executive Committeewoman and the Alternate National Executive Committeewoman shall be elected. The term of office is for a two year term and runs from the close of National Convention to the close of the National Convention every two (2) years on odd numbered years. Any person elected to these positions is highly recommended to have served as Department President, so that she knows the policies and procedures of the Department. The current Department President shall be the Second Alternate National Executive Committeewoman. They shall also be members in good standing with the Department of Alaska and reside within the State of Alaska.

Section 3. Alternate Executive Committeewoman: It shall be the duty of the First and Second Alternate National Executive Committeewoman, when called upon, to assist the National Executive Committeewoman, and in her absence perform her duties and shall, in the order named, succeed her in office in case of death, resignation or removal.

ARTICLE V - Department Executive Committee

Section 1. Between Department Conventions, the administrative power shall be vested in the Department Executive Committee which shall be composed of the Department President, Department First- Vice President, Department Second-Vice President, Department Secretary-Treasurer, Department Chaplain, Department Historian, Department Sergeant-at-Arms, two Department Executive Committeewomen, Department Standing Committee Chairmen and the President of each Unit in the Department or an alternate from that Unit to be elected by the Unit, and such other members as provided in Section 2 hereof.

- Section 2. All Past Department Presidents in good standing in their Units have a vote and shall be members for life on the Department Executive Committee.
- Section 3. Term of Office: The term of the Department Executive Committee shall commence immediately following the adjournment of the Department Convention and shall end at adjournment of the next succeeding Department Convention.
- Section 4. In the event of dissolution or the revocation of the charter granted to the Department of Alaska by the National Organization of the American Legion Auxiliary, provision is made in the National Constitution and Bylaws for the National Executive Committee to take control, possession and custody of the records, property and assets of the Department, and may provide for such continued recognition and activities of Units in said Department as it may deem proper.

ARTICLE VI - Department Convention

- Section 1. The Legislative body of the American Legion Auxiliary, Department of Alaska, shall be the Department Convention, to be held annually at the same time and place as the convention of The American Legion, Department of Alaska.
- Section 2. Representation in the Department Convention shall be by Units. Each Unit shall be entitled to one delegate and one additional delegate for each ten members or major fraction thereof whose current dues have been received by the Department Headquarters thirty days prior to the meeting of the Convention for which they are elected, and to one alternate for each delegate. The delegates and alternates shall be elected at a Unit meeting not less than two weeks before the Department Convention. Alternates shall have priority in the order of their election.
- Section 3. All Past Department Presidents in good standing in their Units shall be delegates-at-large to the Convention with a vote, to be exercised in their own right and must be present at the Department Convention to cast their vote.
- Section 4. Members of the Department Executive Committee shall be delegates-at-large to the Convention with a vote to be exercised in their own right

and must be present at the Department Convention to cast their vote. Members of the Department Executive committee shall be limited to one vote at the Department Convention, regardless of whether they are past Department Presidents or hold more than one Department Chairmanship or office. (Only Standing Committee Chairmen, not Co-Chairmen, are included in the Department Executive Committee and shall be delegates-at-large with vote to be exercised in their own right.)

Section 5. 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 her Unit.

Section 6. A quorum shall exist at a Department Convention when thirty percent of the Units are represented.

ARTICLE VII - Delegates to National Convention

Section 1. The members of the National Executive Committee shall be delegates-at-large to the National Convention with votes to be exercised with their Departments.

Section 2. The Department of Alaska shall be entitled to five delegates and one additional delegate for each 1500 members or major fraction thereof whose current dues are received by the National Treasurer thirty days prior to the meeting of said Convention, and to one alternate for each delegate.

Section 3. The outgoing Department President and the Department Secretary-Treasurer shall be delegates to the National Convention. The remaining delegates and all alternates shall be elected at the Department Convention.

ARTICLE VIII - Amendments

Section 1. This Constitution may be amended at any Department Convention by a vote of two-thirds of the total authorized representation thereat, provided that the proposed amendments shall have been submitted through the Department Secretary to the several Units and members of the Department Executive Committee by mailing same to them at

least sixty days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the Convention.

Section 2. Necessary amendments proposed after distribution or revision as shown in Section 1 will be adopted by a two-thirds vote of the delegation, provided they have been read at one meeting of the session prior to taking the vote.

