

DEPARTMENT

Constitution
and
Bylaws

AMERICAN LEGION
AUXILIARY

Department of New York, Inc.

2011

CONSTITUTION

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 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

SECTION 1. The name of this organization shall be the American Legion Auxiliary, Department of New York, Inc.

ARTICLE II

OBJECTS

SECTION 1. To serve the American Legion in all its activities, to support it in all its interests, and to promote its welfare; to hold in sacred remembrance of the names of all who gave their lives in defense of civilization in the Great Wars; to lend its united efforts to the task of impressing the minds of the youth of our land, and through them the generations to come, with the necessity of a staunch and steadfast support of the Constitution of the United States, with a deep, abiding love and reverence for our Flag and all that it represents, so that the noble sacrifice and service to the whole world, by those who are now forming The American Legion, may not have been rendered in vain.

ARTICLE III

NATURE

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

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

ARTICLE IV

ELIGIBILITY

SECTION 1. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sister, granddaughters, great granddaughters, and grandmothers of members of The American Legion, and to the mothers, wives, daughters, sisters, granddaughters, great granddaughters, and grandmothers 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 the 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 said periods, and died in 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 years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this Article shall be classed as a Senior member.

(b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching age of eighteen years, Junior members shall automatically be admitted to Senior membership with full privileges.

(c) Dues of both classes shall be paid annually or for life.

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

SECTION 4. No person, who has been expelled by a Unit shall be admitted to membership in another Unit without the consent of the expelling Unit, except, that where such consent has been asked for and denied by such Unit, she may then appeal to the Department Executive Committee for permission to apply for membership until such permission is granted.

ARTICLE V

DEPARTMENT OFFICERS

SECTION 1. The Department Officers shall be a President and three Vice-Presidents, who shall serve as FIRST, SECOND and THIRD Vice-Presidents and a Secretary-Treasurer. These Officers shall be members of the Department Executive Committee until the close of the succeeding department convention.

SECTION 2. The Department Secretary-Treasurer shall be appointed by the President, subject to the approval of the Department Executive Committee at the first Executive Committee meeting immediately after the Department Convention; and shall hold office for one year until her successor is appointed and qualified.

SECTION 3. The Junior Past Department President shall become automatically the National Executive Committeewoman and the Department President, the Alternate National Executive Committeewoman, their duties and terms of office shall be those prescribed by the National Organization. She shall hold said office until her successor has been chosen.

SECTION 4. All Department and District Officers, Committee Chairmen, elected or appointed at a Department Convention shall take office immediately at the adjournment of such Convention and shall serve until the adjournment of the succeeding Department Convention or thereafter until their successors are chosen.

ARTICLE VI

DEPARTMENT EXECUTIVE COMMITTEE

SECTION 1. Between Department Conventions, the administrative powers shall be vested in the Executive committee, which shall be composed of Department Officers and District Presidents.

SECTION 2. The Department Executive Committee shall consist of the Department President, the First Vice President, Second Vice President, Third Vice President, ten District Presidents, the Junior Past Department President with vote. The Department Secretary-Treasurer shall be a member of the Executive Committee without vote. All Past Department Presidents shall be members for life of the Executive Committee without vote. This does not apply to any individual not a member in good standing.

SECTION 3. Ten members shall constitute a quorum of the Executive Committee.

ARTICLE VII

DEPARTMENT CONVENTION

SECTION 1. The legislative body of the American Legion Auxiliary, Department of New York, Inc. shall be a Department Convention held annually at the same time and place as The American Legion Convention.

SECTION 2. The Department Convention shall elect annually a Department President and a First, Second and Third Vice-President. A Department President shall not succeed herself after a full term.

(a) A full term of office is twelve months.

SECTION 3. The Department Convention shall be composed of delegates and alternates from the Units, the Department Executive Committee, the Junior Past County Presidents, or their alternates and the Past Department Presidents. All Past Department Presidents in good standing in their local Units shall be life delegates-at-large to the Department Convention with vote to be exercised with their Counties.

SECTION 4. Each Unit in the Department shall be entitled to one (1) delegate and one (1) alternate for the first ten (10) members, and one (1) additional delegate and alternate for each additional one hundred (100) members or major fraction thereof, whose current dues have been paid thirty (30) days prior to the date of the Convention. Unit delegates entitlements unused by Units may be elected from the respective County's membership at the June County meeting. Expenses at the discretion of the respective County voted at the June County meeting.

