

# AMERICAN LEGION AUXILIARY



## DEPARTMENT OF ALASKA BYLAWS 2025 2026

# 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.
- Section 4. All members shall be eligible for re-election to all Department offices, with a two-term limit for Department President, Department First Vice President, Department Second Vice President and Department Historian.

*PROVISO: Effective April 27, 2019, any member having previously served a one-year term as Department President, Department First Vice President, Department Second Vice President or Department Historian is eligible to run for one additional term, not to exceed two years total.*

### **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 the Department President deems advisable; and to appoint all officers not otherwise provided for, with the approval of the Department Executive Committee. The Department President shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office. The Department President 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 their rights to the Department Secretary or any other person, permitting the signing of their 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 the Department President's absence perform the Department President's duties and shall, in the order named, succeed the Department President in office in case of death, resignation or removal.

Section 3. Department Secretary: It shall be the duty of the Secretary to record proceedings **and submit official meeting minutes** of the Department Convention and Department Executive Committee meetings. The Secretary sends information, calls to meetings, keeps all records and performs other duties incident to the office.

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**The Department Secretary serves as the official liaison between the Department Executive Committee and any unit under disciplinary action, and is responsible for supplying updates to the Department**

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Executive Committee regarding the status of such disciplinary action

The Department Secretary shall perform other duties as provided in the governing documents or as assigned.

When a new Secretary is appointed, the retiring Secretary must turn over to the successor all equipment, monies, vouchers, books and papers belonging to the Department immediately. The Secretary is bonded by a bonding company, as are all members who handle funds.

- Section 4. The Department Treasurer 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. The Treasurer shall make reports upon the condition of the Department Treasury when called for by the Department President and the Department Finance Committee. The 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 Committee's 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 Treasurer is appointed, the retiring Treasurer must turn over to the successor all equipment, moneys, vouchers, books and papers belonging to the Department immediately. The Treasurer is bonded by a bonding company, as are all members who handle funds.
- Section 5. Department Chaplain: It shall be the duty of the Department Chaplain to officiate at the Department Convention, and perform other duties ordinarily incident to the office and other duties which may be assigned by the Department President. The Chaplain is to instruct all the Unit Chaplains as to the solemnity of their duties.
- Section 6. 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 7. 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 by the Department President or Department Secretary. The Sergeant-at-Arms is responsible for escorting Distinguished Guests during meetings or official functions.
- Section 8. Members may hold the office of Department President, Department First Vice President, Department Second Vice President and Department Historian for a maximum of two terms. Members wishing to hold any other Department office will be allowed to serve more than two terms.

Section 9. Any elected officer who fails to discharge the duties of their office may be removed from that office, upon written charges, after due notice and hearing before the Department Executive Committee.

#### 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.

The Department Executive Committee shall adopt the annual budget for the Department; adopt policies and standing rules, unless otherwise noted in the Department Constitution or Bylaws; review financial statements and accept the department annual audit; ratify committees; confirm the nomination of the Department Secretary and the Department Treasurer; confirm committee and other department appointments, and confirm the appointment of officials not otherwise provided for in these Bylaws; address all questions regarding the election and capacity of department officers per the Department governing documents; address all questions regarding conduct of entities as provided in these Bylaws; levy assessments as needed; submit cancellation of charters to the National organization; and other duties and responsibilities that are the normal function of a corporate board of directors.

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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 four 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 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 at the Fall Conference. A meeting may also be called by the Department President or 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.

While it is preferred that meetings of the Department Executive Committee be held in person, they may be also held electronically (such as Zoom or some other electronic method) or telephonically. Meetings using electronic participation or hybrid means constitutes presence for quorum and voting purposes.

Section 5. All questions affecting the election, eligibility and conduct of Department Officers, National Executive Committee Members, 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 Chairs of Standing Committees conforming with National. The President shall appoint other committees as deemed advisable, subject to ratification by the Department Executive Committee. The Department President is an ex-officio member of all Committees. Standing Committee Chairs 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 chair and co-chair. The Co-Chair of Children and Youth serves as the liaison to the Child Well-Being Foundation. The Co-Chair of Veterans Affairs and Rehabilitation is the liaison to the Service to Veterans subcommittee.

Section 4. There shall be the following sub-committees: Service to Veterans, Electronic Media, Scholarship, VAVS, and American Legion Auxiliary Veterans' Christmas Projects. These sub-committees report all activities or findings to their respective Chair who will then report to Department and National. All correspondence from these sub-committees must go through the respective Chair.