Section 3. An amendment not having been previously read or distributed as required in Section 1, will be adopted by the unanimous vote of the convention body.

Section 4. Amendments to the National Constitution adopted by National Convention shall automatically become effective in this Department.

Sharon Cherrette, Department President

Linda Schmitt, Department Secretary

Date

Date

BYLAWS OF THE AMERICAN LEGION AUXILIARY

DEPARTMENT OF ALASKA

ARTICLE I - Organization

- Section 1. The Department of Alaska, American Legion Auxiliary, shall be composed of Units corresponding to Posts of The American Legion, Department of Alaska.
- Section 2. Units shall function in accordance with the National, Department, and Unit Constitutions and Bylaws and such Standing Rules as shall be prescribed by the Department.

ARTICLE II - Elections

- Section 1. The election of Officers and delegates shall be governed by Department Convention rules. A majority of votes cast shall be necessary to elect.
- Section 2. All Officers shall be elected annually. Such Officers shall serve until the adjournment of the succeeding Department Convention or until their successors are chosen. Vacancies in these offices occurring between Department Conventions shall be filled by the Department Executive Committee.
- Section 3. All Department Officers, members of the Department Executive Committee and members of all committees shall be in good standing in the local Units.

ARTICLE III - Duties of Officers

- Section 1. Department President: It shall be the duty of the Department President to preside at all meetings of the Department Convention and meetings of the Department Executive Committee; to appoint members of the standing committees, and create such other committees and appoint

members thereon as she deems advisable; and to appoint all officers not otherwise provided for, with the approval of the Department Executive Committee. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office. She shall be charged with the responsibility of executing the mandates of the Department Convention and the Department Executive Committee. The Department President shall not waive her rights to the Department Secretary or any other person, permitting the signing of her name to applications for charter or the charters issued by National Headquarters, or any other legal document pertaining to the Department.

Section 2. Department Vice-Presidents: It shall be the duty of the First and Second Vice Presidents, when called upon, to assist the President, and in her absence perform her duties and shall, in the order named, succeed her in office in case of death, resignation or removal.

Section 3. Department Secretary-Treasurer: It shall be the duty of the Secretary-Treasurer to record proceedings of the Department Convention and Department Executive Committee meetings. She sends information, calls to meetings, keeps all records and performs other duties incident to the office. Upon leaving office all monies, records and files must be turned over in 30 days.

She is the custodian of the funds of the Department and shall account for the same. There must be two authorized signatures on file at the bank and either may sign checks. She shall make reports upon the condition of the Department Treasury when called for by the Department President and the Department Finance Committee. Her accounts shall be reconciled quarterly by the Department Finance Committee who must send report of findings, expenditures and balances of all accounts to the Department Executive Committee. The Audit Committee will audit the Finance Committees' year-end report at the Department Convention. An outside audit will be performed every spring prior to the Department Convention by the accounting firm retained by the American Legion Auxiliary, Department of Alaska to conduct the financial affairs of the Department. When a new Secretary-Treasurer is elected, the retiring Secretary-Treasurer must turn over to her successor all equipment, moneys, vouchers, books and papers belonging to the Department immediately. The Secretary-Treasurer is bonded by a local bonding company, as are all members who handle-funds.

- Section 4. Department Chaplain: It shall be the duty of the Department Chaplain to officiate at the Department Convention, and perform other duties ordinarily incident to her office and other duties which may be assigned to her by the Department President. She is to instruct all the Unit Chaplains as to the solemnity of their duties.
- Section 5. Department Historian: It shall be the duty of the Historian to compile the records of the Department and make a report to the National Historian.
- Section 6. Department Sergeant-At-Arms: It shall be the duty of the Sergeant-at-Arms to preserve order at the Department Convention and Department Executive Committee meetings and to perform other duties ordinary to this office or those assigned to her by the Department President or Department Secretary. She is responsible for escorting Distinguished Guests during meetings or official functions.
- Section 7. No elective Department officer shall hold the same office for more than one term except the Department Secretary-Treasurer. The Department Offices of Chaplain, Secretary-Treasurer, Sergeant-At-Arms and Executive Committee Member need not be considered line offices and these members serving in these positions will be allowed to serve more than two consecutive terms.
- Section 8. Any elected officer who fails to discharge the duties of her office may be removed from that office, upon written charges, after due notice and hearing before the Department Executive Board.

