**CONSTITUTION AND BYLAWS**

of the

**American Legion Auxiliary**

**Department of Pennsylvania**

AS REVISED

FROM AUGUST 1931

TO AUGUST 2021

PREAMBLE TO THE CONSTITUTION

OF THE

AMERICAN LEGION AUXILIARY

“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 in 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.”

**DEPARTMENT OF PENNSYLVANIA**

**BYLAWS**

**ARTICLE I**

**Name**

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

**ARTICLE II**

**Object**

The object of the American Legion Auxiliary, Department of Pennsylvania, shall be as stated in the Preamble to the Constitution of the American Legion Auxiliary.

**ARTICLE III**

**Nature**

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

**Section 2.** The American Legion Auxiliary shall be absolutely non-political and non-sectarian 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 IV**

**Organization**

**Section 1.** The American Legion Auxiliary, Department of Pennsylvania, shall be organized into Eastern, Central, and Western Sections.

**Section 2.** County Councils may be organized if seven (7) or more units in good standing apply to the President of the Department for certificate.

**ARTICLE V**

**Eligibility**

**Section 1.**

1. Membership in the American Legion Auxiliary shall be limited to mothers, sisters, daughters, spouses, and granddaughters of The American Legion.
2. To the mothers, spouses, daughters, sisters, and 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 and any time after December 7, 1941 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.

1. 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.

1. Senior membership shall be composed of members over the age of eighteen (18) years provided, however, that a wife under the age of eighteen (18) years who is eligible under Section 1 of this article, shall be classed as a senior member.
2. Junior membership shall be composed of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically be admitted into Senior membership with full privileges.
3. Dues of both classes shall be paid annually.

**ARTICLE VI**

**Election and Duties of Officers**

**Section 1.** The officers of the Department shall be the President, Vice President, three Sectional Vice Presidents, Secretary, Treasurer, Chaplain, Historian, and twenty-eight District Presidents.

**Section 2.** The President, Department Vice President, three Sectional Vice Presidents, Chaplain, and Historian shall be elected at the Annual Convention. No person shall be eligible for re-election to the office of Department President, Department Vice President, three (3) Sectional Vice Presidents, Historian, or Chaplain. The Executive Secretary/Treasurer or a Secretary and Treasurer will be a hired position.

Voting shall be by ballot, and candidates for the respective offices receiving the majority of the votes cast shall be declared elected. When there is but one candidate for office, voting may be by acclamation. All of these Department Officers elected at the Department Convention shall assume office August first (1st).

**Section 3.** There shall be twenty-eight (28) District Presidents. Each of these District Presidents shall be elected for a term of two (2) years. If the occasion should arise that there is no candidate for District President, the current District President would be eligible to succeed herself/himself for the second two-year term. Each District President shall be elected at a special meeting called for by the District President at least two (2) weeks prior to the Department Convention OR at a special meeting called the same day as the Annual Council Meeting, the election to be held either before or after the Council Meeting. If proper notice has been sent each Unit under the jurisdiction of the outgoing District President, regarding special meeting for election of new District President, a quorum shall consist of the accredited delegates (or alternates) in attendance. The election shall be ratified by the Department Convention. **ARTICLE VIII, Section 2, 3, and 4** of the Department Bylaws shall govern those eligible to vote for said District President. Voting shall be by ballot and the candidate for District President receiving the majority of the votes cast shall be declared elected. When there is but one candidate for the office, voting may be by acclamation. All District Presidents shall assume office August first. The vacancies occurring between Conventions shall be filled by the Executive Committee with the exception of the District Presidents. The District President vacancies shall be filled by the Council’s immediate past delegates to the Department Convention.

**Section 4.** The nominations for President, Department Vice President, Chaplain, and Historian shall be made from the Department Convention floor the second day of the Convention. The nominations of Sectional Vice Presidents and Delegates and Alternates to the National Convention shall be made in the Sectional Caucuses.

**Section 5.** The seniority of Vice Presidents shall be rotative among the three (3) Sections of the State in the following order: Eastern, Central, and Western.

Each Vice President shall have under her/his special jurisdiction one geographic section – the Western Vice President with twelve (12) District Presidents, the Central Vice President with nine (9) District Presidents, the Eastern Vice President with seven (7) District Presidents for whose activities the respective Sectional Vice Presidents shall be held responsible.

**Section 6.** The minutes of all meetings of the Department and Executive Committee shall be recorded by a capable stenographer or recorder.