SECTION 5. The delegates and alternates of the Units shall be elected at a regular or special meeting not later than two (2) weeks prior to the Convention. The immediate Junior Past President of the Unit shall become the first delegate to be elected.

SECTION 6. The immediate Junior Past County President or her alternate elected for the purpose shall be the delegate to the Convention and likewise Chairman of the County delegation.

SECTION 7. Each delegate shall be entitled to one (1) vote. The vote of any delegate absent and not represented by an alternate shall be cast with the majority of the delegates present from the County provided the County has its full voting strength set by close of books.

SECTION 8. A quorum shall exist at a Department Convention when sixty per cent of the Counties are represented.

ARTICLE VIII

DISTRICT ORGANIZATION

SECTION 1. There shall be a District Organization in each Judicial District established by the Constitution of the State of New York, except that the 10th and 11th Judicial Districts shall comprise one District Organization to be known as the 10th District, and the 1st and 12th Judicial District shall comprise one District Organization to be known as the 1st District, the Officers of which shall consist of a District President, a District Vice President, both of whom shall be elected, and a District Secretary who shall be appointed.

SECTION 2. The delegates from each District to the Department Convention shall annually elect from among their number a District President and a District Vice President who shall hold office for a term of one (1) year. The newly elected District President shall immediately at the close of the Convention become a member of the Department Executive Committee.

(a) The newly elected District President and District Vice President shall be obligated at the installation of the Department Officers at the annual Convention.

SECTION 3. In case of the death or resignation of the District President, a caucus of the previous Convention delegates shall be called within thirty (30) days of such death or resignation for the purpose of electing a District President and a District Vice President.

(a) In case of the disability of the District President, the District Vice-President shall take her place only until such disability ceases.

SECTION 4. In case of the death or resignation of the District Vice President, a caucus of the previous Convention delegates shall be called within thirty (30) days of such death or resignation for the purpose of electing a District Vice President.

(a) In case of the disability of the District Vice President, the District President shall assume the responsibilities of the District Vice President.

SECTION 5. Any member in good standing in her Unit may sit in the District Caucus, and may be nominated and elected to any office in the Department of New York, but only duly elected delegates may vote.

SECTION 6. Districts assembled in Conference may petition the Department. Between Department Conventions, the Unit Presidents and County Presidents or their alternates and the Past Department Presidents who are members of a Unit within the District, shall be those entitled to cast votes at the District Conference.

ARTICLE IX

COUNTY COMMITTEE

SECTION 1. In a County where two or more Units are organized, there shall be a County Committee. The Units in the County shall be represented on the County Committee by the President of the Unit and two (2) members for the first ten (10) members and one (1) additional member for each additional fifty (50) members or major fraction thereof.

SECTION 2. In a County with two or more Units, no County President shall be eligible for election to such office for more than two (2) consecutive terms.

SECTION 3. The officers in a County Committee shall consist of a President, two or more Vice Presidents, a Secretary and a Treasurer, who shall be elected annually from the newly elected members of the County Committee at a regular or special County meeting at least thirty (30) days prior to the opening of the Department Convention. At the close of the annual meeting, the newly elected County Officers shall assume their respective positions.

SECTION 4. The Department Executive Committee may prescribe provisions governing a County Committee. Additional rules desired by a County Committee shall be submitted to the Chairman of the Department Constitution and Bylaws Committee for approval before becoming effective.

SECTION 5. If there is but one Unit in a County, it shall not have a County body or Committee, but shall deal directly with the Department

ARTICLE X

UNIT ORGANIZATION

SECTION 1. The local body shall be termed the Unit which shall have a minimum of ten (10) Senior members.

SECTION 2. The Officers of a Unit shall be a President, a First Vice President, Second Vice President, a Secretary and a Treasurer. These Officers with not less than (3) additional elected members shall comprise the Unit Executive Committee. These Officers shall be elected at least 30 days prior to County elections.

SECTION 3. The Department Executive Committee may revoke, cancel or suspend Unit Charters.

SECTION 4. The fiscal year shall begin August 1st and end July 31st.