## ARTICLE VI - Unit Organization

Section 1. ~~Units of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary National Organization. Units shall be governed by their own Unit Constitution and/or Bylaws which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National rules and policies, Department Constitution and Bylaws, or Department rules and policies.~~

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~~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. The minimum number of members to charter a new unit shall be ten Senior members. 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. ~~Those who desire to form a Unit shall apply to the Post to which it will attach and the Department in which it resides as provided in the Standing Rules. Upon receipt of a properly executed charter application from the Department, the Unit charter shall be signed by the National President and National Secretary. The minimum membership of a Unit shall be ten (or different) senior members. However, a charter cannot be cancelled solely because unit membership drops below 10 senior members.~~

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~~Section 3. The minimum number of members to charter a new unit shall be ten (10) senior members, with the exception of a Department Headquarters Unit that shall have no minimum membership requirement.~~

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~~Section 4.~~ A Unit shall be given the name, ~~location~~ and number of The American Legion Post to which it is attached.

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~~Section 5.4.~~ Each Unit of the American Legion Auxiliary shall be the judge of its own membership, subject to the restrictions of the National, Department and Unit 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 ~~65~~. All persons handling funds of the Unit shall be bonded by a reputable solvent bonding and surety company, or shall be covered by fidelity crime insurance in an adequate amount as determined by the Unit.

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~~Section 7.~~ The American Legion Auxiliary, Department of Alaska shall have a Department Headquarters Unit. The Department Headquarters Unit will not have officers nor governing documents. The Department Executive Committee shall have the authority to discipline members of the Department Headquarters Unit.

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~~All Units in the Department are required to file their Constitution and Bylaws with Department Headquarters before their Unit Charter will be issued.~~

Section ~~86~~. 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 98. A member who is not subject to suspension or membership revocation under due process is eligible to transfer their membership to another unit if the member has paid their membership dues to their current unit for either the current year or immediate past membership year. A member transferring to a new unit must pay current year dues to either their current unit or to the unit into which they wish to transfer.

Transfer is final upon verification of eligibility, evidence of paid membership, and acceptance of the transferee by the Unit.

Evidence of paid membership includes:

1. American Legion Auxiliary Membership Card
2. Verification of membership by ALA Department or National Headquarters membership records
3. Other documentation verifying payment of current or immediate past year membership dues such as a cancelled check or receipt: or
4. When verifying documentation is not available, a sworn statement that the member's membership dues payment was tendered.

Section 109. A Unit member may withdraw providing their current dues are fully paid. Upon withdrawal, however, the member 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 their membership from one Unit to another during the current year, it shall be done by transfer and not by withdrawal.

Section 1110. — For any violation of the Department or National Constitution, or for conduct improper and prejudicial to the welfare of the American Legion 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 fifteen (15) 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 ~~1244~~.——Expulsion from one Unit prevents a member from applying for membership in any other Unit.

Section ~~1312~~.——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 Chairs must coincide with the terms of Unit Officers.

~~Section 13—A Unit President, President Elect or any other Unit Officer, who moves their residence from the area in which the Unit is located, should resign their 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 office.~~

~~Section 14.—All persons handling funds of the Unit shall be bonded, such position bonds being available through Department Headquarters.~~

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Section ~~145~~. Units in the Department wishing to send a citizen to Girls State must first ~~submit their annual assessment fee pay up its own charter membership (at least ten Senior members)~~ and meet all Department requirements.

## 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 31<sup>st</sup> 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 31<sup>st</sup> 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 and the Department Treasurer there shall be no salaried officers of the Department. Necessary expenses incurred by Department Officers, the Department Executive Committee and Department Chairs 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 Department Secretary and the Department Treasurer shall be bonded, such position bonds being available through a 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 counsel units attached to their department for any good and sufficient cause. Counsel action may include censure, probation with corrective terms, or initiating the charter cancellation process. The National Executive Committee has final authority over all unit charter cancellations. Counsel action must follow the principles of fundamental fairness, which include notice and an opportunity to be heard, If it appears that a unit charter should be cancelled, every effort should be made to assist the unit in maintaining their charter.

The Department President should make contact with the Unit President to inform them that they are in jeopardy of losing their charter. In any case, before a charter is cancelled a letter should be sent by certified mail to the Unit President informing them of the potential for it to be cancelled and explaining on what grounds it would be cancelled. This letter should come from the Department President.

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 - Discipline**

### **Section 1. Unit Member Discipline**

a) Each unit, except for department headquarter units, has the responsibility for the discipline of its members for any good and sufficient cause. All discipline must be imposed in accordance with the principles of

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fundamental fairness, which includes notice and an opportunity to be heard. Units shall adopt procedures for member discipline. Disciplinary actions may include any of the following:

- Warning: A formal written statement, delivered to the member outlining the misconduct and expectations for future behavior.
- Probation: Membership is retained under specific terms and conditions for improvement for a specified period no longer than a year.
- Suspension: Temporary loss of any or all membership rights and privileges for a specified period no longer than a year.
- Expulsion: loss of membership for severe or repeated violations.

b) A member disciplined by the member's unit may appeal the unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall adopt procedures to handle such appeals.