**Section 7.** The Department President shall preside at all meetings of the Department Convention assembled and the Department Executive Committee; appoint the Parliamentarian, members of the constituted committees and create such other committees and appoint members thereto as she/he deems advisable with the approval of the Department Executive Committee and subject to the limitations imposed by **Article X**. She/he shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office. She/he shall not waive her/his rights to the Department Executive Secretary-Treasurer or to any other person, permitting the signing of her/his/h name to applications for Charter or to Charters issued by National Headquarters or to any legal document pertaining to the Department.

**Section 8.** The Department Vice President shall assume the duties of the President in her/his absence. The Department Vice President shall be appointed to a major Department program chair. The office of Department Vice President shall be rotative among the three sections of the State in the following order – Eastern, Central, Western.

**Section 9.** The Executive Secretary/Treasurer or Secretary and Treasurer shall be a hired position and receive a salary to be approved by the Executive Committee. The Secretary/Treasurer shall conduct the correspondence of the Department, send out all notices and literature, order stationery and printing, shall collect, receive, and have custody of all funds and pay bills as authorized by the Executive Committee. She/he shall render a financial report at the Executive Committee Meetings and an audited, detailed financial statement at the close of the fiscal year. If the Secretary/Treasurer is spit into two officers, the responsibilities will be handed out according to the office (Secretary – administrative – Treasurer financial).

**Section 10.** The Department Chaplain shall offer prayer at the Department Convention and at all meetings of the Department Executive Committee. She/he will have charge of the Memorial Service at the Department Convention; and perform such other duties incident to her/his office as assigned by the Department President.

**Section 11.** The Department Historian shall be responsible for the compiling of a complete historical record of the Department and make a report at the Department Executive Committee meeting.

**Section 12.** The activities of the District Presidents shall consist of organization work, installation of officers and such other duties as the Department President or Vice President of their District shall call upon them to perform. They shall be in charge of the American Legion Auxiliary in their respective Districts under the direction of the Department President. It shall be their duty to encourage and promote in every way the growth, welfare, and accomplishments of the Units; they shall be charged with coordinating the activities of the Units and with the organization of new Units in their Districts.

**Section 13.** The Department Vice President shall automatically succeed to the office of Department President should that office for any reason become vacant between Conventions. If the Department Vice President is unable to perform the duties of the Department President, she/he shall be succeeded by the first Sectional Vice President. The second Sectional Vice President shall become the first Sectional Vice President, the third Sectional Vice President shall become the second Sectional, and the Executive Committee shall elect a third Sectional Vice President. Any Vice President who serves in the office of Department President for a period of six months or more shall be considered a Past Department President and shall be entitled to all the privileges thereof. Other vacancies occurring between Conventions shall be filled by the Executive Committee.

**Section 14.** The Department Past President shall be the National Executive Committee Person and a member, with vote, of the Department Executive Committee for the year immediately following he/his term as Department President. The Department President shall be the Alternate National Executive Committee Person.

In case of death or resignation of the National Executive Committee Person, her/his alternate shall automatically become the National Executive Committee Person.

**Section 15.** A bond shall be provided by the Department to cover any officer handling funds of the Department.

**Section 16.** In the event of National Disasters, State of Emergencies, Pandemics, and uncontrollable events all elected officers and appointees at the Department, Council, and Unit level, if they so desire, shall continue to serve in their current positions until the close of the next Department Convention.

The current NEC member, if he/she desires, will continue in that position until the next National Convention.

District Presidents will add one more year to their term until their respective Council Elections Meeting.

**Section 16 a.** The Department President shall appoint a retiring Department Officer or appointee with ratification by the Department Executive Committee.

**ARTICLE VII**

**Executive Committee**

**Section 1.** Between Conventions, the administrative powers of the Department shall be vested in the Executive Committee composed of the officers, the National Executive Committee person and twenty-eight (28) committee persons to be known as District Presidents, twelve (12) from the Western Section with respective Districts as follows:

Allegheny County;

 Armstrong, Indiana Counties;

 Beaver, Lawrence, Mercer Counties;

 Bedford, Blair Counties;

 Butler County;

 Cambria County;

 Clearfield, Jefferson, Clarion Counties;

 Elk, Forrest, Warren, McKean, Cameron Counties;

 Somerset County;

 Washington, Fayette, Green Counties;

 Westmoreland County;

Nine (9) from the Central Section with respective Districts as follows:

 Adams, Franklin, Fulton, York Counties;

 Bradford, Tioga, Potter Counties;

 Cumberland, Dauphin, Lebanon Counties;

 Centre, Lycoming, Clinton Counties;