SECTION 5. Units shall be given the name and number of The American Legion Post to which they are attached.

SECTION 6. Unit meetings shall not be held at the same time as County meetings.

ARTICLE XI

RULES

SECTION 1. The procedure of the Department Convention shall be governed by "Robert's Rules of Order Newly Revised."

ARTICLE XII

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 amendment shall have been submitted through the Department Secretary to Units and members of the Department Executive Committee at least sixty (60) days prior to the convening of the next Convention, provided further, it may be amended by unanimous vote at any Convention without notice; and provided further, that all proposed amendments shall be read at a regular session of the Convention at least four hours before the vote is taken thereon.

SECTION 2. This Constitution shall be automatically amended to conform with any duly adopted amendments to this Constitution by National Convention action.

ARTICLE XIII

WAR EMERGENCY

SECTION 1. The Department Executive Committee is hereby empowered by a two-thirds vote at a duly called meeting to abrogate the operation of Article VIII, Section 2 in the event of war emergency situations, such to be adequately publicized.

BYLAWS

ARTICLE I

NAME

SECTION 1. The name of the organization existing under these Bylaws is: the American Legion Auxiliary, Department of New York, Inc.

SECTION 2. The Headquarters of the American Legion Auxiliary, Department of New York, Inc. shall be located in the same city as that of The American Legion, Department of New York.

ARTICLE II

DUTIES OF OFFICERS

SECTION 1. Department President: It shall be the duty of the Department President to preside at the Department Convention and all meetings of the Department Executive Committee, to appoint all committees and appoint members thereon as she deems advisable as required by the National Organization, to appoint all officers not otherwise provided for with the approval of the Department Executive Committee. She shall be an ex-officio member of all committees and shall perform such other duties as are incident to the office.

SECTION 2. Department Vice President: The Department's First Vice President, Second Vice President, Third Vice President shall perform the duties incident to their office and such other duties as may be designated by the Department President and Executive Committee.

SECTION 3. Department Secretary-Treasurer: It shall be the duty of the Department Secretary-Treasurer to record proceedings of the Department Executive Committee Meetings and to keep all records of the Department Organization. She shall receive and transmit bulletins of all standing committees of the Department and send out all literature and calls for meetings.

(a) The Department Secretary-Treasurer shall be the custodian of the funds of the Department Organization and account for same. She shall perform all duties as required by the Constitution and Bylaws. She shall be given bond, or sufficient surety approved by the Executive Committee.

SECTION 4. District President: The District President shall have general advisory power over the Counties and Units in her District and shall promote the organization of additional Units in her District. She shall preside over joint meetings of the Counties in

her District holding at least one (1) such meeting a year, and to perform such other duties as the Department President may direct.

SECTION 5. District Vice-President: She shall be an assistant to the District President and shall perform all duties as directed by the District President. She shall, on all occasions, serve as alternate to the District President.

ARTICLE III

DEPARTMENT EXECUTIVE COMMITTEE

SECTION 1. Vacancies of Department Officers occurring between Conventions shall be filled by the Executive Committee.

SECTION 2. In the event of the death or disability of the President, the First Vice President shall fill the office of the President, and the second and third Vice Presidents shall become the first and second Vice President; the office of the third Vice President shall remain vacant until the following Convention.

SECTION 3. The Executive Committee shall hold at least four (4) meetings during the year. A meeting may be called at any time by the Department President or upon written request of five (5) members.

SECTION 4. The Department Executive Committee is authorized to make and publish regulations for the management and conduct of all subsidiary groups of the American Legion Auxiliary, Department of New York, Inc., the County Organization and the Unit. Such regulations shall not be inconsistent with the Department Constitution or these Bylaws and shall be complied with by all concerned.

ARTICLE IV

COMMITTEES

SECTION 1. There shall be Department Committees on Americanism, Auxiliary Emergency Fund, Cancer Control, Chaplain, Children and Youth, Community Service, Constitution and Bylaws, Coupons, Education, Empire Girls State, Historian, Junior Activities, Leadership, Legislation, Membership, National Security, Past Presidents Parley, Poppy/Poppy Posters, Public Relations, Veterans Affairs and Rehabilitation – Field Service, Convention and such other standing committees as the Department Executive Committee may determine. These committees shall be appointed for a term of one (1) year and shall perform such duties and exercise such powers as may be directed from time to time by the Department Executive Committee.