## Section 2. Department Headquarter Unit Member Discipline

a) The department executive committee has the responsibility for the discipline of its headquarter unit members for any good and sufficient cause. All discipline must be imposed in accordance with the principle of fundamental fairness, which includes notice and an opportunity to be heard. Department Executive Committees shall adopt procedures for member discipline. Disciplinary actions may include any of the following:

- Warning: A formal written statement, delivered to the member outlining the misconduct and expectations for future behavior.
- Probation: Membership is retained under specific terms and conditions for improvement for no more than one year.
- Suspension: Temporary loss of any or all membership rights and privileges for a specified period no longer than a year.
- Expulsion: loss of membership for severe or repeated violations.

b) A member disciplined under this section may appeal the disciplinary action to the Department Convention Delegates. The Department Convention Delegates shall adopt procedures to handle such appeals.

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**Section 3. Unit discipline**

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a) Units attached to departments may be disciplined by their Department Executive Committee for any good and sufficient cause.

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b) All such disciplinary actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard. The department executive committee shall permanently keep a record of all disciplinary actions including communications, or meetings concerning the disciplined unit. Disciplinary actions may include any of the following:

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- Warning: A formal written statement, delivered to the Unit, outlining the misconduct and expectations for future behavior.
- Probation: Unit charter is retained under specific terms and conditions for improvement for a specified period no longer than a year.
- Suspension: Temporary loss of any or all unit rights and privileges for a specified period no longer than a year.
- Cancellation of charter: The Department Executive Committee may submit a request to the NEC to cancel the charter of a unit for severe or repeated violations.

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c) A unit who has been disciplined by its department executive committee may appeal the disciplinary action to the national executive committee by following the procedures in the Standing Rules.

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d) The national executive committee shall have the authority to overturn, modify, or uphold the disciplinary action of the department. The national secretary shall inform both the unit and the department executive committee of the decision of the national executive committee, whose decision shall be final.

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**Section 4. Department discipline**

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a) The National Executive Committee may discipline a Department for denying a member or a unit the rights of fundamental fairness, which shall include notice and a right to be heard, or for failure of the department leadership to adhere to their governing documents.

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b) If the national executive committee determines that the department violated the rights of a member, usurped the authority of a unit or department.

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leadership failed to adhere to department governing documents, the national executive committee may impose disciplinary action upon the department. Disciplinary actions may include any of the following:

- **Warning:** A formal written statement, delivered to the department, outlining the misconduct and expectations for future behavior.
- **Probation:** Department charter is retained under specific terms and conditions for improvement for a specified period no longer than a year.
- **Suspension:** Temporary suspension of any or all Department rights and privileges for a specified period no longer than a year.
- **Cancellation of charter:** The Department charter may be canceled for severe or repeated violations.

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#### Section 5. Discipline of Department Leadership.

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- Department Executive Committee may discipline any member of the Department leadership which shall include Department officers, past Department presidents, Department Executive Committee members from all Alaskan Units, and DEC ratified Department committee appointees for violation of the Ethical Code of Conduct as adopted by the DEC.
- Disciplinary actions may include: verbal counseling; written or verbal apology; written or verbal censure from the DEC; probation with corrective terms that encourage restorative justice; suspension from participating in or exercising voting rights on Department committees and/or Department activities for a defined period of time in compliance with applicable state laws; termination of DEC membership, Department appointment, and or Department elected position as applicable. Once terminated for cause from the DEC, the member is ineligible to hold future positions of the Department leadership; and recommendation to unit for expulsion of membership.
- The DEC shall adopt procedures for the handling of any alleged violation of the Ethical Code of Conduct.
- The DEC may temporarily suspend that member from all or some duties and rights of Department activities, pending the disposition of the case, without prior hearing, whenever failure to suspend such duties and rights might reasonably be anticipated to result in loss or damage to property or human life or serious damage to the reputation of the ALA.

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**ARTICLE X - Cancellation of Unit Charters**

**Section 1.** The department executive committee may submit their request to the NEC to cancel the charter of a unit as a result of disciplinary action.

**Section 2.** A unit requesting to surrender its charter requires notification to all members, a unit vote and approval of its Department Executive Committee. Cancellation of a unit charter will become final upon National Executive Committee approval.

**Section 3.** Cancellation of a Unit charter shall be in order when two (2) or more Units merge, or when a Unit ceases to function.

**Section 4.** The National Executive Committee may prescribe rules of procedures to be followed in the cancellation of Unit charters.

**Section 5.** In the event a department executive committee submits a Unit's charter for cancellation, without the consent of the Unit, the Unit shall have the right of appeal to the National Executive Committee as provided in the Standing Rules.

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**ARTICLE IXI - Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall be the parliamentary authority 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 XII - 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-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 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.

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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.

~~Lori Fruhwirth~~ ~~Annette Gwalthney-~~  
~~Jones~~

Department President

~~April 25, 2025~~ April 25, 2026

~~Anarene Robinson~~ Barbara Nath

Department Secretary

~~April 26, 2024~~ April 25, 2026

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Date

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Date