 Huntingdon, Mifflin, Juniata, Perry Counties;

 Lackawanna, Susquehanna Counties;

 Luzerne, Wyoming Counties;

 Union, Snyder, Northumberland, Montour, Columbia, Sullivan Counties;

 Wayne, Pike Counties;

And seven (7) from the Eastern Section with respective Districts as follows:

 Berks County;

 Carbon, Lehigh, Monroe, Northampton Counties;

 Chester, Lancaster Counties;

 Delaware County;

 Montgomery, Bucks Counties;

 Philadelphia County;

 Schuykill County

**Section 2.** All Past Department Presidents in good standing in their local Units shall be members for life of the Department Executive Committee with privilege of recommendation and discussion only.

**Section 3.** The Program Chairpersons and VA Hospital Representatives shall be members of the Department Executive Committee with privilege of recommendation and discussion only.

**Section 4.** The Department Executive Committee shall meet at place of Convention prior to opening session and at least twice between Conventions at such time and place as shall be determined by the President. A special meeting of the Executive Committee may be called by the President, or on written request **of ten members, provided call for meeting is sent out at least one week prior to** date of meeting.

**Section 5.** A majority of the voting members shall constitute a quorum to transact business.

**Section 6.** The officers of the Department shall also serve as officers of the Executive Committee. They shall have the power to act between Executive Committee meetings and shall meet on the call of the President.

**Section 7.** The Department Executive Committee shall have power for good cause to suspend or remove from office any elective or appointed officer of the Department or any elective or appointed officer within the Department after a fair and impartial hearing of the charges brought against such an officer.

**Section 8.** No person shall hold more than one office on the Department Executive Committee whether appointed or elected in the same year.

**Section 9.** There shall be no appointments longer than 3 years except as provided in the Department Bylaws or Convention mandate.

**Section 10.** The Department Executive Committee has the responsibility to cancel or postpone any and all Conferences and Conventions in time of National Disasters, State of Emergencies, Pandemics, and uncontrollable events that prevent meetings, conferences, and conventions. These would be limited to emergency recourse only and may be held by electronic teleconferences and/or video calls.

**ARTICLE VIII**

**Department Convention**

**Section 1.** The legislative body shall be a Department Convention to be held annually.

**Section 2.** Each Unit shall be entitled to be represented at the Department Convention by one Delegate and one Alternate; and one additional delegate and alternate for each 100 members of fraction thereof, whose current Department and National per capita tax has been received in the Department office 30 days prior to the opening of the Convention. Each Unit shall be entitled to as many votes as it is to Delegates. All Delegates and Alternates shall be elected.

**Section 3.** Department Officers, District Presidents, Chairpersons of Department Standing Committees, Department Hospital Representatives, and Hospital Field Service Director, by virtue of their appointment, shall be fully accredited Delegates at large to the Department Convention and shall not relinquish said vote in order to vote their Unit strength. Presidents of duly organized County Councils, by virtue of their election, shall be fully accredited Delegates to the Department Convention.

**Section 4.** All Past Department Presidents in good standing in their Units shall be Delegates-at-large to the Department Convention.

**Section 5.** The number of Units represented as provided above shall constitute a quorum.

**ARTICLE IX**

**Revenue**

There shall be a per capita tax per annum for Junior members and Senior members. This amount will be considered and voted on by delegates to Department Convention for their portions and voted by delegates to National Convention for their portion. This will be paid by the Units upon application for charter and annually thereafter at such time as designated. Additional revenue if needed shall be raised from such other sources as may be determined by the Executive Committee.

**ARTICLE X**

**Standing Committees**

**Section 1.** There shall be the following Standing Committees: Americanism, Auxiliary Emergency Fund, Children and Youth, Community Service, Constitution and Bylaws, Education, Finance, Girls State, Hospital & Field Service Director, Juniors, Leadership, Legislation, Membership, National Security, Presidents Project, Past Presidents Parley, Poppy, Public Relations, and Veterans Affairs and Rehabilitation.

**Section 2.** The Finance Committee shall be composed of three members not holding Department Elective office. Of these three members first appointed, one shall serve for one year, one for two years, and one for three years, and each year thereafter one member of this Committee shall be appointed for a term of three years. Appointment of a Finance Committee member will be limited to one consecutive term consisting of three years. Such a member will be eligible for re-appointment after a lapse of three years only. Of these three members, one shall be from the Eastern Section, one from the Central Section, and one from the Western Section of the state. This committee shall oversee the general financial policy of the Auxiliary subject to ratification by the Executive Committee. It shall be charged with the preparation of the yearly budget and shall supervise the expenditure of all Auxiliary funds.