(a) It shall be the duty of the Department Chaplain to offer prayer at the opening of each day's business of the Department Convention and such other duties as the Department President may direct.

(b) It shall be the duty of the Department Historian to compile the historical records of the Department Organization.

SECTION 2. The Department President shall appoint a Department Finance Committee composed of three (3) members, subject to the ratification of the Executive Committee. The term of office of the Finance Committee shall be from annual Convention to annual Convention. Of these three (3) members first appointed, one shall serve for three (3) years, one for two (2) years and one for (1) year. Thereafter, one (1) member shall be appointed yearly to a term of three (3) years by the Department President, subject to the ratification of the Department Executive Committee.

(a) The Department President shall designate a Chairman of the Finance Committee.

ARTICLE V

REPRESENTATION IN NATIONAL CONVENTION

SECTION 1. The Department of New York shall be represented on the National Executive Committee by one (1) member and/or alternate. The term of office of National Executive Committeewoman shall commence immediately following the adjournment of the National Convention next ensuing and shall end at the adjournment of the next succeeding National Convention.

SECTION 2. Representation in the National Convention shall be by Departments. Each Department shall be entitled to five (5) delegates and one (1) additional delegate for each fifteen hundred (1,500) members or major fraction thereof, whose current dues have been received by the National Treasurer thirty (30) days prior to the meeting of said Convention, and to one (1) alternate for each delegate. The delegates and alternates shall be elected by Department Conventions, to be held not less than two (2) weeks before the National Convention, except the Department entertaining the National Convention; said Department to be privileged to hold its Department Convention and elect its delegates at the time and place designated by the Department of the American Legion.

The following shall be elected delegates to the National Convention with expenses paid by the Department of New York: the Department President, the Junior Past Department President, the First Vice President, Second Vice President, Third Vice President, the Secretary-Treasurer, the ten (10) District Presidents, the Department Convention Chairman, and the Department's endorsed candidate for National Office the year she is to be nominated and participate in the National election. The Junior Past Department President shall be the Chairman of the Delegation at National Convention.

In addition, any member from the Department of New York serving on a National Committee or a National Convention Committee shall be elected a delegate to the National Convention without expense to the Department.

ARTICLE VII

UNIT ORGANIZATION

SECTION 1. Each member shall be required to file with the Unit Secretary one (1) copy of the National Record Blank properly filled out and certified.

SECTION 2. 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 U.S. Government by force or violence, or who subscribed 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 3. Any member in good standing in a Unit shall be entitled to transfer to another Unit.

SECTION 4. 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 Certification of Transfer. The member shall then be entitled to active membership in said Unit. No dues shall be transferred.

SECTION 5. 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 6. Each Unit and each County Organization shall pay from the funds remaining in its hands after payment of the amount required to be paid per member to the County, Department and National Organizations, all necessary transportation of its delegates to all annual Department Conventions, as well as the necessary and actual lodging expenses of such delegates while in actual attendance at such Convention.

SECTION 7. All persons shall be bonded by a National policy payable through Department Headquarters.

ARTICLE VIII

COUNTY ORGANIZATION

SECTION 1. The County Organization shall be that prescribed in the Department Constitution.

SECTION 2. Each County Committee shall operate under a set of County Committee Rules which shall be approved by the Department Constitution and Bylaws Chairman before becoming effective.

SECTION 3. All payment to be made to the County Organization shall be made to the County Treasurer.

ARTICLE IX

DISTRICT ORGANIZATION

SECTION 1. In addition to the duties prescribed by the Department Constitution, the District President shall preside at all District Caucuses and other District meetings in her District, shall maintain liaison between the Department and the County Organizations in her District, shall act in such advisory or other capacities to the County Organizations and Units in her District as may from time to time be required by the Department President or the Department Executive Committee, and when called upon shall report to the Department President and the Department Executive Committee as to the condition of the District and the County Organizations and the Units located therein.

SECTION 2. The District Secretary shall be appointed by the District President.

ARTICLE X

DISCIPLINE OF UNITS

SECTION 1. When a Unit ceases to function or its charter has been revoked, or cancelled, the charter and all Unit records and funds shall be immediately forwarded to Department Headquarters.