ARTICLE IV - Department Executive Committee

- Section 1. The Department Executive Committee shall have general supervision and control over all property belonging to the Department and shall supervise the administration of the Department according to the Constitution and Bylaws, and such other rulings as the Department may prescribe.
- Section 2. The Department Executive Committee shall be empowered to call a Department Executive Committee Meeting in case of emergency.

- Section 3. Quorum: Six members, they must be from different Units, shall constitute a quorum of the Department Executive Committee.
- Section 4. Meetings: The Department Executive Committee shall hold at least five meetings per year as follows: Immediately following adjournment of the annual Department Convention; immediately preceding the holding of the succeeding Department Convention; and at an appropriate time when issues arise or if necessary during the National Convention, but only to the extent that the business being conducted is in reference to voting on the National floor or National business, election of National Officers or special donations, or ratification of any outstanding Department appointments. It shall also meet the first at the Fall Workshop and upon call by the Department President and when requested in writing to do so by three members of the Department Executive Committee or in an emergency, at the request of the Department Secretary.
- Section 5. All questions affecting the election, eligibility and conduct of Department Officers, National Executive Committeewoman, or any member of the Department Executive Committee shall be referred to and determined by the Department Executive Committee, which shall be the final authority thereon.

ARTICLE V – Standing Committees

- Section 1. The Department President shall appoint Chairmen of Standing Committees conforming with National. She shall appoint other committees as deemed advisable, subject to ratification by the Department Executive Committee. The Department President is ex-officio member of all Committees. Standing Committee Chairman must submit a yearly report at Department Convention.
- Section 2. There shall be the following Standing Committees: Americanism, Audit, Auxiliary Emergency Fund, History, Children and Youth, Community Service, Constitution and Bylaws, Distinguished Guest, Education, Finance, Girls State, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Poppy, Public Relations, and Veterans Affairs and Rehabilitation.

- Section 3. Of the Standing Committees named in Section 2, Children and Youth, and Veterans Affairs and Rehabilitation shall have both a chairman and co-chairman. The Co-Chairman of Children and Youth serves as the liaison to the Child Welfare Foundation. The Co-Chairman of Veterans Affairs and Rehabilitation is the liaison to the Service to Veterans subcommittee.
- Section 4. The Chairman of the following committees may serve for only one year consecutively: Audit, Children and Youth, Finance and Veterans Affairs and Rehabilitation.
- Section 5. There shall be the following sub-committees: Service to Veterans, Electronic Media, Hospital, Scholarship, VAVS, and Veterans Christmas Gift Shop. These sub-committees report all activities or findings to their respective Chairman who will then report to Department and National. All correspondence from these sub-committees must go through the respective Chairman.
- Section 6. Education Committee: The Chairman will select 3 individuals to judge Department level scholarships or those that will represent the Department for any National level scholarships.

Upon awarding scholarships, the original must be properly signed and sent to the Western Division Chairman by the deadline date. A copy of the completed application must be sent to the Department Secretary.

The Department Secretary must send an award letter to the recipient stating: the amount of the scholarship at the department level, requesting a letter of enrollment from the school they are attending before disbursement, and state the date the scholarship must be used by, following the guidelines set for the department or national scholarship. No cash award will be paid to the recipient; monies will be paid directly to the school at the beginning of a semester.

It is the duty of the recipient to notify the college to send a request for monies to the Department Secretary who will disperse the funds, keeping a copy for her records and sending a copy of the check and request to the Education and Scholarship Chairmen for their records.

The chairman must keep clear and precise records to be passed to the following chairman.

Section 7. Scholarship Sub-Committee: All scholarships awarded at the Department level will be forwarded to the Scholarship sub-committee to track the distribution of scholarship monies and recipient. Upon receipt of documentation from the school that the recipient has been accepted to continue his or her education at their institution, the Secretary of the Department will disburse the funds and notify the Department Scholarship Committee with details regarding funds disbursed. The Chairman must keep clear and precise records to be passed to the following chairman.