**Section 3.** With the exception of the Finance and Past Presidents Parley Committees, Committees and Chairpersons shall be appointed by the President subject to ratification by the Executive Committee. The President shall create and discharge such additional Special Committees as may from time to time be needed, subject to ratification by the Executive Committee. The President shall appoint the Chairperson of the Finance Committee and the Parliamentarian. The National Executive Committeeperson serves as Chairperson of the Past Presidents Parley by virtue of her/his office.

**ARTICLE XI**

**Units**

**Section 1.** The smallest administrative body of the American Legion Auxiliary, Department of Pennsylvania, shall be termed the Unit, the minimum membership of which shall be ten (10) Senior members. A Unit desiring to be chartered shall apply to the Department Office. When the blanks are returned properly executed and accompanied by both State and National per capita tax and charter fee of ten dollars ($10.00) and recommended by the Department President, the charter will be issued by the National President and the National Secretary. The organization shall be affected and completed by the District President.

**Section 2.** Units shall be given the name and number of the Post to which they are attached.

**Section 3.** The Officers of the Unit shall be a President, First Vice President, Second Vice President, one or more Secretaries, Treasurer (or a Secretary-Treasurer), Chaplain, Historian, and Sergeant-at-Arms.

Officers shall be installed by the District President, Department President, Department Vice President, three Sectional Vice Presidents, or a Past Department President. If these officers are unable to install, then a Past Sectional Vice President, or Past District President may install with the approval of the current District President.

**Section 4.** Units shall report to the Department Office each month the number of new members admitted together with their application for Membership forms correctly completed; and shall also remit the per capita tax due to the National Auxiliary and the Department with this report, listing the new and renewal membership separately.

**Section 5.** Annual dues shall be payable August first of each year for the next ensuing calendar year. A member failing to pay such annual dues by January thirty-first shall be classed as 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 each 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 form the rolls and may not hereafter be reinstated without vote of the Unit, where the Unit requires a vote on applications for membership, and the payment of all back dues, or by re-establishing eligibility and making application as a new member.

**Section 6.** Subject to the provisions as to eligibility contained in the National and Department Constitutions of the Auxiliary, each Unit shall be the judge of the qualifications of its candidates for membership and shall have authority to expel a member upon proper showing of fraud in obtaining membership or conduct unbecoming a member of the American Legion Auxiliary. All charges must be made in writing and notice of such contemplated action must be given all members of the Unit at least fifteen (15) days previous to the meeting at which action is taken. A majority of members present shall be necessary to reject an application for membership and two-thirds vote of members present to expel a member. The accused shall have the right to appeal to the Executive Committee of the Department and if she/he desires, to appear in person before said Committee whose action upon the case shall be final. The procedure for the expulsion or suspension of a member of the American Legion Auxiliary shall be governed by the rules as outlined in the Unit Handbook.

**Section 7.** All Senior members in good standing in a Unit shall be entitled to a vote. No person may be a member at any time of more than one Unit. A member of a Unit in this Department in good standing may be transferred to any other Unit in the Department and no additional dues shall accrue to the Department because of the transfer. No dues shall be transferred, and the transferring member shall be entitled to voting privileges in the Unit to which she/he transfers until the expiration of her/his paid up dues.

**Section 8.** Any Unit who does not have a minimum of the (10) Senior Members paid to Department and National organizations, shall upon order of the Department President, surrender its charter, records, and funds, with the prerogative of specifying the Department program to benefit from such funds. Upon failing to surrender its charter, records, and funds, immediate steps may be taken by the Department Executive Committee for the revocation of the same.

**Section 9.** Units shall not, unless authorized by the Department Executive Committee, incur any obligations or liabilities of any kind whatsoever, which shall subject any other Unit, Post, Sub-Division, Department, Organization, Committee, or group of members of the Auxiliary or of The American Legion.

**Section 10.** Units shall not affiliate with organizations other than Community Service Agencies, unless expressly authorized so to do by the Department Executive Committee.

**ARTICLE XII**

**National Delegates**

**Section 1.** The Department “Shall be entitled to five delegates” to the National Convention “and one additional delegate for each 1,500 members or major fraction thereof, whose current dues have been received by the National Treasurer thirty days prior to the meeting of said Convention, and to one alternate for each delegate”. Alternates shall have all the privileges of delegates except that of voting. The delegates shall be elected at Department Convention at least two weeks prior to National Convention.

(Quotes extracted from Article VI, Section 2, National Constitution.)