SECTION 2. The Department Executive Committee after notice and hearing may suspend or revoke with the consent of the National Executive Committee, the charter of a Unit which violates the Constitution or which fails adequately to discipline any of its members and may provide for the government and administration of such Units during such suspension or such revocation.

ARTICLE XI

DISCIPLINE OF UNIT MEMBERS

SECTION 1. The Unit Executive Committee shall be empowered to remove any officer who does not satisfactorily fill her respective position or any member who is a disturbant factor of a Unit.

SECTION 2. Members may be suspended or expelled from the Unit only upon proper showing of cause. Charges shall be based upon disloyalty, neglect of duties, dishonesty and conduct unbecoming a member of the American Legion Auxiliary. All charges must be under oath, in writing, by the accusers and no member in good standing shall lose her membership until given a fair trial, in such manner and form as the National Executive Committee has prescribed.

SECTION 3. Annual dues shall be payable following Convention for the succeeding calendar year. A member failing to pay such annual dues by January 31st shall be classed as delinquent and shall be suspended from all membership privileges, provided, however, such suspended member shall be notified by the Secretary of the Unit in writing of such suspension prior thereto. Payment of back dues after suspension shall reinstate such member to active membership. Any member delinquent to December 31st of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without payment of all past dues or by reestablishing eligibility and making application as a new member.

ARTICLE XII

FINANCE

SECTION 1. The revenue of the American Legion Auxiliary, Department of New York, Inc. shall be derived from the annual dues of Senior and Junior members and by such other sources as may be determined by the Department in Convention assembled or by the Executive Committee.

SECTION 2. Annual dues shall be payable following Convention for the succeeding calendar year or for life.

SECTION 3. Each Unit shall pay annually to the Department Treasurer for each of its Senior Members, the sum of eleven dollars and eighty cents. Distribution of these dues shall be as follows: five dollars and twenty five cents to the Department (fifty cents of which shall be in a special fund to defray the expenses of the ten District Presidents and twenty-five cents of which shall be allocated to the Children and Youth fund) five dollars to the National Organization (which shall include a subscription to the National News), eighty cents for Department and National Rehabilitation taxes, and seventy-five cents to the County Treasurer.

(a) Each Unit shall pay to the Department Treasurer for each of its Junior Members the sum of four dollars. Distribution of these dues shall be as follows: One dollar and forty-five cents to the Department, one dollar and twenty-five cents to the National Organization, eighty cents for Department Rehabilitation taxes, and fifty cents to the County Treasurer.

SECTION 4. The Department Convention shall determine the amount of the Department dues.

SECTION 5. Each Unit shall include annually with members' dues to the Department Treasurer for each of its members the sum of eighty cents to be used to remember their hospitalized veterans on February 14.

SECTION 6. The Department Executive Committee may, by a two-thirds vote, levy an assessment on the membership not exceeding twenty-five (\$.25) per member.

(a) Any assessment thus ordered shall be paid by the Auxiliary Unit within sixty (60) days after an official notification.

SECTION 7. All money designated for Children & Youth and Veterans Affairs and Rehabilitation, contributed by Units, County, District, and all other sources, shall be sent to the Department Treasurer. All expenditures shall be requested on vouchers.

SECTION 8. From the funds remaining in her hands after payment of the annual dues per member to the National Treasurer of the American Legion Auxiliary, as provided in the National and Department Constitutions, the Treasurer is authorized to pay the current expenses as may be directed by the Finance Committee. She is also authorized to pay the necessary transportation of the delegates (with the exception of the District Presidents, such expenses being taken care of by the District Presidents Fund) to the annual National Convention and also the necessary and actual lodging expenses of such delegates while in actual attendance at the National Convention under regulations established by the Department Executive Committee.

SECTION 9. All persons handling funds of the Department Organization shall be bonded.

ARTICLE XIII

RULES

SECTION 1. The Department Organization shall be governed by "Robert's Rules of Order Newly revised" in all points not covered by the Constitution and Bylaws.