Section 8. Finance Committee: The Department President shall appoint one three-year member to the revolving three-member committee. If a vacancy occurs for any reason, she shall immediately appoint a member to fill the un-expired term. Each member of the committee must be from a different Unit. The committee may use fax, phone or registered mail at Department expense if the committee is unable to meet together. All papers and reports must be returned to the Department Secretary at the Department convention.

The Finance Committee shall be charged with the preparation of the Department yearly budget and the supervision of the Department Treasurers' expenditure of funds under that budget. They shall reconcile ALL Department accounts quarterly, verifying that all income, expenses and balances are in compliance with the budget. A copy of the quarterly report must be mailed to all members of the Department Executive Committee. The year-end report of the Finance Committee will be audited at the annual Department Convention by the Audit Committee. An oral and written report is to be given at the Department Convention.

Section 9. Audit Committee: The Department President shall appoint a three member Audit Committee. Each member of the committee must be from a different Unit and must include a Past Department President. The Committee shall meet at the call of the Department President and must be available upon request to audit any Unit books.

Requests for audit must be made through the Department Executive Committee. The Audit Committee will receive quarterly reports from the Finance Committee and must audit their year-end report at the Department Convention.

A report of all audits performed during the year shall be made to the Department Executive Committee. The Audit Committee must give an annual report summarizing their findings and have two copies available for the Department President and Department Secretary at the Department Convention. No member shall serve more than one consecutive term. The committee may use fax, phone or registered mail at Department expense if the committee is unable to meet together. All papers and reports must be returned to the Department Secretary at the Department Convention.

ARTICLE VI - Unit Organization

- Section 1. Units shall be chartered by the National President and National Secretary upon receipt of the Charter Application properly executed with typewritten names of the applicants on the original (white sheet) and accompanied by the per capita dues and individual membership record forms. Application for Unit Charters shall be signed by the Department President and the Commander and Adjutant of The American Legion Post to which the Unit is attached and said Charter shall be closed thirty days after the application has been signed by the Commander of said American Legion Post.
- Section 2. The minimum membership of a Unit shall be ten senior members.
- Section 3. A Unit shall be given the name and number of The American Legion Post to which it is attached.
- Section 4. Each Unit of the American Legion Auxiliary shall be the judge of its own membership, subject to the restrictions 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 the principles of any group opposed to our form of government, shall be eligible to become or remain a member of the American Legion Auxiliary.
- Section 5. All Units in the Department are required to file their Constitution and Bylaws with Department Headquarters before their Unit Charter will be issued.

- Section 6. When a Unit ceases to function, or its Charter has been revoked or canceled, the Charter and all Unit records and funds shall be immediately forwarded to Department Headquarters.
- Section 7. No person may, at any time, be a member of more than one Unit.
- Section 8. Any member in good standing wishing to transfer to another Unit must present to the new Unit her current membership card. Upon acceptance of the transfer applicant by the new Unit, the Unit Secretary will complete the Certificate of Transfer. The member shall then be entitled to active membership in said Unit. No dues shall be transferred.
- Section 9. A Unit member may withdraw providing her current dues are fully paid. Upon withdrawal, however, she shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which said dues are paid. In the event a member wishes to remove her membership from one Unit to another during the current year, it shall be done by transfer and not by withdrawal.
- Section 10. No Unit in this Department or any member thereof shall circularize any other Unit or member thereof without the consent of the Department Secretary.
- Section 11. Unit Officers shall be elected each year in March prior to the holding of the Department Convention. They may, if desired, be installed before the Department Convention, but not assume their duties until after the Department Convention. Terms of Unit Standing Committee Chairmen must coincide with the terms of Unit Officers.
- Section 12. A Unit President, President Elect or any other Unit officer, who moves her residence from the area in which the Unit is located, should resign her office unless the move is still within a reasonable distance of the town in which the Unit is located. The Unit Executive Committee is to decide what a "reasonable distance" is and whether or not it would affect the functions of the officer.
- Section 13. All persons handling funds of the Unit shall be bonded, such position bonds being available through Department Headquarters.