**Section 2.** The retiring Department President and retiring Executive Secretary-Treasurer shall be considered as two of the delegates by virtue of their office. The retiring Department Vice President shall be alternate.

**Section 3.** The retiring Department President shall be the leader of the Pennsylvania Delegation at the National Convention in the year in which she/he retires.

**ARTICLE XIII**

**Fiscal Year**

The Fiscal year of the Department shall be from August first to July thirty-first and an audited detail report covering the fiscal year shall be mailed not later than September 15th.

**ARTICLE XIV**

**Parliamentary Rulings**

The Department shall be governed by Roberts’ Rules of Order, Revised, in all points not covered by these Bylaws.

**ARTICLE XV**

**Amendments**

These Bylaws may be amended at any Department Convention, by a vote of two-thirds of the total authorized representation provided that the proposed amendments shall have been submitted from the Department Office to all Units and members of the Department Executive Committee with the call for the Annual Convention; provided further, they may be amended by unanimous vote at any Convention without notice; and provided further, that all proposed amendments shall be read at a regular meeting of the Convention at least four hours before the vote is taken thereon.

**AMERICAN LEGION AUXILIARY**

**DEPARTMENT Of PENNSLYVANIA**

**UNIT BYLAWS**

**Prescribed by the Department**

**December 9th, 1922**

**Revised August 2021**

ARTICLE I

**NAME**

The name of this Unit existing under these Bylaws shall be known as The American Legion Auxiliary Unit of …………………………………………………………………………. Post No. …………………..

**ARTICLE II**

**Object**

The object of this Unit shall be to uphold the principles as set forth in the Preamble to the Constitution of the American Legion Auxiliary.

**ARTICLE III**

**Membership**

**Section 1.** The minimum membership of any Unit shall be ten Senior members and they shall be recognized as a Unit of the American Legion Auxiliary only after having duly received a charter.

**Section 2.** This Unit shall be absolutely non-sectarian and 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 of preferment.

**Section 3.** Each member shall perform her/his full duty as a citizen according to her/his conscience and understanding.

**ARTICLE IV**

**Eligibility**

**Section 1.**

1. Membership in the American Legion Auxiliary shall be limited to mothers, sisters, daughters, spouses, and granddaughters of members of The American Legion.
2. To the mothers, spouses, daughters, sisters, and 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 and any time after December 7, 1941, 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.
3. 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.

1. Senior membership shall be composed of members over the age of eighteen (18) years provided, however, that a wife under the age of eighteen (18) years who is eligible under Section 1 of this article, shall be classed as a senior member.
2. Junior membership shall be composed of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically

be admitted into Senior membership with full privileges.

1. Dues of both classes shall be paid annually.

**Section 3.** No person may be a member at any one time of more than one Unit.

**Section 4.** Each Unit shall be the judge of the qualifications of its candidates for membership, but no candidate shall be considered who does not present a filled out set of “Application for Membership Forms as prescribed by the National Body”.

**ARTICLE V**

**Officers**

**Section 1.** There shall be a President, First Vice President, Second Vice President, one or more Secretaries, a Treasurer (or a Secretary-Treasurer), Chaplain, Historian, and Sergeant-at-Arms.

These officers may be nominated by a nominating committee with the opportunity for additional nominations from the floor, or they may be nominated entirely from the floor and elected by a ballot at the annual meeting, unless there is only one candidate for an office, then voting may be by acclamation. A majority vote shall elect, and all officers shall serve one year, or until their successors are elected.

**Section 2.** No member shall hold more than one elective Office at the same time with the exception of Secretary-Treasurer.

**Section 3.** The Officers shall serve as officers of the Executive Committee.

**ARTICLE VI**

**Duties of Officers**

**Section 1.** It shall be the duty of the President to preside at all meetings of the Unit and of the Executive Committee; she/he shall have read at meetings all communications received from Department Headquarters and see that same are complied with; she/he shall have preserved in the Unit’s records a perpetual file of all minutes of executive sessions; and perform such other duties as usually pertain to the office. She/he shall make a report at the Annual Meeting.

A President who fulfills her/his official duties for a period of six months or more shall be considered a Past Unit President.

**Section 2.** It shall be the duty of the First Vice President to perform the duties of the President in her/his absence or temporary disability. Should the office of the President become vacant during the year, the First Vice President shall automatically succeed to that office and the Second Vice President shall become the First Vice President. A new Second Vice President shall be elected by the Executive Committee.