ARTICLE XIV

AMENDMENTS

SECTION 1. These Bylaws may be amended at any Department Convention by a vote of two-thirds of the total authorized representation thereat, provided that the proposed amendment shall have been submitted through the Department Secretary to Units and members of the Department Executive Committee at least sixty (60) days prior to the convening of the next Convention; provided further, it may be amended by unanimous vote at any Convention without notice: and provided further, that all proposed amendments shall be read at a regular session of the Convention at least four hours before the vote is taken thereon.

SECTION 2. These Bylaws shall be automatically amended to conform with any adopted amendments to the Bylaws by National Convention action.

ARTICLE XV

WAR EMERGENCY

SECTION 1. The Department Executive Committee is hereby empowered by a two-thirds vote at a duly called meeting, to abrogate the operation of Article 1, Section 2 in the event of war emergency situations, such action to be adequately publicized.

COUNTY COMMITTEE RULES

1. A County Committee shall consist of members duly elected by the Units as prescribed in the Department Constitution and Bylaws and shall be known as “_____” County Committee of the American Legion Auxiliary, Department of New York, Inc.

(a) The Units in the County shall be represented on the County Committee by the President of the Unit and two members for the first ten (10) members and one additional member for each additional fifty (50) members or major fraction thereof.

2. The County Committee shall elect a President, two or more Vice Presidents, a Secretary and a Treasurer, the same to be elected annually at a regular or special County meeting at least thirty (30) days prior to the opening of Department Convention from the newly elected members to the County Committee. At the close of the Annual meeting, those elected to office shall assume their respective positions. Wherever possible these positions should be distributed among the Units in the County.

(a) In the event of the death or resignation of a County Officer, an election to fill the vacancy shall be held within thirty (30) days of such death or resignation and all County Committee members shall be properly notified of the proposed election.

3. The Vice Presidents of the County may assume the duties of Children & Youth Committee and the Veterans Affairs and Rehabilitation Committee.

4. The County President shall appoint Chairmen of standing committees to conform with those named by the Department President and she shall name such other committees as she shall deem advisable, subject to the ratification of the County Executive Committee. Wherever possible, the County Chairmen of standing committees should be selected from members of the County Committee. If such appointed Chairmen are not members of the County Committee, they do not become voting members.

5. Each County shall have what is known as an Executive Committee which shall be composed of three or more elected members, together with the County President, Vice Presidents, Secretary and Treasurer.

6. The County President shall be under the direction of the District President and shall refer to her all disputed points.

7. In a County with two or more Units no County President shall be eligible for election to that office for more than two (2) consecutive terms.

8. The County Secretary shall keep minutes of all meetings and shall send to the District President and all Units in her County PROMPTLY the names and addresses of the newly elected officers.

9. At each meeting of the County Committee, the County Secretary shall call the roll, members responding. This roll call shall be for the purpose of recording the attendance only. The absence of any member of the County Committee from two consecutive meetings of the County shall be reported by the County Secretary to the Executive Committee of the Unit she represents. The Executive Committee of the Unit shall give notice to said member to appear before said committee and answer therefore. In case she does not appear or in case her answer is not considered satisfactory, said Unit shall declare her election void and shall elect another member in her place.

10. The County Treasurer shall receive all money and send to the Department Treasurer as promptly as possible. They should not be held until any definite date. The County Treasurer shall disburse all money except dues, Poppy funds and Empire Girls State funds which should be sent directly by Units.

11. There shall be a County Finance Committee composed of three (3) members. Of these three (3) members the first appointed one shall serve for three (3) years, one for two (2) years, and one for one (1) year. Thereafter one member shall be appointed yearly to a

term of three (3) years by the County President, subject to ratification by the County Executive Committee.

12. Meetings of the County Committee shall be held at least six times annually with no more than one meeting a month.

13. Any Auxiliary member in good standing in her Unit may attend County meetings, but only duly elected members to the County committee shall vote. No one, not a member of the Auxiliary or Legion should be admitted to these meetings.

14. ALL DEPARTMENT BULLETINS SHALL BE REVIEWED AT COUNTY MEETINGS AND DISCUSSED.

15. The immediate Junior Past County President, or her alternate elected for the purpose, shall be the delegate to the Department Convention and likewise Chairman of the County delegation. Her expenses shall be paid by the County she represents.