- Section 14. Any Unit in the Department wishing to send a girl to Girls State must first pay up its own charter membership (at least ten Senior members) and meet all Department requirements.
- Section 15. For any violation of the Department or National Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary or 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 duly called for that purpose. Said expulsion or removal shall be binding only in the event said member or officer shall have been given thirty days' notice in writing by the Unit Executive Committee of the charges and the hearing thereon. Either party may have the right to appeal to the Department Executive Committee, and its action thereon shall be final. The expense of said appeal shall be borne by the appellant.
- Section 16. Expulsion from one Unit does not prevent a member from applying for membership in any other Unit.

ARTICLE VII - Finance

- Section 1. The Revenue of the American Legion Auxiliary, Department of Alaska, shall be derived from annual membership dues of Senior and Junior members, and from such other sources as may be approved by the Department Executive Committee. The annual dues shall be collected by each Unit and transmitted through the Department to the National Treasurer.
- Section 2. Membership dues shall be payable annually for the succeeding calendar year or for life. A member failing to pay such annual dues by January thirty-first shall be classed delinquent and shall be suspended from all membership privileges, provided, however, such suspended member shall be notified in writing by the Secretary of the Unit of such suspension prior thereto. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent to December thirty-first of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without a vote on application for membership, and the payment of all past dues, or by re-establishing eligibility and making application as a new member.

- Section 3. All special funds shall be levied and administered as directed by the Department Executive Committee.
- Section 4. With the exception of the Department Secretary-Treasurer there shall be no salaried officers of the Department. Necessary expenses incurred by Department Officers, Department Executive Committeewomen and Department Chairmen of Standing Committees in the exercise of their services and duties may be paid from the Department Treasury by order of the Department Executive Committee.
- Section 5. The Secretary-Treasurer of the Department shall be bonded, such position bonds being available through a local bonding company.
- Section 6. Department Executive Committee expenditures not authorized by the budget shall be limited to a maximum of \$500.00 from any account.

ARTICLE VIII – Charters

- Section 1. The Department Executive Committee may revoke, cancel or suspend a Unit Charter.
- Section 2. Any Unit failing to meet the obligations imposed upon it by the Constitution and Bylaws or by rulings of Convention or Department Executive Committee or ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit, or refusing to pay the per capita tax due Department and National organizations, shall, upon order of the Department President, surrender its Charter. Upon failure to surrender such Charter, immediate steps may be taken by the Department Executive Committee for revocation of the same.
- Section 3. American Legion Auxiliary Units suffering revocation of their charters may appeal from the decision of the Department Executive Committee to the National Executive Committee.

- Section 4. The Department Executive Committee may order the suspension of a Charter for a period not to extend beyond the closing of the next succeeding Department Convention as a disciplinary measure or pending action relative to final revocation.
- Section 5. A cancellation of a Unit Charter shall be in order where two or more Units merge, where a Unit ceases to function or under such other conditions as might make such action necessary within a Department. In the event a Unit Charter is canceled without the consent of such Unit, it shall have the right to appeal to the National Executive Committee.

ARTICLE IX - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern this organization in all cases in which they are applicable and in which they are not inconsistent with the National Constitution, Bylaws, Standing and Special Rules.

ARTICLE X - Amendments

- Section 1. These Bylaws may be amended at any Department Convention by a vote of two-thirds of the total authorized representation there at, provided that the proposed amendments shall have been submitted through the Department Secretary to the several Units and members of the Department Executive Committee by mailing same to them at least thirty days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the Convention.
- Section 2. Necessary amendments proposed after distribution or revision as shown in Section 1 will be adopted by a two-thirds vote of the delegation, provided that they have been read at one meeting of the session prior to taking the vote.
- Section 3. An amendment not having been previously read or distributed as required in Section 1, will be adopted by the unanimous vote of the Convention body.

Section 4. Amendments to the National Bylaws adopted by National Convention action shall become effective in this Department.

Section 5. All amendments shall go into effect upon adoption.

ARTICLE XI - Authority

The authority under which this Department and its Units shall function is vested in the National and Department Constitution and Bylaws and in such Standing Rules as have been duly adopted and set forth in the Department Constitution and Bylaws and Unit Handbook of the American Legion Auxiliary. Any provision of the Department or Unit Constitution and Bylaws or regulation of the Department or Unit in conflict with the foregoing authority shall be void. All points not covered shall be governed by Robert's Rules of Order, Newly Revised.