**Section 3.** It shall be the duty of the Secretary to record the proceedings of the Unit and of the Unit Executive Committee meetings and to keep all books necessary to the successful conduct of the work of the office; and to conduct her/his office in a business-like manner. She/he shall care for the Archives of the Unit and shall keep a record of all monies received.

**Section 4.** The Corresponding Secretary shall send out notices for the Annual and Special Meetings, conduct the correspondence of the Unit and the Executive Committee under the direction of the President, and shall keep names and addresses of members listed. She/he shall keep the Treasurer advised of all persons elected to membership and all changes affecting membership. She/he shall notify applicants of their election to membership. She/he shall report all new members and all resignations to the Unit at regular meeting. She/he shall distribute the ballots at the Annual Meeting.

**Section 5.** It shall be the duty of the Treasurer to receive all monies belonging to the Unit and to account for them. She/he shall pay all orders signed by the Secretary and countersigned by the President and shall retain these orders as vouchers. She/he shall deliver to her/his successor all money, vouchers, books, and papers belonging to the Unit. The account of the Treasurer may be audited prior to the Annual Meeting, and it shall be audited at the close of the Fiscal Year, July 31.

**Section 6.** It shall be the duty of the Chaplain to offer prayer at the opening of each meeting and to perform such other duties as the President may direct.

**Section 7.** It shall be the duty of the Historian to prepare for posterity the records of the Unit and make a report at the Annual Meeting.

**Section 8.** It shall be the duty of the Sergeant-at-Arms to perform such duties as may be presented by the President.

**Section 9.** All records of any description received by any Unit Officer during the term of office shall be considered the property of the Unit and shall be delivered intact to her/his successor.

**ARTICLE VII**

**Executive Committee**

**Section 1.** There shall be an Executive Committee composed of the Officers and Chairpersons of Standing Committees which shall meet on call of the President or upon written request of at least three members of the Executive Committee. Five members shall constitute a quorum. All Past Unit Presidents in good standing in their Units shall be members for life of the Executive Committee, with the privilege of recommendation and discussion only.

**Section 2.** Vacancies occurring in the Executive Committee from any cause other than the expiration of the term of office shall be filled by a majority of votes cast by the Executive Committee. The person elected shall serve for the unexpired term of the member whom she/he succeeds.

In the event an officer-elect resigns prior to August first, such office shall be filled by those members eligible to vote at the Annual Meeting.

**ARTICLE VIII**

**Meetings**

**Section 1.** The Annual Meeting shall be the last business meeting prior to July first of each year. Notice of same shall be sent by the Secretary at least five days in advance. Officers shall assume office August first.

**Section 2.** Regular meetings of the Unit shall be held …………………………………… of each month. Each Unit shall establish its own quorum.

**Section 3.** For regular meetings or for special meetings when advance notice or at least three days has been given, the number of members in attendance shall constitute a quorum.

When less than three days’ notice has been given, ten members shall constitute a quorum.

**ARTICLE IX**

**Dues**

**Section 1.** The annual membership dues of this Unit shall be ……………………...which include the Department and National Per Capita Tax for the ensuing year. The Per Capita Tax of the Unit Membership shall be paid to the Department Secretary-Treasurer as soon as possible after the close of each National Convention.

**Section 2.** Units shall report to the Department Office each month the number of new members admitted, together with their application for Membership forms, correctly filled out; and shall remit the Per Capita Tax due to the National Auxiliary and the Department with this report, listing the new and renewal membership separately.

**Section 3.** Annual dues shall be payable August first of each year for the next ensuing calendar year. A member failing to pay such dues by January thirty-first shall be classed as 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 vote of the Unit, where the Unit requires a vote on applications for membership, and the payment of back dues, or by re-establishing eligibility and making application as a new member.

Section 4. Application for Membership Forms must be accompanied by the National and Department Per Capita Tax for current year, and Unit dues, before being given consideration by the Unit.

Section 5. Any Unit failing to meet the obligations imposed upon it by the Constitution and Bylaws or by rulings of Convention or 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, records, and funds, with the prerogative of specifying the Department Program to benefit from such funds. Upon failure to surrender its charter, records, and funds, immediate steps may be taken by the Executive Committee for the revocation of the same.

**ARTICLE X**

**Affiliations**

**Section 1.** Units shall not affiliate with organizations other than Community Service Agencies, unless expressly authorized so to do by the Department Executive Committee.

**Section 2.** Seven or more Units may combine to form a County Council, for mutual benefit through interchange of ideas and plans, but without having any authority over the actions of the individual Unit belonging to the Council.