16. Installation of those elected to County positions is not required by the Department.

17. A member of the County Committee shall be known as a Committee member, not a delegate. There are no alternates to members of Committees, therefore, there are to be no alternates to the members of the County Committee, in accordance with the action of the Department Convention, in session assembled September 9, 10, 11, 1926 at Niagara Falls, New York. In case of the absence of the President of the Unit, the Vice Presidents in their order, automatically become, as is, for the time and purpose, under such a definition, the President of the Unit, and would, therefore, act on the County Committee. She shall not use her position at this time to become a candidate for a County office.

18. The Installing Officer for the Units may be a Department Officer, (President of the District, President of the County in which the Unit is located, a Past President of the Unit or anyone vested with such authority by the Department. In Counties where it is impossible for the County President to do the work in her County, she has the right to designate a Vice President of the County to install for her.)

19. The Department Executive Committee may prescribe provisions governing a County Committee. Additional rules desired by a County Committee shall be submitted to the Chairman of the Department Constitution and Bylaws committee for approval before becoming effective.

*Unit Rules as amended at Department Convention in session assembled
July 9, 10, 11, 2009 at Buffalo, New York*

*County Rules as amended at Department Convention in session assembled
July 7,8 ,9, 1988 at Binghamton, New York*

DISTRICT RULES

1. This District shall be known as _____ District of the American Legion Auxiliary, Department of New York, Inc. comprising the Counties of

2. Its officers shall be a President and a Vice President who will be elected, and a Secretary who will be appointed by the President. The Vice President shall serve as a District Membership Chairman. Additional officers or committees may be appointed at the discretion of the District.

3. The President and Vice President shall be elected in a District Caucus at Department Convention on the day designated by the Department President.

(a) Any member in good standing in her Unit may sit in the District Caucus and may be nominated and elected to office, but only duly elected delegates may vote.

(b) No longer shall a majority of delegates give a County its full voting strength. ONLY DELEGATES PRESENT IN THE CAUCUS MAY VOTE.

4. The newly elected District President shall automatically become a member of the Department Executive Committee at the close of the Convention.

5. In case of the death or resignation of the District President, a Caucus of the previous Convention delegates shall be called within thirty (30) days of such death or resignation for purpose of electing a District President and a District Vice President.

(a) In case of the disability of the District President, the District Vice President shall take her place only until such disability ceases.

6. In the case of the death or resignation of the District Vice President, a Caucus of the previous Convention delegates shall be called within thirty (30) days of such death or resignation for purpose of electing a District Vice President.

(a) In case of the disability of the District Vice President, the District President shall assume the responsibilities of the District Vice President.

7. The District President shall be the Liaison Officer between her District and the Department.

(a) She shall transmit to her Counties all programs as ordered by the Department President.

(b) She shall be responsible to the Department for the success of those programs in her District.

© It shall be her duty to instruct all Counties and Units who need help in the understanding of their work.

(d) She shall attend all meeting called by the Department President.

(e) She shall be a delegate-at-large to the National and Department Conventions, with vote.

(f) Her expenses shall be paid by the Department from the District President's fund.

8. The District Vice President shall act for the District President in her absence and perform such other duties as the District President may prescribe.

9. The District Secretary shall record all minutes. She shall attend to all correspondence and help the District President in any other way she may direct. The District Secretary's expenses to the District Conferences shall be paid by the District President.

10. There shall be at least one District Conference during the year, which the District President shall call and at which time she shall preside.

(a) The District President shall instruct her Counties that the County President and each Unit President, or their duly elected alternates, must attend these Conferences.

(b) A representation of a majority of the Counties shall constitute a quorum.

© The County President and Unit Presidents, or their duly elected alternates, preferably one of the County Vice Presidents in their respective order or a Unit Vice President, have the right to vote in District Conference.

(d) Department Officers, Past Department Presidents and Past District Presidents who are members of a Unit within the District shall be delegates-at-large to the District Conferences, voting with the Units. (Department Officers are President, three Vice Presidents, Secretary-Treasurer and ten (10) District Presidents).

(e) District Conference shall be self supporting. At no time is the Department responsible for any District expense pertaining to the conferences. At the conclusion of the administrating year, a financial report shall be given by the President to her District. Cost of transportation and housing of visiting Department Officers is provided by the Department.

*District Rules as amended at Department Convention in session assembled
July 14, 15, 16, 2011 Binghamton, New York*