**Section 3.** Units may, upon application or invitation affiliate with the County Council in which they geographically belong; and no variation from this rule shall be allowed unless such variation has been established by the Post to which the Unit is attached.

**ARTICLE XI**

**Transfers**

**Section 1.** Transfer of membership from one Unit to another in the Department shall be upon application of the member to, and acceptance by, the other Unit. No dues shall be **transferred, and the transferring member shall be entitled to voting privileges in the Unit** to which she/he transfers, until the expiration of her/his paid-up dues.

**ARTICLE XII**

**Committees**

**Section 1.** Units shall have Standing Committees corresponding as nearly as possible to the Department Committees.

**Section 2.** The Chairperson and members of Committees, except those otherwise provided in these Bylaws, shall be appointed by the President, subject to the approval of the Executive Officers.

**Section 3.** The Finance Committee shall be composed of three members not holding Unit elected offices. Of these three members first appointed, one shall serve for one year, one for two years, and one for three years, and each year thereafter one member of this Committee shall be appointed for a term of three years. This Committee shall oversee the general financial policy of the Unit, subject to the approval of the Executive Committee.

**Section 4.** It shall be the duty of the President to appoint an Auditing Committee of three or more persons to audit the books at the close of the fiscal year and make a report at the first meeting of the new year.

**ARTICLE XIII**

**Fiscal Year**

**Section 1.** The Fiscal Year of the Unit shall be the same as that of the Department.

**ARTICLE XIV**

**Liability**

The Unit shall not incur obligations or liabilities of any kind whatsoever which shall subject to liability any other Unit, Post, Subdivision, Department, Organization, Committee, or group of members of the Auxiliary or The American Legion.

**ARTICLE XV**

**Order of Business**

Taken from the Manual of Ceremonies and the Unit Handbook

1. Reading of minutes of previous meeting
2. Committee reports
3. Sick call and relief
4. Unfinished business
5. Balloting on application
6. Initiation of candidates
7. New business and correspondence
8. The good of the Auxiliary (The membership shall be permitted to make any suggestions of any kind, character, or description, save of religion or partisan politics.)

**ARTICLE XVI**

**Parliamentary Procedure**

The rules of procedures at meetings of the Unit shall be those set forth in Robert’s Rules of Order, Revised, except as otherwise expressly provided herein.

**ARTICLE XVII**

**Amendments**

Upon request of ten or more Units, any proposed amendment to these Bylaws, will be considered at the first Department Executive Committee meeting, subsequent to receiving such request. No amendments will be considered which are in conflict with any rules of the National or Department Executive Committee.

Name ………………………………………………………………………………………………

Address ………………………………………………………………………………………….

Member of …………………………………………………………………., A.L.A. No……….

**COUNTY COUNCIL BYLAWS**

**As Prepared by Executive Board**

**AMERICAN LEGION AUXILIARY**

**DEPARTMENT OF PENNSYLVANIA**

**ARTICLE I**

**Name**

The name of this Council shall be ………………………………………………………………

…………………………………………………………………………………...County Council, American Legion Auxiliary, Department of Pennsylvania.

**ARTICLE II**

**Object**

The object of this subsidiary organization shall be to provide a common meeting place for the exchange of ideas and discussion of plans and for instructive talks by invited speakers, with the particular purpose of increasing knowledge and efficiency of the Unit membership in the County or Counties composing the Council.

**ARTICLE III**

**Officers**

**Section 1.** The officers shall be a President, First and Second Vice President, Secretary, Treasurer, Chaplain, Historian, and one or more Sergeant-at-Arms.

**Section 2.** Each Council shall elect Representatives from Units having no officers. The Council shall establish the number of Representatives to be elected. No two Representatives shall be elected from the same Unit.

**Section 3.** The President, First Vice President, Second Vice President, Chaplain, Historian, and Sergeant-at-Arms shall serve for one year and shall be eligible for re-election to these offices for not more than one consecutive year.

**Section 4.** If a Council cannot fill all elective offices, a Unit may be represented by two elected Officers, but no member shall hold more than one office at the same time.

**Section 5.** All officers shall be elected at the Annual Meeting, nominations to be made either entirely form the floor or by a nominating committee, with any additional nominations from the floor. Voting shall be by ballot and candidates for the respective offices receiving the majority of votes cast shall be declared elected. When there is but one candidate for an office, voting may be by acclamation.

**ARTICLE IV**

**Duties of Officers**

**Section 1.** It shall be the duty of the President to preside at all meetings of the Council and the Council Executive Committee to enforce strict observance of the Constitution and Bylaws to appoint members of all necessary committees and perform such other duties as custom and parliamentary usage require.

A President who fulfills her/his official duties for a period of six months or more shall be considered a Past Council President.

**Section 2.** It shall be the duty of the First Vice-President to act for the President in her/his absence or disability. It shall be the duty of the Second Vice-President to act for the First Vice-President when called upon.

**Section 3.** It shall be the duty of the Secretary to record the minutes of the Council and Council Executive Committee Meetings, to send and give due notice of all meetings and to care for the records of the Council during her/his term of office.

**Section 4.** It shall be the duty of the Treasurer to receive all monies belonging to the Council and to account for them. She/he shall pay all orders signed by the Secretary and countersigned by the President and shall retain these orders as vouchers. She/he shall deliver to her/his successor all money, vouchers, books, and papers belonging to the Council. The account of the Treasurer may be audited prior to the Annual Meeting, and it shall be audited at the close of the Fiscal Year, July 31.

**Section 5.** It shall be the duty of the Chaplain to offer prayer at the opening of each meeting and perform such other duties as the President may direct.

**Section 6.** It shall be the duty of the Historian to prepare for posterity the records of the Council and to make a report at the Annual meeting.

**Section 7.**  It shall be the duty of the Sergeant-at-Arms to preserve order at the meeting and perform such other duties as the President may direct.

**ARTICLE V**

**Executive Committee**

**Section 1.** The Executive Committee shall be composed of the Officers and Representatives. This Committee shall have administrative control of the Council and shall meet at such time and place as the President shall direct.

**Section 2.** The Executive Committee shall have power to act for the Council between meetings. The quorum of the Executive Committee shall be the majority of the Executive Committee providing all Officers and Representatives have been notified of the meeting.

**Section 3.** Vacancies occurring in the Executive Committee shall be filled by the Executive Committee.

**ARTICLE VI**

**Membership**

**Section 1.** Each Unit in good standing in the Council shall be entitled to be represented at a Council Meeting by one Delegate or one Alternate, and one additional Delegate or Alternate for each 25 members or fraction thereof. The voting membership of the Council shall be composed of these Delegates or Alternates, the elected officers and representatives, and Past Presidents of the Council. A voting member shall have but one vote, although entitled to vote in any of several capacities, and must be present at the meeting. All Delegates and Alternates to the Council must be elected in their respective Units.

**Section 2.** All members in good standing of a Unit may attend the regular meetings of the Council but shall not have voting privilege.

**Section 3.** Any Unit desiring to resign from a Council shall present a resignation in writing to the Secretary stating the reason of withdrawal. The Secretary shall present the resignation to the Executive Committee for their recommendation to the Council.

**Section 4.** Any Unit desiring re-instatement shall make such application to the Secretary stating reason of withdrawal and desire for re-instatement. The Secretary shall refer this application to the Executive Committee for consideration, re-instatement to be decided by a two-thirds vote of the Council.

**ARTICLE VII**

**Dues**

**Section 1.** The Annual Dues of a Council shall be five cents per Unit member from affiliated Units.

**Section 2.** Eligibility to vote requires all dues to be paid 30 days prior to the Annual Meeting.

**ARTICLE VIII**

**Standing Committees**

**Section 1.** Councils shall have standing committees corresponding as nearly as possible to the Department Committees. The Chairpersons and members of Committees shall be appointed by the Council President.

**Section 2.** The Finance Committee shall be composed of three members not holding elected offices. Of these three members first appointed, one shall serve for one year, one for two years, and one for three years, and each year thereafter one member of this committee shall be appointed for a term of three years. This Committee shall oversee the general financial policy of the Council, subject to the approval of the Executive Committee.

**ARTICLE IX**

**Meetings**

**Section 1.** Meetings of the Council shall be held …………………………………………….

**Section 2.** The Annual Meeting shall be the last business meeting prior to July 1 of each year, when an audited report of the Treasurer may be read, and such other reports as the Executive Committee shall determine. Notice for the Annual Meeting shall be sent to Units at least 30 days prior to the Annual Meeting.

**ARTICLE X**

**Fiscal Year**

The fiscal year shall be the same as that of the Department.

**ARTICLE XI**

**Order of Business**

As suggested in the Unit Handbook.

**ARTICLE XII**

**Parliamentary Authority**

Robert’s Rules of Order Revised shall govern all points not covered in these Bylaws.

**ARTICLE XIII**

**Amendments**

Any Council deeming it necessary to have additional rulings shall submit them to the Department Executive Committee for approval.